

<b>Application No:</b> 2006/666	<b>Application Type:</b> Full
<b>Proposal:</b> Revised plot layout & substitution of house types (plots 33-42) and additional garage	<b>Location:</b> Land off Rochdale Road, Bacup
<b>Report of:</b> Development Control Team Manager	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 6 February 2007
<b>Applicant:</b> Wainhomes Developments	<b>Determination Expiry Date:</b> 28 February 2007
<b>Agent:</b> MSPL Planning & Design Ltd	

**REASON FOR REPORTING**                      **Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

**3 or more objections received**

Other (please state) .....                      **DEPARTURE/MAJOR**

**HUMAN RIGHTS**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

**Article 8**

The right to respect for private and family life, home and correspondence.

**Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

**APPLICATION DETAILS**

**1. The Site**

This application relates to a site of approximately 0.2ha which forms part of a larger parcel of land designated as Countryside in the adopted Local Plan, but currently being developed by Wainhomes for residential purposes.

The parcel of land is of approximately 7.7ha in area and lies on the south side of Rochdale Road, between the built-up areas of Bacup and Britannia.

## **2. Relevant Planning History**

### 1975/605 - Erection of 190 dwellings at Stack Lane, Rochdale Road, Bacup

This permission remains valid by reason of an accepted commencement of development within the original life of the permission, following a legal challenge by Melham Holdings Limited. Wainhomes re-commenced work on-site on the basis of this permission.

### 2005/142 - Erection of 162 dwellings at land off Rochdale Road, Bacup

Not wishing to complete the development in full accordance with the old permission, Wainhomes submitted an application in March 2005 proposing the erection of 162 dwellings.

Despite the Local Plan designation of the land as Countryside/the issue of housing over-supply, Officers considered the proposed development had certain distinct advantages over its 1975 predecessor permission. These related principally to : a) the introduction of a less formal layout both in terms of internal highway layout and the adoption of more varied house types and plot/dwelling positioning; b) the adoption of a proper frontage treatment and orientation of properties to Rochdale Road; c) the provision within the development of additional public open space; d) a financial contribution in order to promote more sustainable transport options than use of the private car. Furthermore, completion of the development in accordance with the proposed scheme would reduce the number of dwellings and thereby go a small way towards addressing the housing over-supply issue the Council is faced with as a result of the reduction in the Borough's housing allocation with adoption of the new Structure Plan in March 2005.

In accordance with the Officer recommendation, Committee was minded to grant permission subject to referral of the application as a 'departure' to the Government Office for the North West. As it indicated no wish to call-in the application the decision notice granting permission was issued in February 2006. Work is proceeding on-site now in accordance with this permission.

## **3. Proposal**

Whilst wishing to make no alteration to the road layout permitted by Planning Permission 2005/142, Wainhomes wish to erect different house-types on a series of plots towards the southern boundary of their site and add a detached garage on an adjacent plot.

This change would result in the erection of 6 semi-detached and 4 detached houses, the former to possess 4-bedrooms and the latter 3-bedrooms. Each of these houses is to incorporate an integral garage and be of split-level. From the front the houses will appear to be of 2-storeys. From the rear they will be of 3-storeys, utilising the fall in the land; Planning Permission 2005/142 provides for the erection of conventional 2-storey detached dwellings on these plots, each with 3 or more bedrooms.

## **4. Policy Context**

Rossendale District Local Plan (Adopted 1995)

DS5 – Development Outside Urban Boundary & Green Belt

Policy DC1 – Development Criteria

DC2 - Landscaping

Policy DC4 - Materials

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 – General Policy

Policy 5 – Development Outside Principal Urban Areas, etc.

Policy 7 - Parking

Policy 12 – Housing Provision

Policy 20 – Lancashire's Landscape

Other Material Planning Considerations

PPS 1

PPS 3

PPS 7

PPG 13

Draft RSS

RBC Housing Position Statement (August 2005)

RBC Housing Land Position Monitoring Report (May 2006)

RBC Bacup, Stacksteads & Britania Emerging AAP

#### **4. CONSULTATIONS**

LCC(Planning) - The application does not raise any matter of strategic significance. Accordingly, it does not wish to comment.

LCC(Highways) - No comments received to date.

#### **5. REPRESENTATIONS**

No comments.

#### **6. ASSESSMENT**

The main issues to be considered in relation to this application relate to :

- 1) Principle; 2) Housing Policy; 3) Neighbouring Amenity; & 4) Visual Amenity.

##### Principle

In the adopted Local Plan, the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area. However, it is necessary to have regard to Planning Permission 2005/142 which provides for the erection of houses upon it.

Accordingly, the current application is proposing development which is not in principle appropriate development. However, in light of the extant permission for its residential development to refuse the current application on the grounds that it would result in built-development in the Countryside could not be substantiated.

##### Housing Policy

The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.

Consistent with housing policy contained in national and regional guidance, Policy 12 of the Joint Lancashire Structure Plan (adopted March 2005) has resulted in a housing allocation requiring a reduced rate of provision for several Lancashire Districts over the period 2001-2016, including Rossendale. Policy 12 states that 1,920 dwellings are required to be built within the Borough between 2001 and 2016 in order to adequately house the Borough's population. It further states that these are to be provided at the rate of 200 dwellings per year until 2006 and 80 per year thereafter. Having regard to the number of dwellings which have been built since 2001, and to the number for which permission exists, LCC (Planning) is of the view that this Council should rigorously enforce a policy of restraint on proposals coming forward that will create additional dwelling units.

In the supporting statement following Policy 12 of the Structure Plan it states that :  
*"Where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project"*.

The Council's Housing Position Statement (August 2005) accepted the contention that the Council would over-shoot its housing allocation and the permissions now granted should be limited to those meeting certain criteria.

At its meeting in June 2006 Cabinet received a Housing Land Monitoring Report, setting out the latest position in relation to provision of housing. The report to Cabinet says of the Monitoring Report : *"It shows that the number of dwellings which have a valid planning approval exceed the requirements of the Joint Lancashire Structure Plan (JLSP). Anticipated completions have also been considered and this will significantly exceed the provision of just 80 that the JLSP requires on an annual basis for the period 2006 to 2016. The situation has not changed since the Housing Policy Position Statement, approved in August 2005"*. Nor has the Draft Regional Spatial Strategy progressed to the stage that its contents can have greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.

As the current application will not add to the total number of dwellings for which permission exists the proposal will not contribute to housing oversupply.

Turning to another matter, the addition of basement-space will result in the proposed dwellings being somewhat larger in size than those for which permission presently exists. However, I am satisfied that this change in respect of ten plots will not result in an unacceptable mix of house types/sizes across the Rochdale Road site as a whole.

#### Neighbouring Amenity

I am satisfied the proposed development will not detract to an unacceptable extent from the amenities of any neighbours as a broad belt of trees runs along the southern boundary of the site.

#### Visual Amenity

I am satisfied the proposed development will not detract to an unacceptable extent from the character and appearance of the area. The proposed house types are of a design/facing materials in-keeping with those to be erected on the adjacent plots and

will be no more visible than the previously-permitted house-types when viewed from beyond the boundary of the development site as a whole.

## **7. SUMMARY REASON FOR APPROVAL**

It is considered appropriate to grant permission to this application having regard to extant Planning Permission 2005/142 for the residential development of the site. The proposal is not considered likely to detract to an unacceptable extent from visual or neighbour amenity, highway safety or in respect of any other material planning consideration.

## **8. RECOMMENDATION**

It is recommended that permission be granted subject to the following conditions :

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. *Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.*
2. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
3. All external facing materials shall match in colour, form and texture those approved in respect of Reserved Matters Approval 2005/142, unless otherwise first agreed in writing by the Local Planning Authority. *Reason: In the interests of visual amenity in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
4. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped, together with details of walls/fences to be erected to bound gardens; and detail any changes of ground level or landform. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
5. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the dwelling to which they relate/are nearest, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building to which they relate/are nearest. Any trees or plants in the approved scheme of

landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

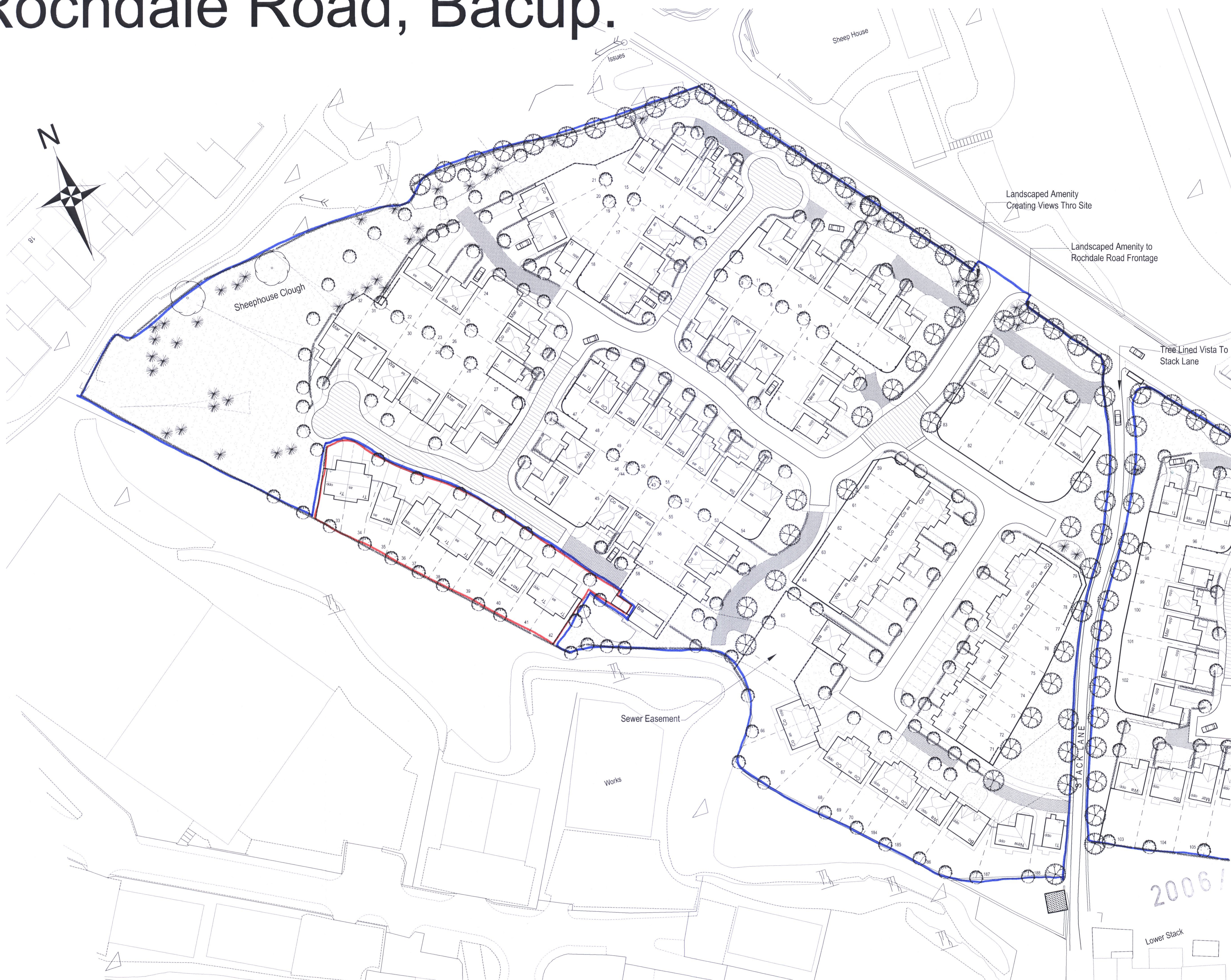
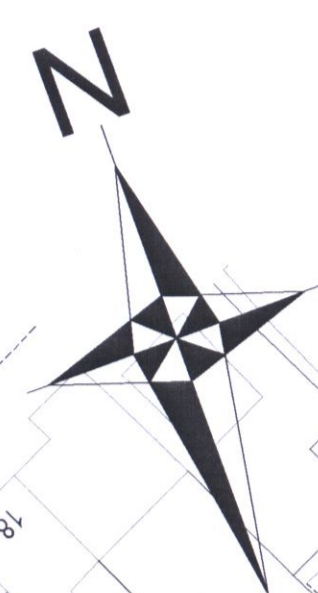
6. None of the dwellings hereby approved shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans. *Reason: In the interests of highway safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local plan.*
  
7. Each of the garages hereby permitted shall be fronted by a drive of not less than 5.5m in length, which shall be paved in permanent construction prior to first occupation of the dwelling it is to serve. *Reason: In the interests of highway safety and to prevent mud/loose surface material from being carried on to the public highway, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

<b>Contact Officer</b>	
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# Rochdale Road, Bacup.

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- Denotes Contrasting Surface Treatment To Shared Drives
- Denotes 0.9m High Post and Rail Plot Divisional Fencing.
- Denotes 1.8m High Close Boarded Screen Fence
- Denotes 1.8m High Brick Screen Wall

House Type	Mix	Phase 1
Bowmere	@ 1242	4No.
Conway	@ 871	22No.
Marbury	@ 982	11No.
Newbury	@ 1225	6No.
Salisbury	@ 1340	2No.
Sandown	@ 1255	5No.
Tilston	@ 816	16No.
Warwick	@ 1082	14No.
Brancaster	@ 900	1No.
Trispen	@ 1195	6No.
<b>Total</b>	<b>87,511 SqFt</b>	<b>87No.</b>

M	27/11/06	Garage to plot 58 added; plots 188-190 omitted
L	11/09/06	Replan to plots 34-42 with the loss of 1 No. unit
K	11/09/06	Replan to plots 27-33 with the loss of 1 No. unit
J	09/03/06	3No plots added adjacent to Stack Lane
H	06/03/06	2No. Plots added adjacent to Plot 14
G	15/02/06	Plot 58 substituted & re located. Plots 116 & 118 rotated. Plot 117 moved adjacent to plot 110. Plots 20-23 accessed via Private Drive instead of Access Way.
F	14/02/06	Turning head shown to the private drives of Plots 57-58 & 129-132. Turning Provision made for plots 134 & 163 as per highways comments.
E	30/11/05	Layout updated with approved replan. Plots 184&185 added. Path added to plot 12. Path clarified to plot 24. Side access created to plot 70.
D	19/10/05	Plots 59-79 amended to suit Setting Out Dwg.
C	10/10/05	Rear 1' eadings shown to plots 56-79.
B	23/08/05	Scheme Redesigned with approved parcel incorporated.
A	14/03/05	Garages Removed From Tilston House Type
Rev	Date	Revision



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**Rochdale Road, Bacup.**

**PHASE 1 PLANNING LAYOUT**

Job No 6220	Dwg No 01	Stage 2nd Replan
Scale 1:500 @ A1	Date February 05	Drawn ac
		Rev M

2006/566