

TITLE:	2005/275: OUTLINE - ERECTION OF THREE DWELLINGS AT LAND TO REAR AND GARDEN AREA OF 27 HELMSHORE ROAD, HASLINGDEN, ROSSENDALE
TO/ON:	DEVELOPMENT CONTROL COMMITTEE 21st JUNE 2005
BY:	TEAM MANAGER - DEVELOPMENT CONTROL

APPLICANT: EXECUTORS OF J.W HEYWORTH (DEC'D)

APPLICATION EXPIRY DATE: 4 JULY 2005

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.

This proposal was requested to be heard by this Committee by a ward Councillor.

Site and Proposal

This proposal seeks to establish the principle of development by means of an outline consent to erect three dwellings in the curtilage of a property situated on Helmshore Road. The site is approximately 60m in length and forms the rear garden of the property. Whilst access is not seeking to be established at this stage, it is envisaged that the site could be reached from Rawsthorne Avenue.

Relevant Planning History

2005/134 - Outline - Erection of three dwellings – Refused 20 April 2005

Consultation Responses

Forward Planning – Raises a policy based objection

Notification Responses

Public consultation of neighbouring property was undertaken by the posting of site notices. No representations have been received.

Development Plan Policies

Policy DS.1 (Urban Boundary) of the Rossendale District Local Plan states that *“the Council will seek to locate most new development within a defined boundary – the Urban Boundary – and will resist development beyond it unless it complies with policies DS3 and DS5. The urban boundary is indicated on the proposals map”*

Policy DC.1 (Development Criteria) of the Rossendale District Local Plan
The policy states that all applications for planning permission will be considered on the basis of a) location and nature of proposed development, b) size and intensity of proposed development; c) relationship to existing services and community facilities, d) relationship to road and public transport network, e) likely scale and type of traffic generation, f) pollution, g) impact upon trees and other natural features, h) arrangements for servicing and access, i) car parking provision j) sun lighting, and day lighting and privacy provided k) density layout and relationship between buildings and l) visual appearance and relation to surroundings ,m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance..

Policy DC.4 (Materials) of the Rossendale District Local Plan states that *“local natural stone (or an alternative acceptable natural substitute which matches as closely as possible the colour, texture, general appearance and weathering characteristics of local natural stone) will normally be required for all new development in selected areas. Within those areas roofs shall normally be clad in natural stone slab or welsh blue slate, or in appropriate cases, with good quality substitute slates”*.

Adopted Joint Lancashire Structure Plan 2001-2016

Policy 12 of the Adopted Joint Lancashire Structure Plan requires the provision of 1,900 dwellings over the plan period. The Policy sets a maximum provision of 1,920 dwellings over the Plan period and specifies an annual average dwelling provision in the period 2001-2006 equivalent to 1,100 dwellings. The County Planning Officer informs that total housing completions 2001-September 2003 amounted to 431 dwellings.

The parking standards require a maximum of two car parking spaces to be provided in conjunction with dwellings with 2 or 3 bedrooms.

Other Material Planning Considerations

PPG3 (Housing)

Government guidance in the form of PPG 3 (Housing) states that sites for housing should be assessed against a number of criteria namely the availability of previously-developed sites, location and accessibility, capacity of existing and potential infrastructure, ability to build communities and the physical and environmental constraints on development of land.

Paragraph 22 states that *“The Government is committed to maximizing the re-use of previously-developed land....in order both to promote regeneration and minimize the amount of greenfield land being taken for development”*.

Paragraph 31 highlights the importance of the location and accessibility of housing sites to jobs, shops and services by modes of transport other than the car.

Comments

Land Use

The first issue for consideration is the land use designation. The site is located within the urban boundary and is therefore acceptable in land use terms.

Housing Supply

Policy 12 of the Structure Plan states that 1920 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 properties per year until 2006 and 80 per year thereafter. In view of this, and on the basis that only 431 properties were constructed between 2001 and September 2003, it would seem reasonable to assume that there is currently a shortfall of some 1489 dwellings in the Borough. However, at 1 April 2003 there were 1606 planning permissions that were, and still are, capable of implementation. In view of this it is contended that the Council's current housing targets for 2016 can reasonably be met.

With this in mind it is contended that the additional dwellings proposed by this application are not currently required to meet the housing needs of the Borough.

Whilst the application is acceptable in all other respects, it is considered that the County Planning Officer's previous advice to the Local Planning Authority should stand and it is considered that the application should be refused for the reason set out below.

Recommendation

That planning permission be refused for the following reasons:

Reasons for Refusal

- 1) It is considered that the proposed dwelling is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of policy 12 of the Joint Lancashire Structure Plan 2001 – 2016.

Policies relevant to the decision

Local Plan

DS.1
DC.1
DC.4

T.4

Structure Plan

Policy 12