

<b>Application No:</b> 2007/249	<b>Application Type:</b> Full
<b>Proposal:</b> Inclusion of lifts within apartment blocks, entailing raising of roof	<b>Location:</b> Holly Mount, St Mary's Way, Rawtenstall
<b>Report of:</b> Head of Planning, Legal and Democratic Services	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 26 June 2007
<b>Applicant:</b> Hurstwood Group Ltd	<b>Determination Expiry Date:</b> 18 June 2007

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

Cllr J Forshaw

Reason for Call-In:

In order that Members can consider the need to make the apartments accessible for all

**3 or more objections received**

Other (please state) .....

**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**

**The Site**

Holly Mount House is a Grade II listed building, which lies within the boundary of Rawtenstall Town Centre Conservation Area. Dating from the Georgian period, it was

constructed by the Whitehead Brothers (owners of the adjacent mill) as three houses. The building occupies an elevated position, facing towards St Mary's Way. Views of it from this highway are broken by the mature trees which have grown in its formal front garden.

Constructed in 1835, there is an architectural unity about the front elevation of this two-storey building, the three houses sitting under the one slated hipped-roof. The rear elevation was constructed in a manner intended to appear less imposing/decorative.

The land to the rear of Holly Mount House lies beyond the boundary of the Conservation Area. At the time of construction of Holly Mount House the land to the rear was laid out as part of its grounds, each of the houses having their own range of outbuildings and a 2-storey coach-house/stables. In October 2006 none of this was evident. Immediately behind Holly Mount House was to be seen an expanse of tarmac (used for parking in association with use of the house as offices), beyond which was the remains of a warehouse (the Amtrack Building). Beyond this the land rises up towards the housing fronting Haslingden Old Road, this land also being within the applicant's ownership.

## **1.2 Relevant Planning History**

At its meeting on 10 October 2006 the Development Control Committee considered the following two applications :

Application 2006/320, seeking planning permission to convert Holly Mount House to 15 apartments, together with the construction of 38 new-build units of residential accommodation, and for the associated car parking & landscaping works. Vehicular and pedestrian access to the site was to be by means of the newly-constructed road that serves the ASDA store which stands immediately to the east.

Application 2006/322, seeking listed building consent for the conversion of Holly Mount House to 15 apartments.

In accordance with the Officer recommendation, both applications were approved.

For the land to the rear of Holly Mount House Planning Permission 2006/320 provided for the demolition of what remained of the Amtrack building and the erection of a curved-terrace of 3-storey town-houses to each side of a central axis, with pairs of 3-storey houses between them and the western boundary of the site and a couple of 3-storey apartment blocks between them and the north-western boundary of the application site.

The Design Statement accompanying Application 2006/320 said the Apartment Blocks derived their form "*from the large livery barns that once occupied the site*". However, they were of considerably greater bulk and, having regard to their location/prominence, there was particular concern about their overall height/shape/form of roof. The roof form proposed derived from the applicants wish to accommodate 10 flats within each block, all to be served by lifts, with 2 flats to be within the roof-void. This was considered to result in a roof height (measured from gutter to ridge) which was disproportionate to the wall height when viewed in relation to that of Holly Mount House, the service buildings the Apartment Blocks were said to mimic and new-build

houses proposed. Furthermore, it resulted in a complex roof shape, cluttered with protrusions, which was considered to be at odds with the simple roof-shape one would expect of a Victorian service building. As part of a package of amendments to address these concerns (and concerns about other elements of the overall scheme) the Applicant deleted the lifts from the proposal, reduced the roof height (from 9.9m to 8.4m), simplified the roof shape, reduced the number of protrusions, and made other alterations to the external walls. The application was recommended for approval on this basis.

#### Application 2006/703

In January of this year permission was sought to erect the Apartment Blocks in a form which again incorporated a lift in each, with consequential increase in ridge-height, complexity of roof-shape and protrusions.

In support of that proposal the applicant said:

- The introduction of lifts is to enable inclusive access to all apartments and they are to be in a form that complies with the Disability Discrimination Act 1995 and British Standard 8300. People with mobility difficulties would otherwise be restricted to occupying ground floor units only.
- The ridge-height will increase by 0.7m and this is not considered to detrimentally impact on the design or scale of the apartment buildings as they will still be subservient to Holly Mount House.

This application raised the concerns which prompted the request for the applicant to amend the originally-submitted scheme in respect of Application 2006/320 and to which they then acceded. Implementation of this scheme would have resulted in each of the Apartment Blocks having a roof-height over and above that of the scheme permitted by Committee. Although not reverting back to the full height originally proposed in Application 2006/320 this was due to an extended area of flat-topped roof intended over the central portion of each Apartment Block. The scheme would again have resulted in a complex roof-shape and, furthermore, entailed the addition of a louvre-fronted box on the roof of each building which was neither part of the previously submitted or approved scheme.

Whilst Officers continued to recognise the benefit in the flats formed being accessible by a lift (in terms of widening the range of people to whom they would be attractive/accessible), the Building Control Section again advises that there was no requirement for lifts to be incorporated. Nor had it been shown that there was no other practicable means of providing lifts than extending/altering the buildings. Having regard also to the advise of the Council's Conservation Officer about the impact of the proposal on the heritage interest/townscape, Delegated powers were exercised to refuse the Application 2006/703 for the following reason :

*The proposal will result in construction of two Apartment Blocks which, by reason of their siting/size/design/appearance, will unacceptably affect the setting of a Listed Building (Holly Mount House) and Rawtenstall Town Centre Conservation Area. Most particularly, the resulting flat-topped and staggered roof-shape of the proposed Apartment Blocks, together with the louvre-fronted ventilation-boxes, produce a very odd and fussy roof-detail as viewed from within and beyond the boundaries of the Holly Mount site. The Design Statement accompanying Application 2006/320 said the Apartment Blocks*

*derived their form "from the large livery barns that once occupied the site". As now proposed the Apartment Blocks will have roofs that are higher than the Apartment Blocks permitted by Planning Permission 2006/320 and, more particularly, will have roofs of a more complex shape and with additional protrusions, at odds with the simple roof-shape one would expect of the late Georgian/early Victorian service building they are said to reflect, Holly Mount House and the other new-build dwellings permitted by the earlier permission. The Applicant has not made the case to justify permitting the Apartments Blocks in a form which will cause such detriment to the heritage interest/townscape and is contrary to the provisions of PPG15, Policy 1 and 21 of the Adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 and Policies HP1 and HP2 of the Adopted Rossendale District Local Plan.*

### **1.3 The Proposal**

The current application seeks permission for the erection of the two Apartment Blocks in the form sought in Application 2006/703 and refused by Officers in April 2007. That is to say, incorporating a lift in each block, with consequential increase in ridge-height, complexity of roof-shape and additional louvre-fronted protrusion. The application is accompanied by the same Design & Access Statement as accompanied Application 2006/703.

### **1.4 Policy Context**

Rossendale District Local Plan (Adopted 1995)

DS1

DC1

DC2

DC4

HP1

HP2

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1

Policy 2

Policy 20

Policy 21

Other Material Planning Considerations

PPS1

PPG15

## **2. CONSULTATIONS**

### **Consultation Responses**

LCC(Archaeology) - No comments

LCC(Highways) - No objection in principle

## **3. REPRESENTATIONS**

No responses have been received as a result of neighbour notification/site and newspaper notices.

### **3. ASSESSMENT**

In dealing with Applications 2006/320 & 2006/322LB the main issues were :

- 1) principle of the development
- 2) housing policy
- 3) heritage interest/townscape impact
- 4) residential amenity
- 5) highway/transport issues

Permission having been granted so recently for the erection of the two Apartment Blocks of the siting now proposed, with the same number of flats and access/parking arrangements, the main issues the present application gives rise to are : 1) Heritage Interest/Townscape Impact; & 2) Residential Amenity.

#### Heritage Interest/Townscape Impact

In accordance with national policy, Policy HP1 and HP2 of the adopted Local Plan seek to protect listed buildings and conservation areas from development harmful to their character.

The Apartment Blocks, by reason of their siting/size, will undoubtedly affect the setting of the Listed Building (Holly Mount House) and Rawtenstall Town Centre Conservation Area.

The current application raises concerns which prompted the request for the applicant to amend the originally-submitted scheme in respect of Application 2006/320 and to which they then acceded.

The current application would result in an increase in roof-height over and above that of the scheme permitted by Committee in October 2006. Although not reverting back to the full height originally proposed in Application 2006/320 this is due to an extended area of flat-topped roof intended over the central portion of each Apartment Block. The scheme again results in a more complex roof-shape. Furthermore, the current scheme results in a louvre-fronted box on the roof of each building, which was neither part of the originally submitted or ultimately approved scheme.

Accordingly, whilst I continue to recognise the benefit in the flats formed being accessible by a lift (in terms of widening the range of people to whom they will be attractive/accessible), the Building Control Section again advises that there is no requirement for lifts to be incorporated. Nor has it been shown that there is no other practicable means of providing lifts than extending/altering the Apartment Buildings in the manner proposed. Without alteration to their siting/size, it would be possible to provide lift access to 16 out of the 20 apartments without the extension/external alteration of the Apartment Blocks. With alteration to the siting/size, all 20 apartments could be provided without the extension/external alteration of the Apartment Blocks for which permission is now sought. Having regard to my concerns about the impact of the proposal on the heritage interest/townscape the advise of the Council's Conservation Officer have been sought.

The Council's Conservation Officer advises as follows :

*“The proposal relates to the re-introduction of a lift in each block which is a commercial decision rather than the requirements of any regulations. The resulting flat-topped and staggered roof shape, and what appear to be ventilation boxes, produce a very odd and fussy roof detail, particularly when viewed from the gable elevations. These will be seen from within and outside the site and would be detrimental to the building’s appearance and have a negative impact on controlled vistas within the site, and on the setting of the listed building and the adjacent conservation area.”*

**Neighbour Amenity**

I am satisfied that the proposed development will not detract to an unacceptable extent from the amenities of any immediate residential neighbour by reason of the changes from the previously approved scheme for the Apartment Blocks..

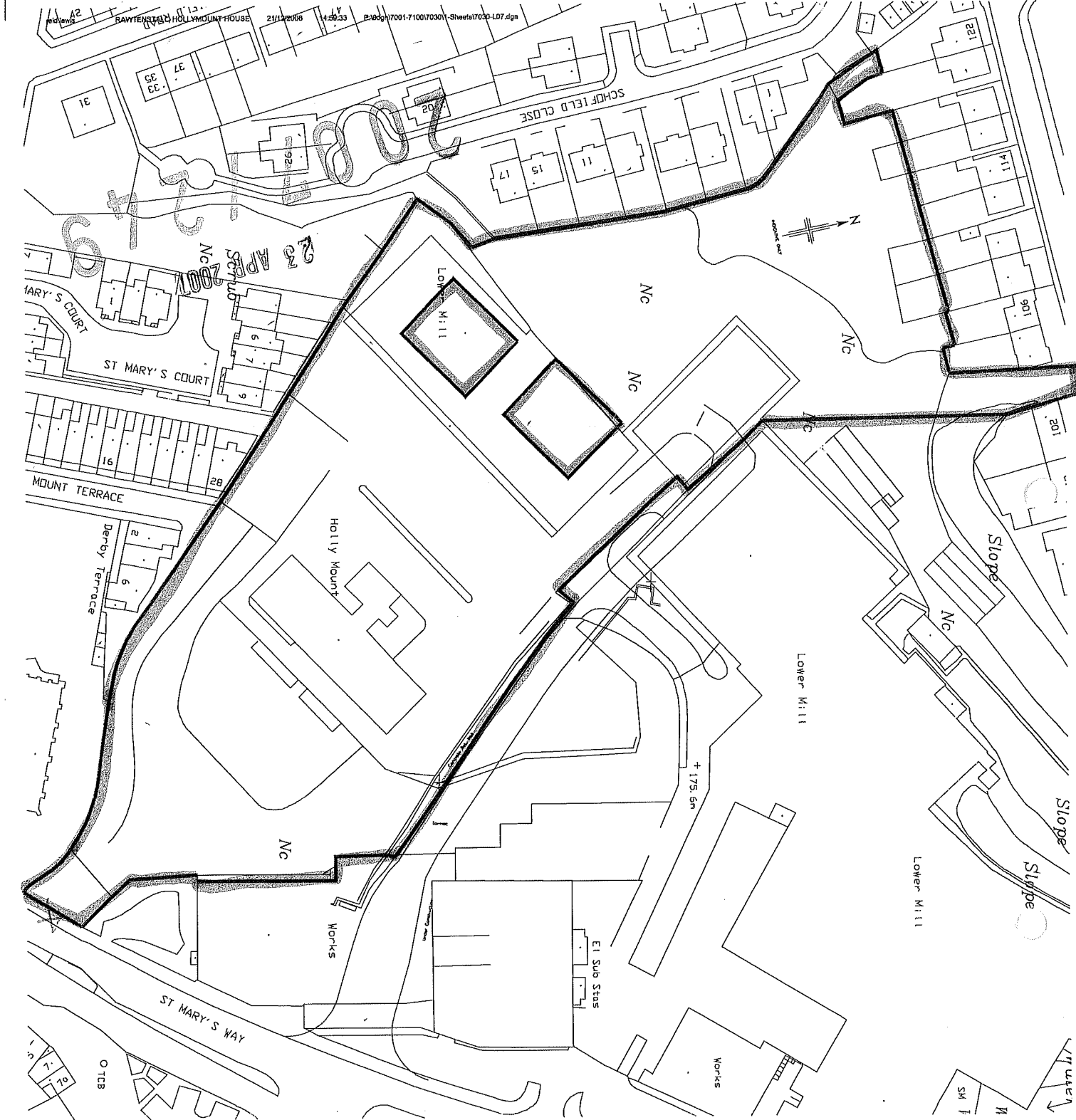
The increased bulk of building will not result in undue overbearing/overshadowing. However, the Apartment Blocks will impinge to a degree on the visual amenities of neighbours, both residents of properties on the land rising to the west and north of the site and for users of the ASDA car park to the east.

**7. RECOMMENDATION**

That Permission be REFUSED the following reason :

*The proposal will result in construction of two Apartment Blocks which, by reason of their siting/size/design/appearance, will unacceptably affect the setting of a Listed Building (Holly Mount House) and Rawtenstall Town Centre Conservation Area. Most particularly, the resulting flat-topped and staggered roof-shape of the proposed Apartment Blocks, together with the louvre-fronted ventilation-boxes, produce a very odd and fussy roof-detail as viewed from within and beyond the boundaries of the Holly Mount site. The Design Statement accompanying Application 2006/320 said the Apartment Blocks derived their form "from the large livery barns that once occupied the site". As now proposed the Apartment Blocks will have roofs that are higher than the Apartment Blocks permitted by Planning Permission 2006/320 and, more particularly, will have roofs of a more complex shape and with additional protrusions, at odds with the simple roof-shape one would expect of the late Georgian/early Victorian service building they are said to reflect, Holly Mount House and the other new-build dwellings permitted by the earlier permission. The Applicant has not made the case to justify permitting the Apartments Blocks in a form which will cause such detriment to the heritage interest/townscape and is contrary to the provisions of PPG15, Policy 1 and 21 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 and Policies HP1 and HP2 of the adopted Rossendale District Local Plan.*

<b>Contact Officer</b>	
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Service / Team	Development Control
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**SITE SPECIFIC HAZARDS**

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CON REGULATIONS 1994 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

REV.	DATE	NOTES	INIT.

**PROJECT**  
 HOLLY MOUNT HOUSE  
 ST. MARY'S WAY  
 RAWTENSTALL

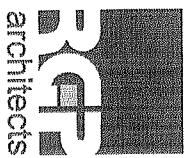
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 SITE LOCATION PLAN

DATE	DRAWN	CHECK	SCALE @ A4
21-12-06	MMG		1250

PROJECT NUMBER	UNIT / BLOCK	C/I/SFB CODE	TYPE & NUMBER	REVISION LETTER
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Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Public Colour

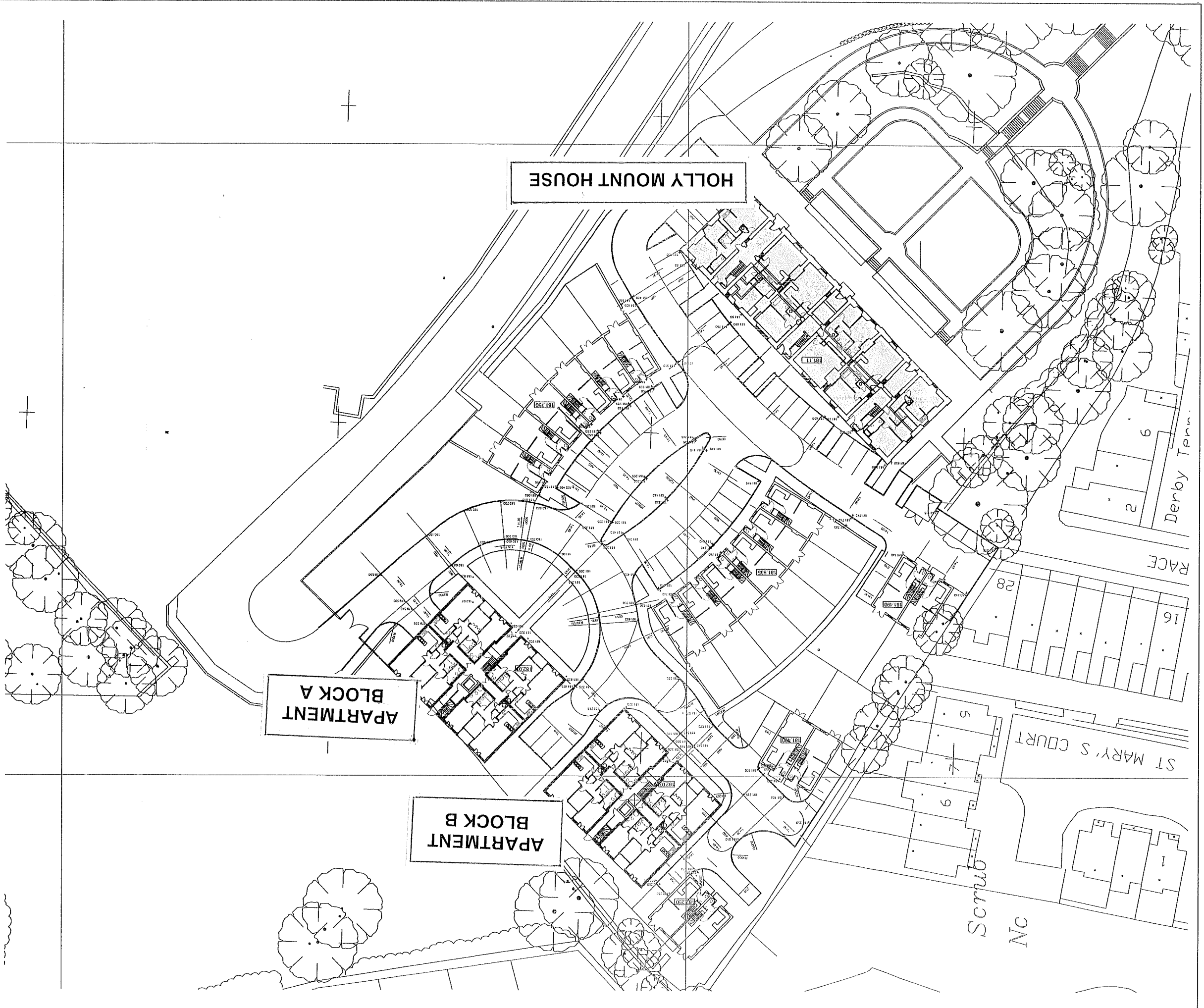
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 105 MANCHESTER ROAD  
 BURY  
 LANCASHIRE  
 BL9 0TD  
 T: 0161 797 6000  
 F: 0161 797 5255  
 W: www.rgp.uk.com  
 E: first.lastname@rgp.uk.com



Project	0225 / 0410 / S3
Client	HURSTWOOD GROUP
Location	HOLLYMOUNT HOUSE RAVENSTALL
Scale	1:500
Date	DEC 06
Author	AM
Check	AM
Drawn	AM
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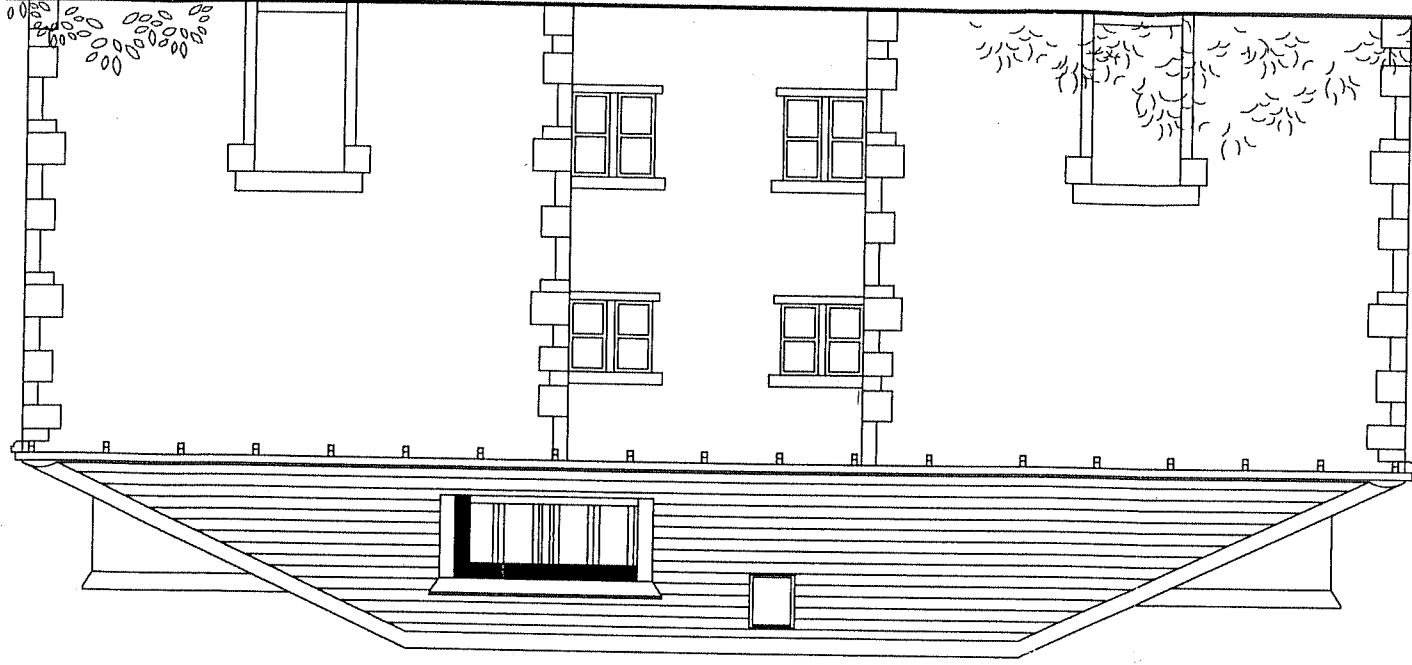
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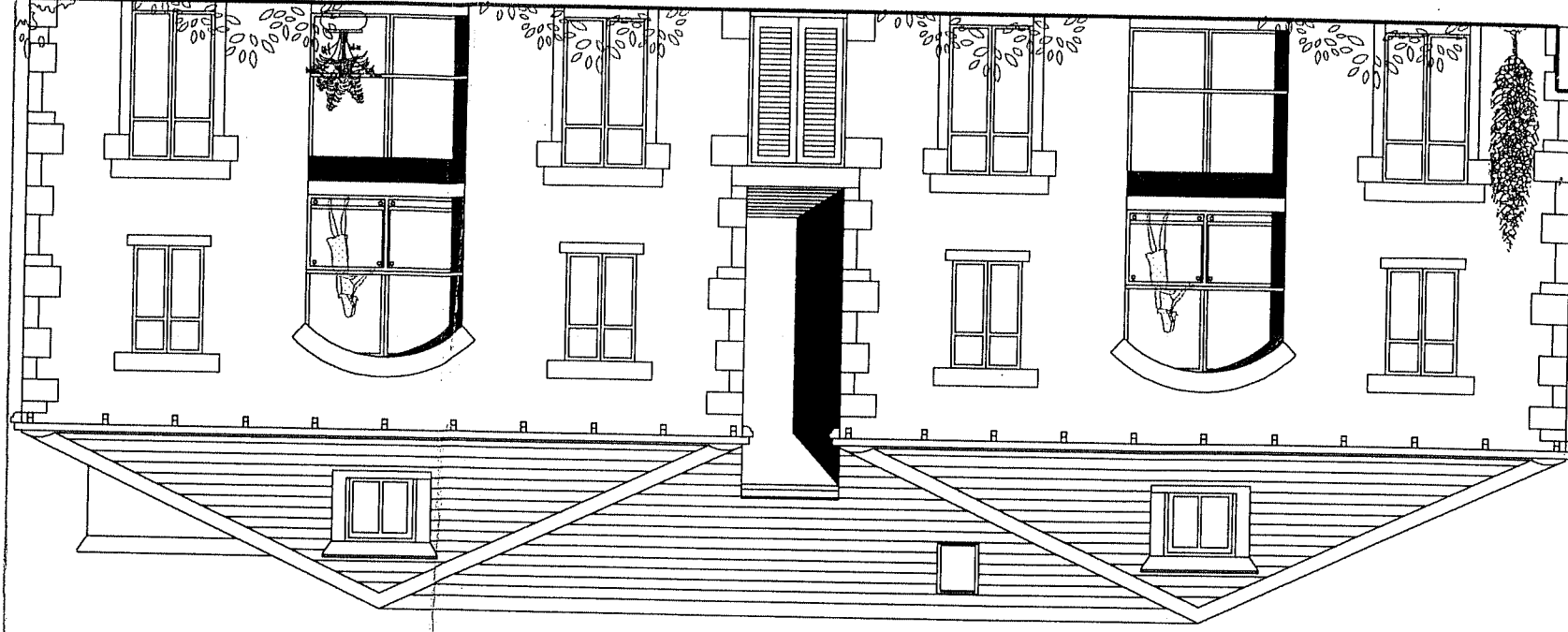




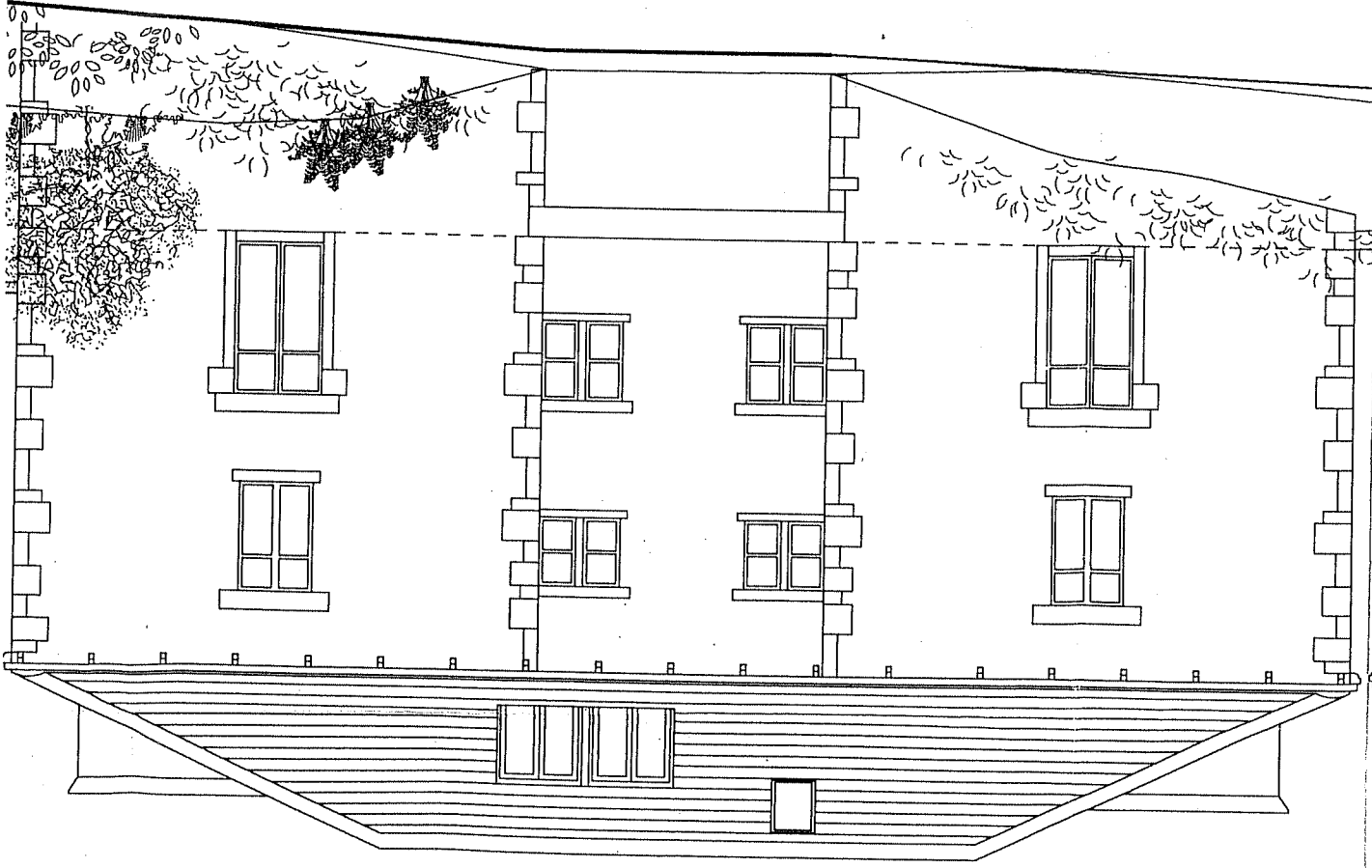
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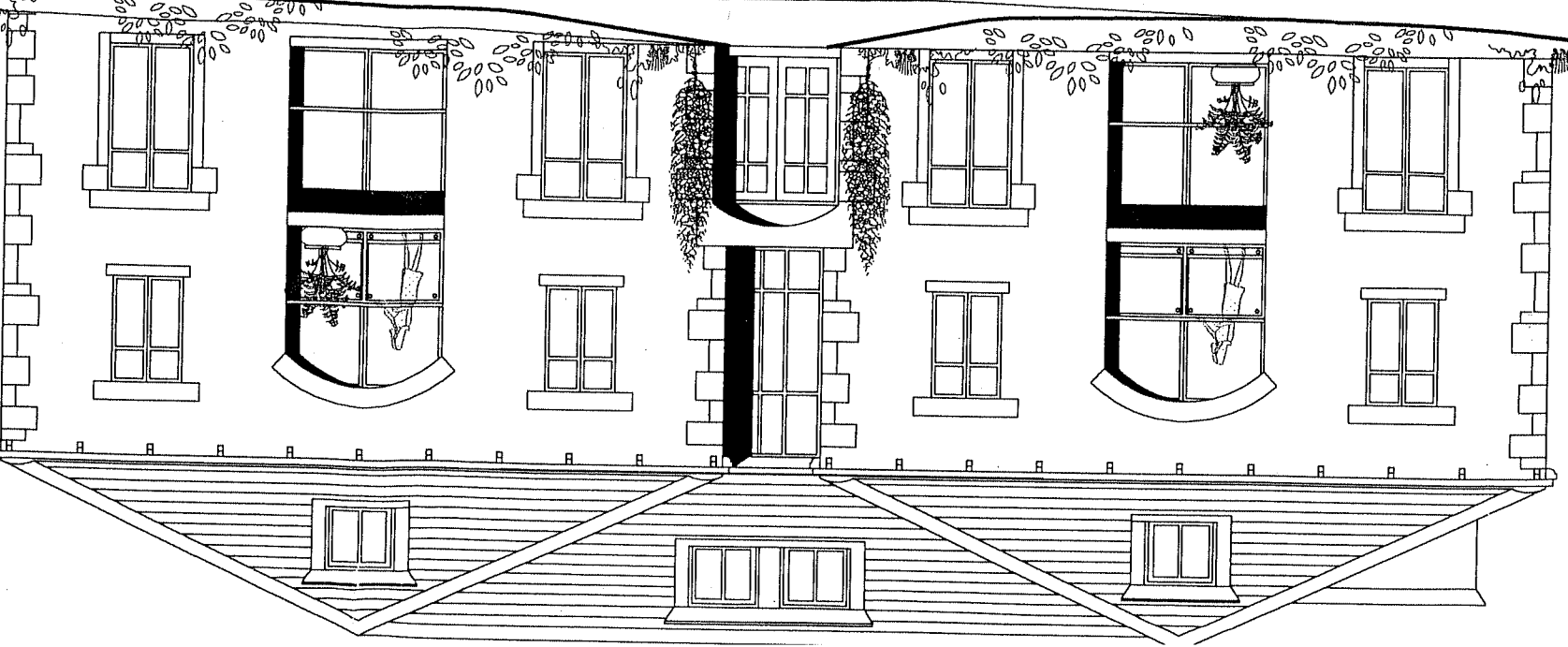
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**GABLE ELEVATION**

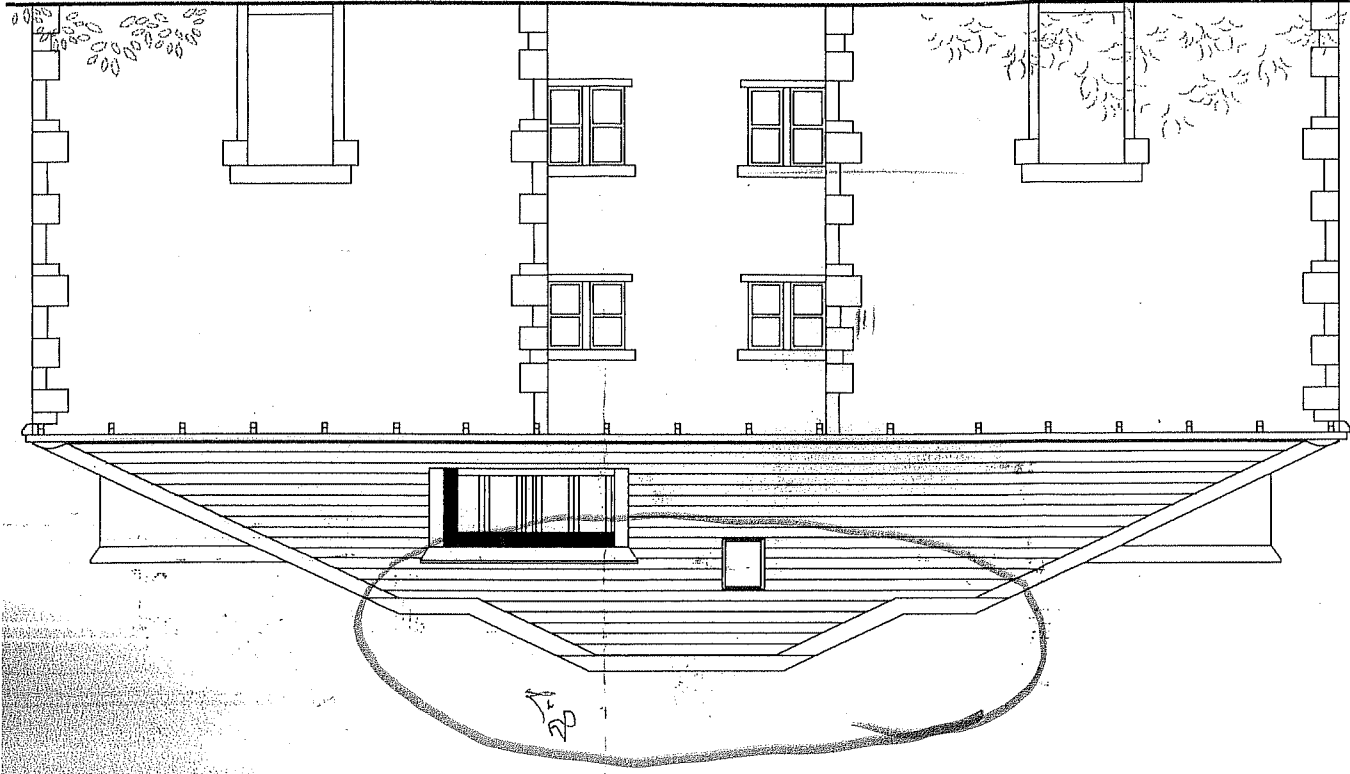


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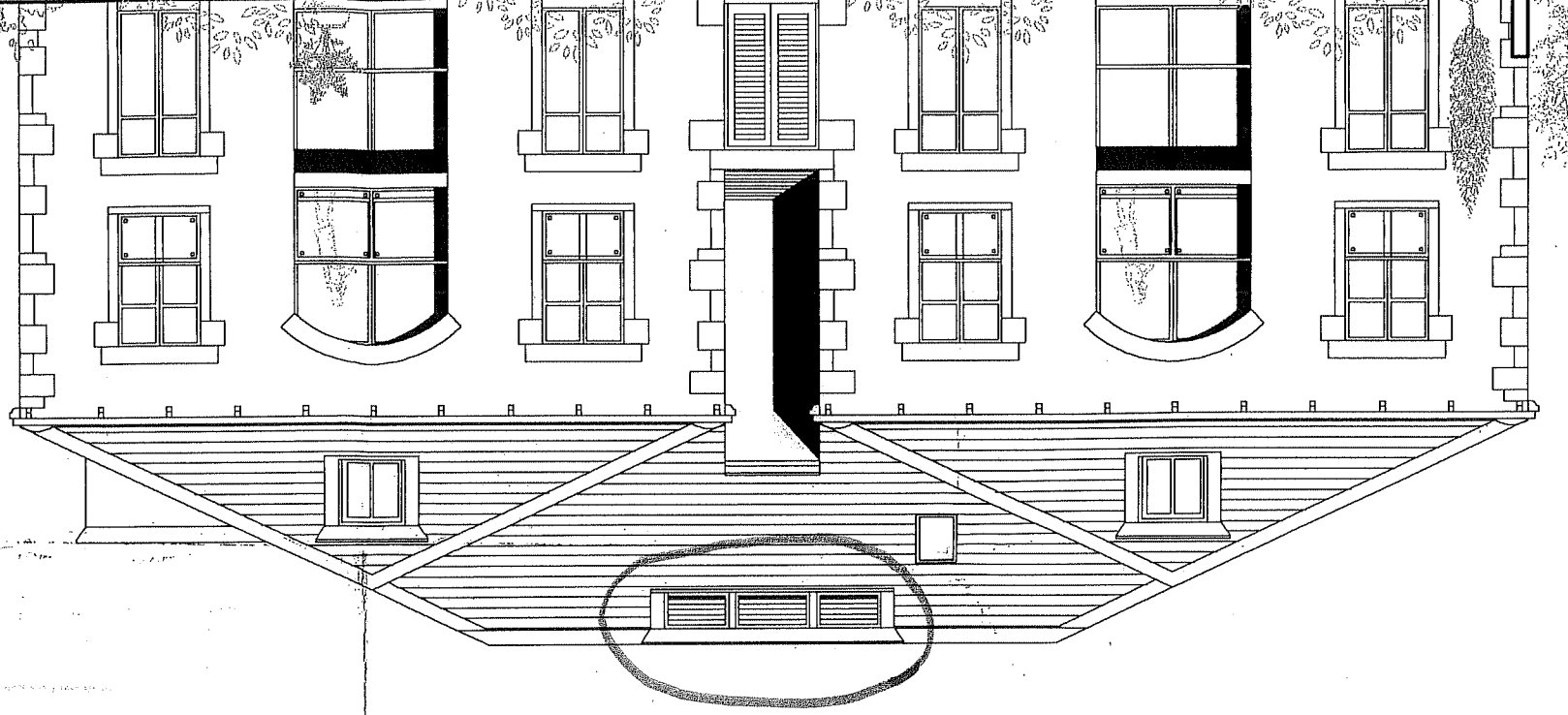


APARTMENT BLOCK A  
As permitted by 2006/320

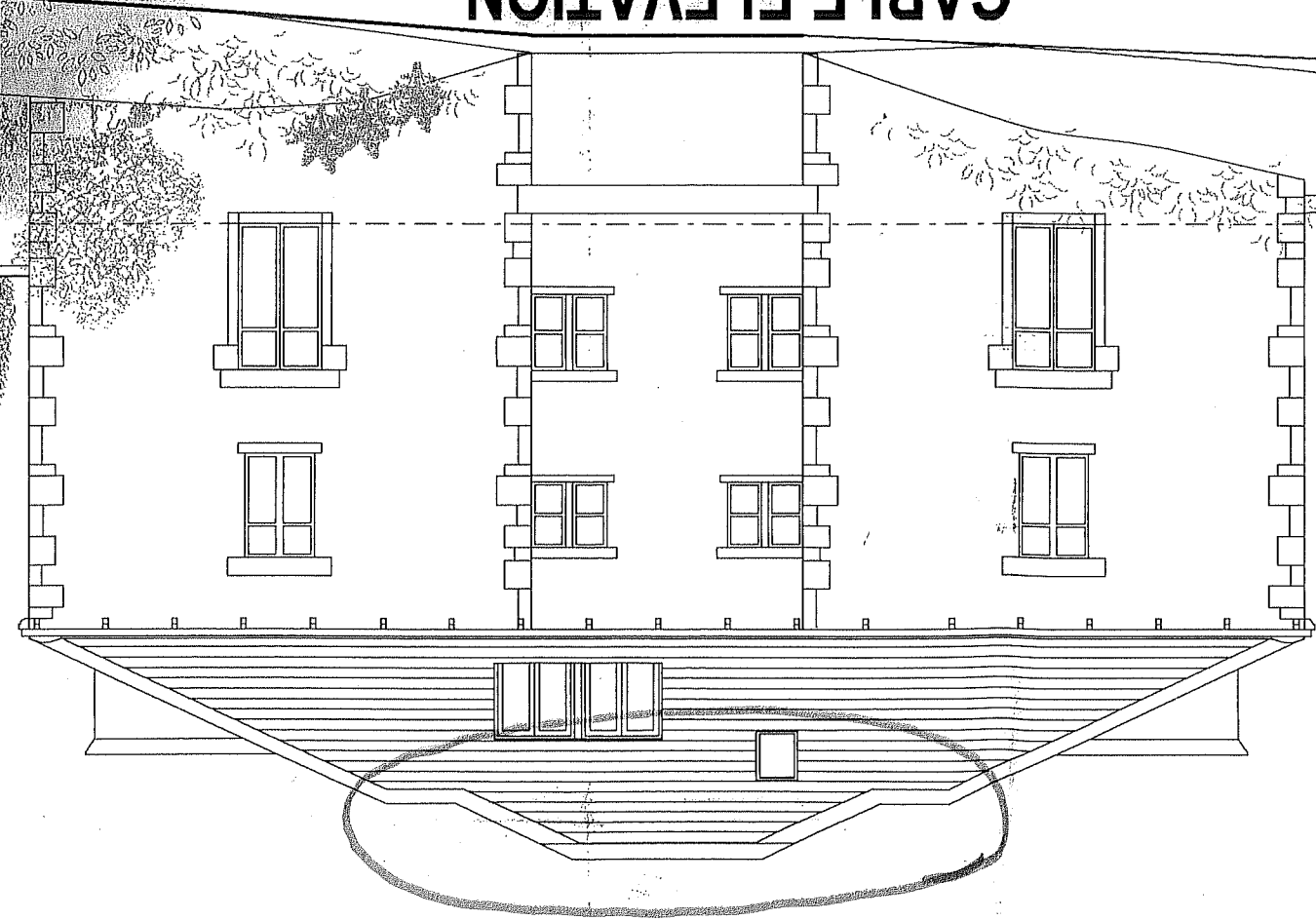
**GABLE ELEVATION**



**REAR ELEVATION**



**GABLE ELEVATION**

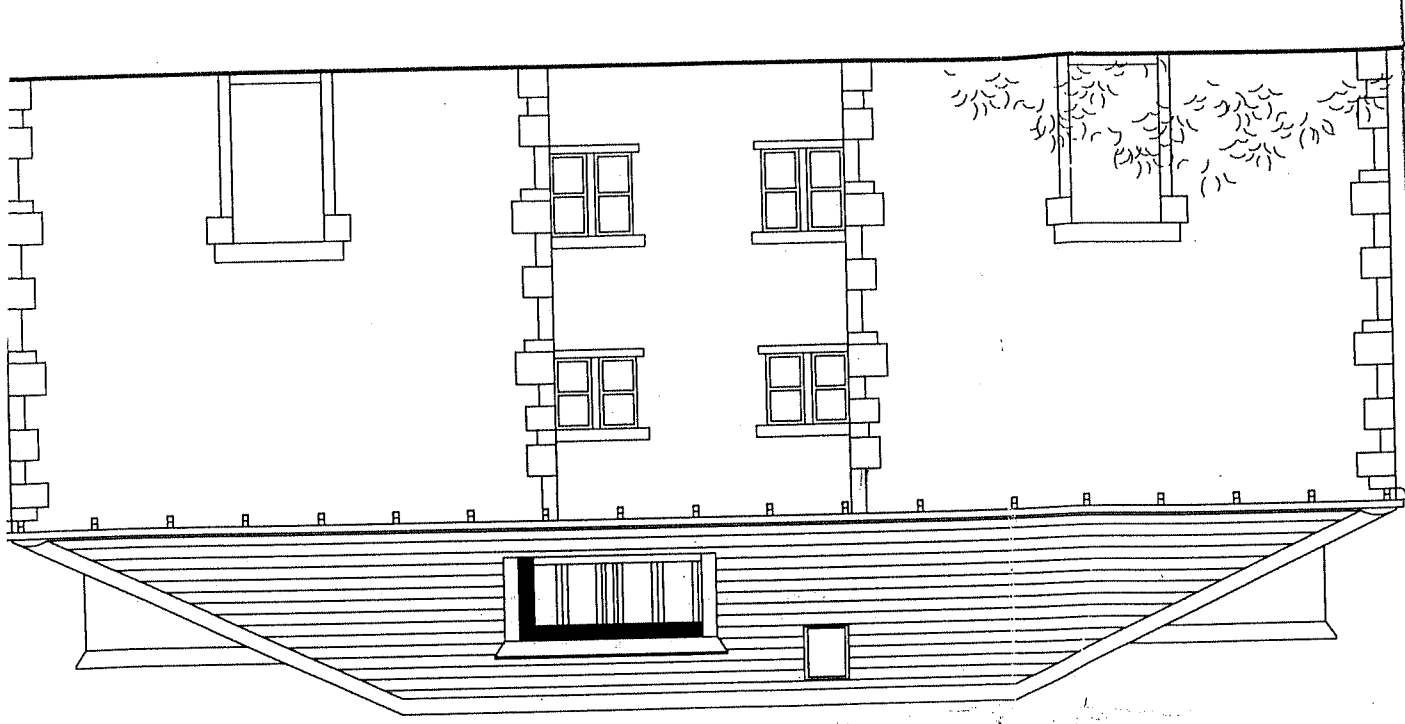


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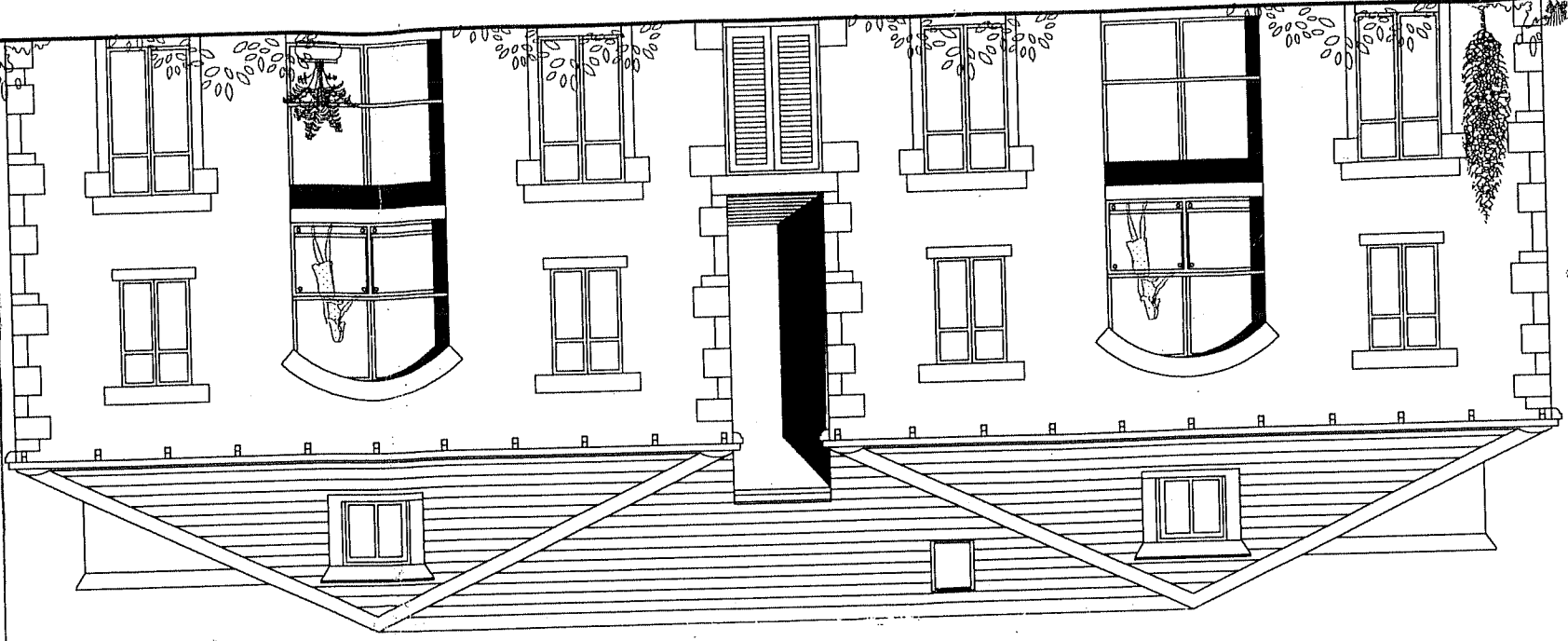


As proposed by 2007/249  
APARTMENT BLOCK A

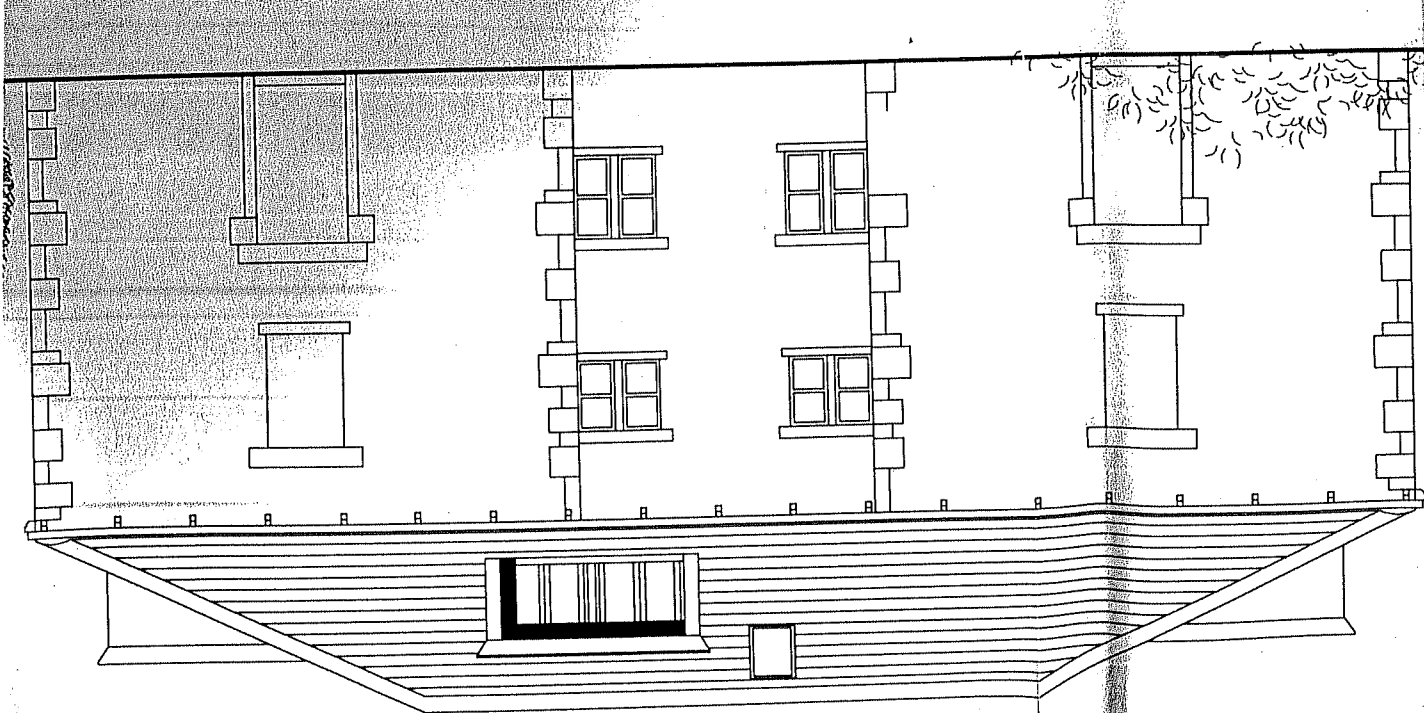
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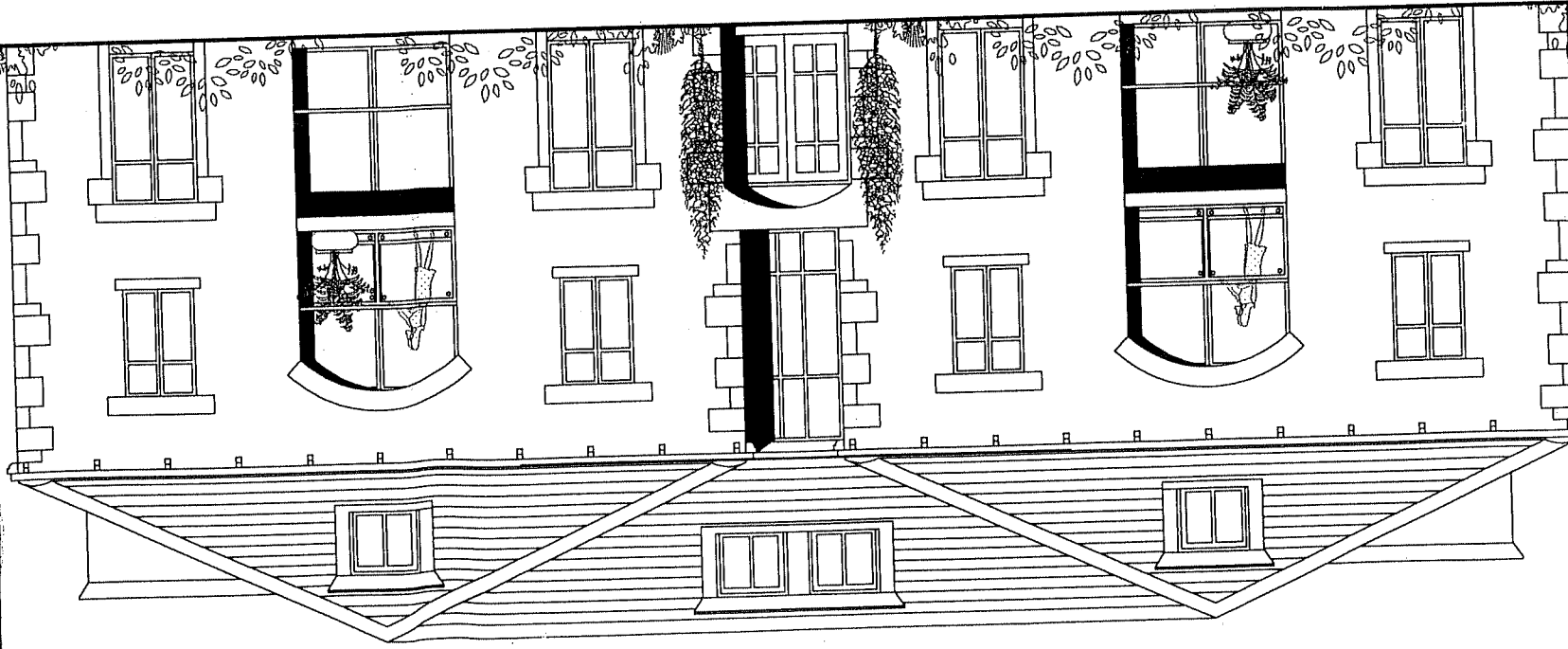
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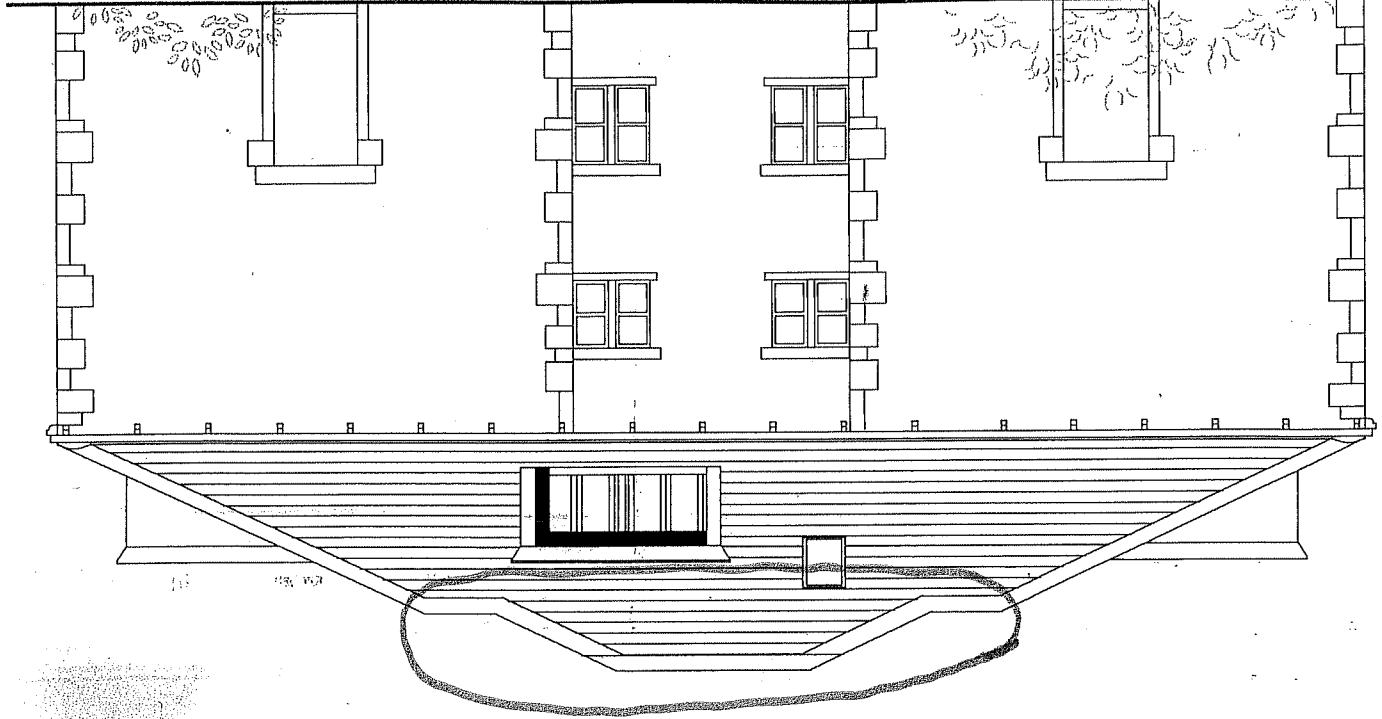


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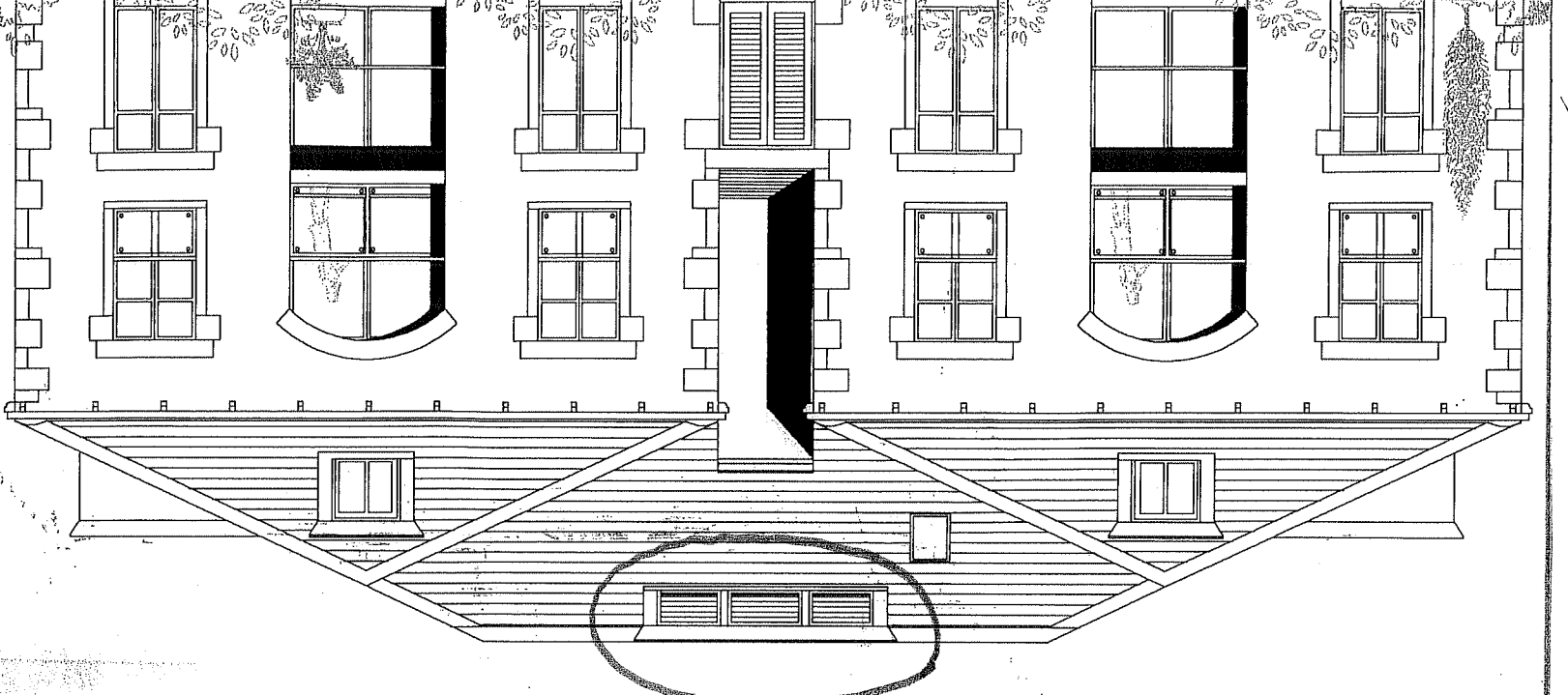


As permitted by 2006/320  
 APARTMENT BLOCK B

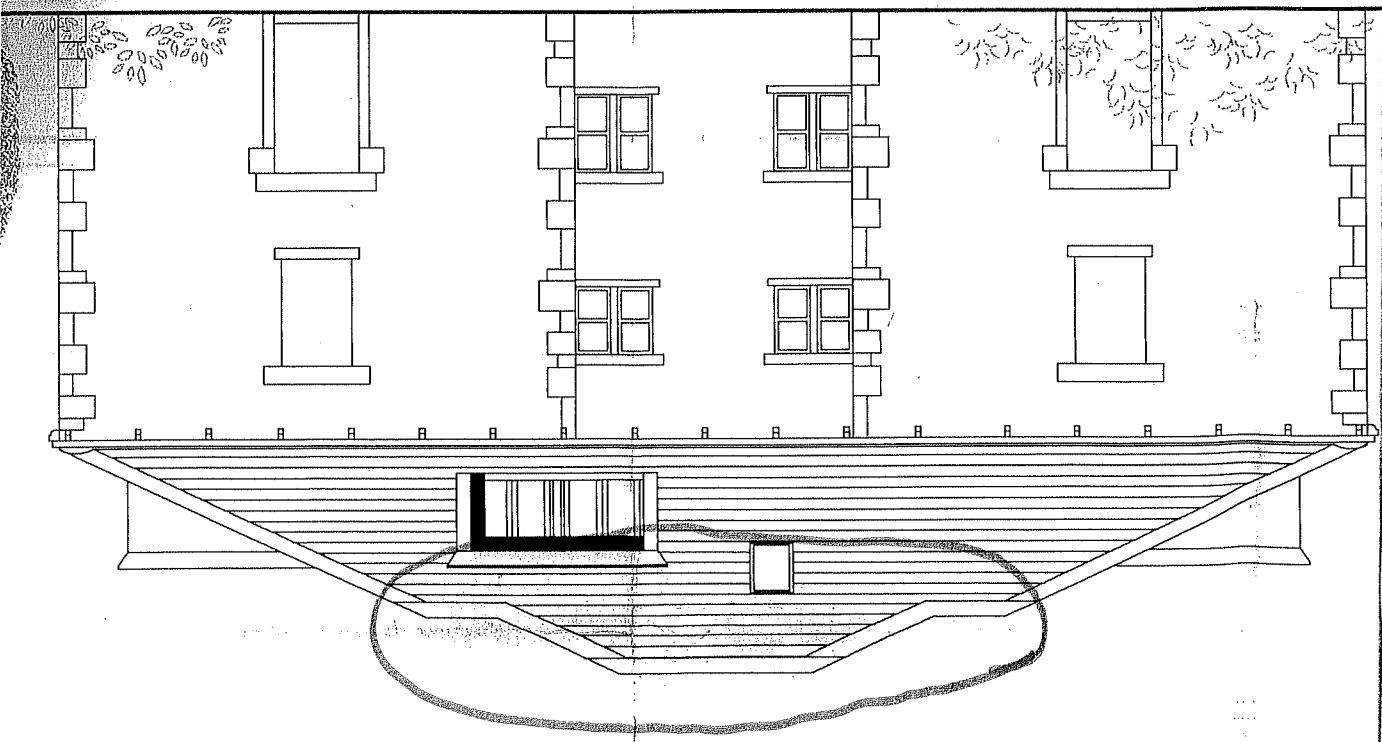
**GABLE ELEVATION**



**REAR ELEVATION**



**GABLE ELEVATION**



**FRONT ELEVATION**



APARTMENT BLOCK B  
As proposed by 2007/249