

An area of overgrown land containing self sown trees slopes up steeply from the rear of the garden. There is an existing vehicular access with double gates off Green Street to the rear of the house.

It is proposed to use the Green Street access to serve a new detached house to be built on the slope. There would be a new driveway with a gradient of approximately 1:7, leading upwards to a parking area and double garage beneath the house. It would be built into the slope with 2 floors of living accommodation above. Construction would be in natural stone with a slate roof.

The application is accompanied by a Design and Access Statement that seeks to justify the proposal by referring to national regional and local planning policies including PPS3 – Regional Spatial Strategy, the Joint Lancashire Structure Plan, the Rossendale District Local Plan and the Council’s Housing Position Statement.

1.2 Relevant Planning History

None recorded

1.3 Policy Context

Rossendale District Local Plan

DS.1 – Urban Boundary

DC.1 – Development Criteria

Joint Lancashire Structure Plan

Policy 1 – General Policy

Policy 12 – Housing Provision

Government Policy

Other Material Planning Considerations

PPS1 – Sustainable Development

PPS 3 – Housing

PPG 14 – Unstable Land

Regional Spatial Strategy

Draft Regional Spatial Strategy

LCC Parking Standards

RBC Housing Position Statement

2. CONSULTATIONS

LCC (Highways)

Comments awaited.

3. REPRESENTATIONS

Neighbours have been notified and a site notice posted. An objection from a neighbour is concerned about the effects on wildlife including bats, newts, owls, dragonflies, frogs, hedgehogs, holly. The main concern is that badgers have been sighted by residents. They also object to the access, which is already a

busy street and badly surfaced. They are also concerned about privacy to the rear of Union Street and noise pollution.

4. ASSESSMENT

The main issue is whether the erection of a house in this location is acceptable in principle in relation to adopted housing policy. Other issues are as set out below.

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 220 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 that permissions now granted should be limited to those it set out :

"Applications for residential development in Rossendale will be refused, on housing land supply grounds, in all but the following limited circumstances:

- 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."*

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.

Accordingly, it is appropriate to consider the application in relation to the exceptions to Policy 12 of the Joint Lancashire Structure Plan and the criteria of the Council's own Housing Position Statement.

The application proposal:

- Does result in an increase in the number of dwellings.
- Does not lie within the boundary of either of the identified Regeneration Priority Areas.
- Will not harm the character of any Listed Building or Conservation Area.
- The land is not unsightly and there would be no significant regeneration benefits in allowing its development.
- The Applicant has not shown how the provision of the additional dwelling meets an identified local housing need. Nor has the applicant given any indication that the intended dwelling will be provided/retained as affordable or special needs housing (as defined in PPG3 and the Structure Plan).

Thus, the proposal is contrary to certain of the criteria of the Housing Position Statement. Nor has the case been made in this instance to warrant permission being granted as an exception to Policy 12.

The recent appeal decision in respect of a proposal for a dwelling at 4 Daneswood Avenue, Whitworth is also worthy of note; a copy of the Planning Inspectorate's decision letter is to be found below, appended to the Appeals Update Report. In short, Application 2006/182 proposed erection of a 3-bed detached house, with a single garage, within the Urban Boundary of Whitworth. The application was refused permission for 2 reasons : 1) housing over-supply; & 2) lack of the facility to park 2 cars clear of the highway. The appeal against this decision was dismissed by the Planning Inspectorate on 5 February 2007. Having considered the case of the appellant about why the proposal ought not to have been refused on the grounds of housing over-supply the Inspector states : *"...neither that, nor the previous outline permission for a dwelling on the appeal site which has lapsed, would justify overriding the approach adopted by the Council to manage the supply of housing. Whilst it could be argued that permission for a single dwelling would not compromise the overall level of provision, the cumulative effect of such decisions would prejudice the housing strategy and I conclude on this issue that the proposal would be contrary to Policy 12 of the Structure Plan and Policy 1 of the Revised Interim Housing Position Policy."*

Other Issues

The house would be sited on a steep slope with a drive gradient of approximately 1:7. Despite the difficulties of the site, the applicant has produced a workable solution. He is aware of the need to establish the stability of the site.

Although the new house would be situated behind the existing dwelling, it would have its own independent access to a parking and turning area and a double garage. The plot is large enough to accommodate the dwelling with adequate garden areas. The separation distances between the 2 houses would not lead to any problems with overlooking or loss of privacy. There are no other neighbours who would be significantly affected.

The house would be prominently sited on a slope and visible from outside the site although it would be partially screened by existing trees that would be retained. A detailed landscaping scheme would be required if planning permission were to be granted. The house would be constructed in natural stone and slate and its design is appropriate for the location.

5. RECOMMENDATION

The permission be refused for the following reason :

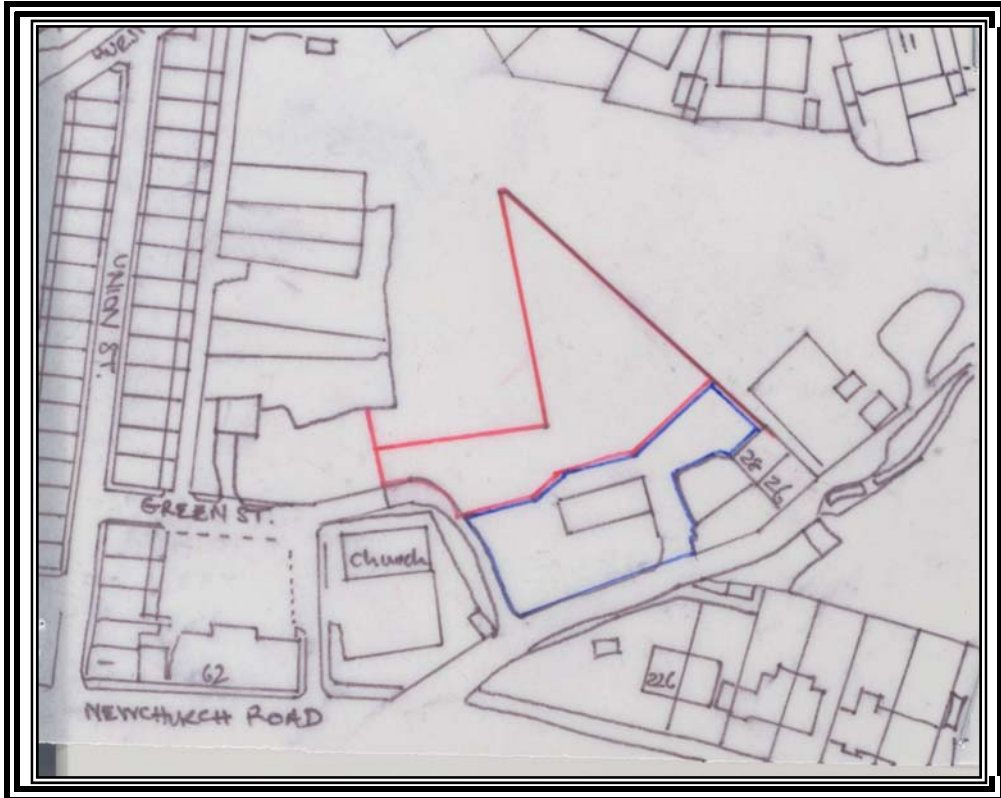
1. It is considered that the proposed development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of PPS3, Policy 12 of the adopted Joint Lancashire Structure Plan 2001 – 2016 and the Council's Housing position Statement.

Contact Officer	
Name	John Hodkinson
Position	Planning Consultant
Service / Team	Development Control
Telephone	07772085221
Email address	jhodkinson@rossendale.gov.uk

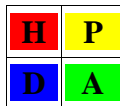
Site Location Plan

Address and proposal: Proposed detached dwelling at Hurst Platt, Rawtenstall, BB4
78TA

N
^



Scale: 1 to 1250



January 2007

Prepared by Hartley Planning and Development Associates Ltd