

Application No: 2006/648	Application Type: Outline with all matters reserved
Proposal: Hotel and Housing Development	Location: Accrington and Rossendale College Haslingden Road/ Queens Square Rawtenstall
Report of: Development Control Team Leader	Status: For Publication
Report to: Development Control Committee	Date: 6 th Febraury 2007
Applicant: Hurstwoods	Determination Expiry Date: 28 FEB 2007
Agent: Hurstwoods	

REASON FOR REPORTING

Outside Officer Scheme of Delegation Yes

Member Call-In

Name of Member:

Reason for Call-In:

More than 3 objections received Yes

Other (please state) 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

1.1 The Site and the Proposal

The application site lies to the north of the A682, to the south of Haslingden Road and to the west of Queens Square, Rawtenstall. The site is triangular and

occupied by a mixture of buildings which form Accrington and Rossendale college. The highest of the buildings is 4 storeys high although the main college buildings are located on a flat, sunken area within the site. A service road runs east-west through the site which is set above the main college complex. The service road is unmade for its main part although it has a tarmac surface along the section which operates as the access from the Queens Square gyratory to the college car park. The road also forms the boundary of the site to the north.

To the north-east of the site is a steep bank which rises to Haslingden Road which is partially covered by trees which serve to screen the site. Moving westwards, there are dwelling houses at Captains Fold and a mixture of detached and semi-detached houses which are set above the site, fronting Haslingden Road, Nos 42 – 54. The site tapers off at its western tip although the southern boundary of the site is enclosed by the boundaries and verge of the A682 which is mainly a grass verge which allows views of the current college site through the boundary railings. The eastern boundary of the site is set back from the Queens Square gyratory system by a sloping bank.

The application site lies within the Urban Boundary and Town Centre boundary although the site is bounded by the Rawtenstall Town Centre Conservation Area and the Valley Way, as designated in the Local Plan.

The application site is identified within the Rawtenstall Town Centre Area Action Plan as Site 14 measuring 9955 square metres to be developed for a Hotel use with an indicative floor space of 5950 square metres and around 50 residential units.

1.2 Relevant Planning History

1994/331 – Re-cladding of roof to workshop block

2000/083 - Continuation of siting of portable buildings for use as nursery with extended use as play-scheme and out of school care between 7.00am and 7.00pm

2000/126 - Siting of a steel storage container for equipment in connection with college nursery

2000/135 - Construction of a detached prefabricated steel shelter

The applicant was requested to participate in pre-application discussions with Officers prior to the submission of the application to discuss the principal of the development as well as to discuss the process of how best to submit the application and the information that would be needed to accompany the application.

1.3 Proposal

The application as submitted seeks outline consent with means of access for the erection of a hotel and 103 apartments. The access would be taken from

the existing point on the Queens Square gyratory with the scheme proposing a hotel with a floor space of 2, 088 square metres and a bar/restaurant of 429 square metres with an indicative height of 6 storeys. The remainder of the site would provide the residential units, indicatively in the form of 11 x 1-Bedroom, 90 x 2-bedroom and 2 x 3-bedroom apartments distributed across 3 blocks. The indicative height of the blocks would be 6 storeys adjacent to the hotel, 5 storeys and 3 storeys at the western most edge of the site.

The applicant met with Officers on 11th January 2007 to discuss the scheme and to receive feedback on the merits of the scheme and the additional information required. Officers indicated that the scheme did not accord with the Rawtenstall Town Centre Area Action Plan in terms of the proportion of the uses on the site, the number of dwelling units on the site would contribute to housing over-supply and in its current form could jeopardise other coordinated regeneration projects elsewhere in the Town Centre. The access to site was indicated as being unacceptable and additional information was required in relation to a noise assessment of the site to establish that the noise of passing traffic from the A682 would not render the site unsuited to residential development. Further details were also required regarding bin stores and cycle parking. The separation distances between the proposed apartment blocks although indicative, only achieved 21 metres which whilst assisting privacy did not allow for direct sunlight to reach the apartments on the lower floors. Officers highlighted that the amenities of the future occupiers of the apartments needed to be taken into account as the apartments would become dark and dingy with a poor outlook. The applicant was made aware that a number of responses had not been received from statutory consultees and the comments of the Conservation Officer were awaited. Officers highlighted that the scheme did not provide for any affordable housing, public open space or public transport contributions via a section 106 agreement. The applicant explained that the scheme is financially marginal and so cannot make any contributions. Officers are currently seeking to have the financial appraisal assessed for accuracy.

Following the meeting, the applicant submitted amended plans on 19th January 2007 to overcome the access arrangements into the site, has reduced the number of apartments to 94 which has increased the separation distances between the apartment blocks and has submitted additional information regarding bin storage and cycle parking. The applicant is seeking to undertake a noise survey although adverse weather conditions – namely wind - can prevent the measuring equipment from working. The applicant has not offered any further contributions towards affordable housing, public open space or public transport.

The amended access moves the ingress and egress point from the eastern end of the site at the gyratory, to the western end of the site which would introduce an access road running to the south of existing dwellings. These changes are considered to alter substantially the scheme which owing to their comprehensiveness, renders the initial consultation exercise of little value. As such, the alterations are considered to trigger the need for a fresh application. However, via an email dated 29th January 2007 the applicant has chosen to delete access from consideration under this application.

1.4 Policy Context

PPS 1	– Delivering Sustainable Development
PPS 6	– Planning For Town Centres
PPG13	- Transport
PPG15	– Planning and the Historic Environment
PPG 17	– Planning for Open Space, Sport and Recreation
PPS 22	– Renewable Energy
PPS23	– Planning and Pollution Control
PPG24	– Planning and Noise

Regional Spatial Strategy for the North-West

Joint Lancashire Structure Plan

Policy 1	– General Policy
Policy 2	– Main Development Locations
Policy 12	– Housing Provision
Policy 18	– Major Hotel Development
Policy 21	– Lancashire’s Natural and Manmade Heritage

Rossendale Local District Plan

DS1	– Urban Boundary
E7	– Contaminated Land
E13	– Noise Sources
HP1	– Conservation Areas
DC1	– Development Criteria
DC3	- Public Open Space
J2	– Service Industries
J5	– Tourism
T4	– Car Parking
T6	– Pedestrians
T7	– Cycling
T8	– Access for Disabled People

Rawtenstall Town Centre Area Action Plan – Revised Preferred Options Report
The Council’s Housing Position Statement

2. INTERNAL CONSULTATIONS

Forward Planning – final comments awaited.

Conservation Officer – considers that the application lacks sufficient detail for design to be considered.

Environmental Health – Contaminated Land – considered that a condition can be attached to cover unforeseen contamination. Noise – the applicant has requested to undertake a PPG24 noise survey. The results of which are awaited.

Street-scene and Liveability – final comments awaited – any adverse comments will be reported via the Late Items Report.

2.1 EXTERNAL CONSULTATIONS

Lancashire County Council –

Planning – highlight the problem of Housing over-supply and that the Council should decide whether the proposal forms a key element within a mixed-use regeneration project in accordance with paragraph 6.3.13 of Policy 12 of the Structure Plan. The hotel element is considered to be acceptable in policy terms.

Highways – finalised response awaited – any adverse comments will be reported via the Late Items Report.

Lancashire Constabulary – no objections to the outline proposal but wish to comment further on the detailed scheme.

United Utilities – response awaited. Any comments received will be reported via the Late Items Report.

Rossendale Civic Society – response awaited. Any comments received will be reported via the Late Items Report.

3. REPRESENTATIONS

3.1 Press advertisement placed and site notice posted and 7 adjoining properties consulted. 6 letters received objecting to the proposal on the following grounds:

- Loss of privacy
- Affordable Housing element would not be suitable for the “area”
- Cow Lane needs to be upgraded and adequate parking should be provided to ensure Cow Lane is not used for over-spill parking
- Materials used should complement the surrounding buildings
- Rats
- Inadequate drainage
- Noise from the bypass to future occupiers of the development
- Play space for children occupying the development
- Highway safety with potential for vehicular/ pedestrian conflict
- The applicant claims there is a rail station close to the site when in fact it is a preserved railway rather than a main line station
- The price tag of £130,000 is not affordable
- Density of the development is too high
- The density would result in buildings out of keeping/ disproportionate with the surrounding area
- Noise and disturbance from a hotel in use 24 hours a day
- Inadequate parking

4. REPORT

- 4.1 The main considerations of the application are the principle of the development in terms of the suitability of the site for the proposed uses, the proportion of the proposed uses and the residential element's impact on housing over-supply and other regeneration schemes within the Town Centre as well as the impact of the proposal on the Rawtenstall Town Centre Conservation Area. The detailed considerations relate to access into the site, the scale and massing of the scheme, whether sufficient detail has been provided to assess the scheme and whether the amendments submitted by the applicant can be accepted under the scope of this application.

The application site lies within Rawtenstall Town Centre close to the Valley's focus of development and would be accessible by means of transport other than private car. As such the site is sustainably located and accords with PPG 13 on Transport and Policy 18 of the JLSP (Joint Lancashire Structure Plan). The site lies within the designated Town Centre boundary within the Local Development Plan although it is unallocated for a use. The Rawtenstall AAP is a material planning consideration, however, it has limited weight and has not been subject to examination. Despite the limited weight which can be attached to policies within the Rawtenstall AAP, the application site is identified as Site 14:-

"This is a key gateway development site. The Revised Preferred Option provides for the redevelopment of the former college site as a hotel and residential scheme

"It is envisaged that the hotel development would accommodate the eastern portion of the site, with residential to the west.

"It is envisaged that road access to the site would be taken from the bypass"

The Provisional Schedule of Development Projects suggests a two storey hotel development providing 60 bedrooms and 50 residential units.

In the light of submissions received to the Revised Preferred Options draft of the Rawtenstall AAP, the Council needs to consider those representations to make a decision on whether it would put forward those suggestions in the submission document. In the case of this site, Hurstwood Group submitted the following statement on 23rd May 2006 that in their opinion, the site is only suited for a hotel use:

"The revised Preferred Strategy identifies the site as being suitable for a mixed hotel and residential development. We are already looking in some detail at development options for this site, and it is becoming clear from a number of viewpoints that in this particular case hotel and housing uses would not make happy bedfellows. Firstly, having regard to the constraints posed by adverse levels, the shape of the site (which tapers to a distinct point), and access considerations, it is plain that there is unlikely to be adequate developable land on the site to accommodate a hotel development of sufficient scale, quality and presence, along with

associated car parking and other ancillary uses, and a meaningful housing scheme. Secondly, it is plain that this site is hardly likely to lend itself to a marketable housing development sandwiched as it would be between two of the borough's busiest and noisiest main roads – Haslingden Rd and the A682 dual carriageway (and adjoining a busy hotel operating on a 24/7 basis on its remaining side). The only conceivable result would be poor environmental conditions for occupiers of the housing development. Such a development mix would also have additional implications for access/traffic generation considerations on the gyratory. We do not, however, agree that the development of this site should necessarily be seen as being dependent upon the construction of a new access from the by-pass. The use class within which the existing use falls represents a strong fall-back position in traffic generation terms, and it is in any event premature at this stage for this document to be speculating about the need and the potential for providing a new direct connection to the A682 in the absence of any knowledge that such a proposal is technically feasible and otherwise acceptable (as well as commercially viable) in highway terms.

We therefore propose that for these reasons the college site continue to be allocated as suitable for hotel development purposes, but no addition for housing uses, and that in compensation the residential element be transferred instead to the Holy Mount House site which is far better suited to making a positive contribution to the town centre's identified housing needs which are outlined elsewhere in the emerging AAP".

The Hurstwood Group made later submissions to the Revised Preferred Options in respect of this site, although these do not materially change the views expressed above, that the site is unsuited to housing. It would appear there is doubt as to whether the site is suitable for housing although the use of the site for a hotel use has not been challenged.

Notwithstanding the preceding discussion of whether the site is suitable for housing, the proposed proportion of uses on the site does not accord with the broad indication in the AAP of 50 dwellings. During the drafting of the AAP the total number of residential units that would be developed within the Town Centre were considered and the impact that each development would have on the overall regeneration of the Town Centre. The AAP acknowledges that there is a role for residential development to enable regeneration efforts:

"the scale of residential development is appropriate as part of a mixed redevelopment of the town centre and will play an important role by promoting high levels of vitality (particularly beyond the working day) and improving the viability of the overall masterplan by cross subsidising less commercially valuable land uses and the funding of public realm infrastructure.

The applicant proposes 94 apartments on the site which is 44 additional units to those envisaged by the AAP. The concern is that this material increase in the number of residential units proposed would not only contribute further to the position of housing over-supply in the Borough but would also impact on the

ability of bringing forward other regeneration schemes within the town centre. Essentially, the scheme would lead to an over-supply of properties within the Town Centre AAP area.

The housing provision for Rossendale is contained in Policy 12 of the Joint Lancashire Structure Plan (JLSP), adopted in 2005, which provides for 1920 new dwellings for new households for the period 2001 to 2016. This figure is based on an annual average dwelling provision of 220 dwellings per year for the period 2001 to 2006. From 2006 to 2016 the annual average dwelling provision reduces to 80 dwellings per year.

The Housing Land Position Monitoring Report, taken to Cabinet in June 2006, notes that as of 31st December 2006 the number of dwellings in Rossendale with an extant planning permission was 1233. Completions over the plan period to date from 1st April 2001 to 31st December 2005 (i.e. 4.75 years) totalled 932. This leaves a remaining provision of 988 dwellings. Hence, the number of extant residential planning permissions exceeds the remaining Structure Plan provision.

Looking towards the future five year supply, as from 1st January 2006, a requirement of 435 dwellings is needed. This is significantly lower than the number of dwellings anticipated to come forward, recorded as 832 in the Housing Land Position Monitoring Report 2006. In fact over the next five years it is expected that year on year completions will be significantly higher than the 80 dwellings provided for in the JLSP, even without any additional planning approvals coming forward.

Policy 12 in the JLSP whilst limiting Housing land supply, does make an exception for residential developments which would make an

“essential contribution to the supply of affordable or special needs housing or form a key element within a mixed-use regeneration project. Any such project should be compatible with and help achieve the regeneration objectives of the Local Authority...[another circumstance] where it may be appropriate to approve residential development in a situation of Housing oversupply [could be where there are] conservation benefits of maintaining an existing building worthy of retention”.

The proposed development does not make an essential contribution to the supply of affordable or special needs housing as none is proposed. There is doubt at the time of writing this report about whether the residential component is a key element within a mixed use regeneration scheme, in the light of the representation received to the emerging AAP. The financial appraisal was only received on the 29th January 2007 and officers are required to consider this in further detail. An opinion will be provided in the late items report. There are considered to be no conservation benefits relating to the a building worthy of retention.

From the Hurstwood Group’s previous submission, it is considered that since the site is unsuitable for housing and a hotel use would be viable as a stand alone use, the proposal does not form a key part of a mixed-used development scheme. There are considered to be conservation benefits relating to a building worthy of retention.

The application was submitted prior to the adoption of the most recent Interim Housing Position Statement. The application is therefore considered against the August 2005 version which acknowledges the position of Housing over-supply but again makes certain exceptions where residential development may be acceptable:

- a) In any location where the proposal is a like for like replacement of an existing residential dwelling resulting in no net gain in dwelling numbers and which conforms to relevant policies of the development plan and other material considerations; or*
- b) The proposal will positively contribute to the urban regeneration of the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative areas or the Rawtenstall Town Centre Masterplan (Area Action Plan); and*
- c) The proposal will not harm the character of the adjoining areas such as conservation areas and the setting of listed buildings; and*
- d) The proposal will assist the regeneration of the site; and*
- e) The proposal meets an identified local housing need."*

- a) The proposed development is not a like for like replacement.
- b) For reasons outlined above, the question of contribution to the urban regeneration of Rawtenstall Town Centre Masterplan (AAP) is called into question
- c) The application contains insufficient information to assess whether the scheme would harm the character and appearance of the Rawtenstall Town Centre Conservation Area.
- d) The proposed residential element may at a conceptual level help to cross-subsidise the development of the site but it is noted that other apartment developments within the town centre have not been fully let, such as Ilex Mill. Moreover, with the cumulative number of residential developments coming forward within the town centre, the over-supply of housing could lead to the proposed development containing a high level of vacancy. Thus it is considered that the additional dwellings indicated as part of this scheme would not automatically assist in the regeneration of the site and may well conflict with the broader regeneration efforts within the Rawtenstall AAP area. The scheme could be argued to meet an identified housing need by providing 2 bedroom properties identified within the 2004/2005 Housing Market Needs Assessment.

The site lies adjacent to the A682 which is a dual carriageway carrying traffic from the M66 to the town centre, to Queen's Square gyratory and also to Haslingden Road. As such the application is close to a major source of noise and requires a PPG24 noise survey to establish whether the site would be suited to a hotel or residential use, given that both of these uses, particularly the residential, are noise sensitive uses. The applicant has agreed to undertake the noise survey but the results of this have not been submitted to the Council. In the absence of the detailed noise assessment the principle of the development cannot be assessed properly and the application should be refused on the grounds of insufficient information.

The Conservation Officer having viewed the plans considers that because the details submitted are indicative only, it is not possible to assess fully the impact of the scheme on the Conservation Area. Furthermore, the vague details on the forms and plans would make it difficult to control the design, appearance, size and bulk of the scheme via condition.

In conclusion, the principle of a hotel development on this site is considered acceptable not because it is in the AAP Revised Preferred Options draft, but because it is a town centre use in its own right. The principle of residential development on this site has been called into question and has limited weight. It is considered that the scheme could threaten other regeneration schemes within Rawtenstall AAP area and that there are insufficient other regeneration benefits to favour granting the additional units. In addition, the number of dwellings proposed is considered to threaten other regeneration schemes within the Rawtenstall Town Centre AAP area and would contribute further to the position of housing over-supply in Rawtenstall Town Centre. The impact of the proposal on the Rawtenstall Town Centre Conservation Area cannot be properly assessed from the submitted information nor can the development be properly controlled by condition. The applicant has submitted a contaminated land assessment which does not require any action and the site lies outside of the Flood Risk Zone. However, these considerations are insufficient to outweigh the foregoing matters.

The applicant has deleted the means of access from consideration which will now be determined at reserved matters stage. For clarity, the applicant has been in discussions with the County Highway Authority who believe that an acceptable scheme can be achieved.

Whilst the design is indicative at this stage, it should be brought to the applicant's attention that the design is considered not to be acceptable. The proposed individual, freestanding blocks would be set within a flat and open site. This will create a mundane, repetitive and uninspired development on a key site in the town centre, at the entrance and exit to the town. It will be similar to developments from the 1960s and 1970s that are now understood to provide a poor and monotonous townscape. The location of the site justifies a high quality landmark scheme with greater design interest, which can still provide block accommodation but within a more varied development. As a result of the tall blocks, the separation between the apartments needs to be much greater in order to ensure a high level of residential amenity of the future occupiers of the development. In particular, the apartments on the lower floors would be unlikely to receive much daylight and would have a cramped, enclosed feeling when looking out of the windows.

Policy DC 3 states that:

“in areas of new residential development, the Council expect appropriate public open space to be provided by the developers”.

Whilst the issue of public open space might normally be considered with Layout at reserved matters stage, it is at outline stage that conditions are usually imposed to ensure this element of the final scheme will be delivered. The

applicant has indicated that no public open space will be provided as a part of this scheme which is considered unacceptable.

In relation to the issues raised by the letters of objection not addressed by the preceding text, it is not clear why affordable housing would be unsuited to the area, the layout of the scheme relating to parking is not for consideration at this time. Rats and drainage are not normally material planning considerations. Despite the applicant's claim of a nearby railway station, nevertheless, the site remains in a particularly sustainable location in the town centre. Open space contributions should be requested at outline stage, however, reserved matters would have dealt with access and highway safety. The matter of whether a property is affordable is not within the scope of this application, even though the applicant asserts £130, 000 is affordable, these properties are not being made available on an affordable basis by the applicant via a section 106 agreement in line with PPS3. If the Council was seeking affordable housing contributions on this scheme, the applicant claims the proposal would not be financially viable.

5. **CONCLUSION**

- 5.1 In conclusion, the principle of a hotel development on this site is considered acceptable but the principle of residential development on this site has limited weight and has been called into question. Furthermore, the proportion of residential development on the site could threaten other regeneration schemes within the Rawtenstall AAP area. It is also considered that there are insufficient other regeneration benefits to favour granting the additional units. The proposal contains insufficient information to establish whether the suit would be suitable for residential development in relation to noise or to assess the impact of the proposal on the Rawtenstall Town Centre Conservation Area. The scheme does not make any contribution to affordable housing or public open space.

6. **RECOMMENDATION(S)**

- 6.1 That the application be refused on the grounds of housing over-supply and insufficient information.

7. **REASONS FOR REFUSAL**

1. The proposed development would contribute towards the position of Housing-oversupply in the Borough without meeting the exceptions in either the Joint Lancashire Structure Plan or the Council's Interim Housing Position Statement. In addition, the proposed number of residential units would potentially undermine the broader regeneration objectives of Rawtenstall Town Centre. As such the proposed development conflicts with Policy 12 of the Joint Lancashire Structure Plan and the Council's Interim Housing Position Statement and the Rawtenstall Town Centre Area Action Plan – Revised Preferred Options Report.
2. The application contains inadequate and insufficient information in relation to noise pollution to establish the suitability of the site for residential development and also contains inadequate and insufficient information with regard to the height, size, position, design, form and layout to allow for the

impact of the proposal on the Rawtenstall Town Centre Conservation Area to be properly assessed. The scheme therefore conflicts with PPG24 – Noise and PPG15 – Planning and the Historic Environment, Policy 21 – Lancashire’s Natural and Man-made Heritage of the Joint Lancashire Structure Plan and Policies HP1 – Conservation Areas, DC1 – Development Criteria, DC2 – Landscaping and T4 – Car Parking of the Rossendale District Local Plan.

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HASLINGDEN ROAD

Captain Fold

The Ferns

proposed landscape buffer

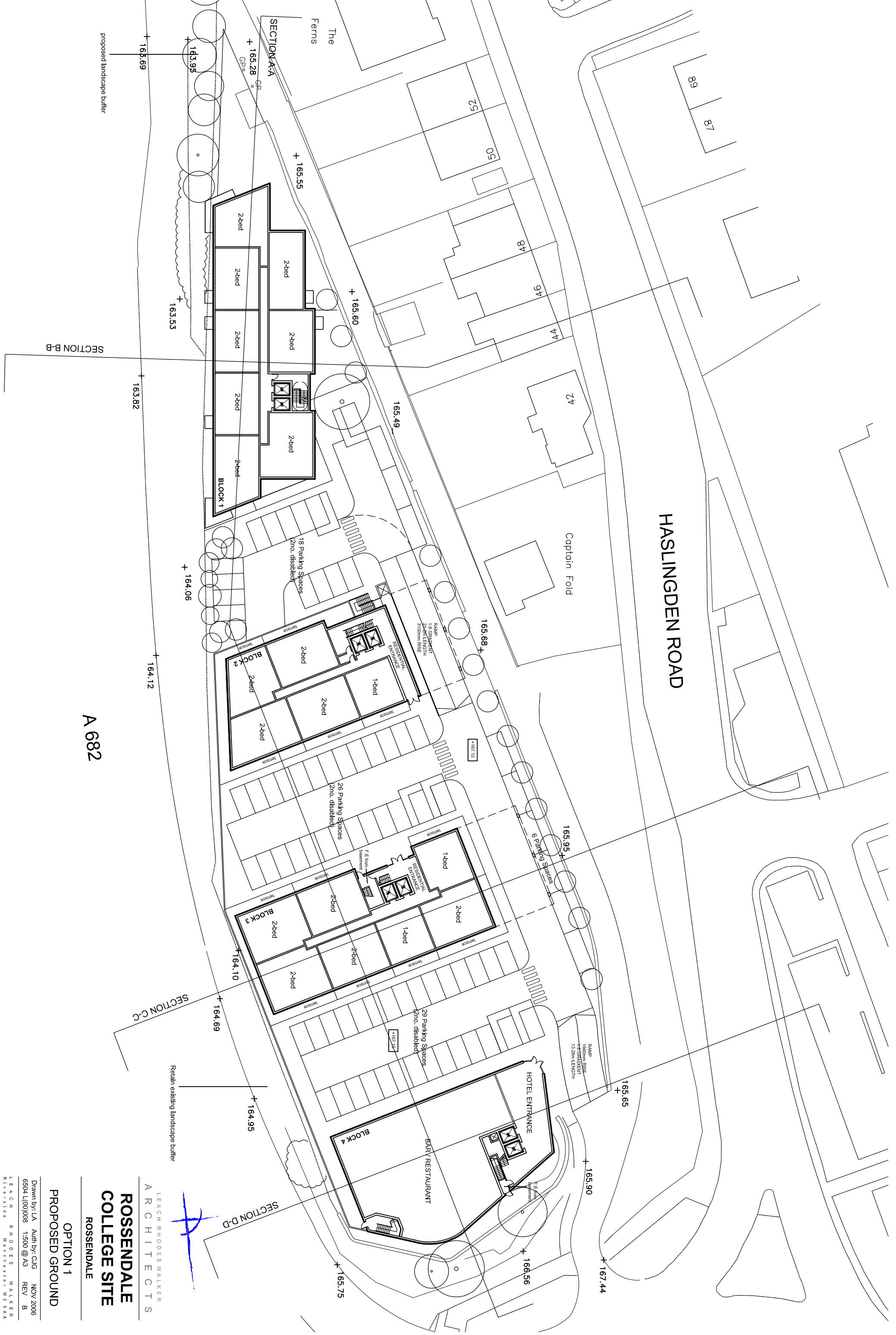
Retain existing landscape buffer

A 682

LEACH RHODES WALKER
ARCHITECTS
ROSSENDALE COLLEGE SITE
ROSSENDALE

OPTION 1
PROPOSED GROUND

Drawn by: LA Auth by: C.J.G NOV 2006
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LEACH RHODES WALKER
ARCHITECTS

**ROSSENDALE
COLLEGE SITE**
ROSSENDALE

**OPTION 1
PROPOSED GROUND**

Drawn by: LA Auth by: C/JG NOV 2006
6504 L(00)008 1:500 @ A3 REV C

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