

<b>Application No:</b> 2007/375		<b>Application Type:</b> Outline	
<b>Proposal:</b>	Erection of 123 dwellings & associated infrastructure	<b>Location:</b>	Site of Orama Mill, off Hall Street, Whitworth
<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>	18 September 2007
<b>Applicant:</b>	Redrow	<b>Determination Expiry Date:</b> 24 September 2007	
<b>Agent:</b>	Steven Abbott Associates		

**REASON FOR REPORTING**

**Outside Officer Scheme of Delegation** Yes  
**Member Call-In** No  
 Name of Member:  
 Reason for Call-In:

**More than 3 objections received** Yes

Other (please state) ..... Major/Departure/Council owned land

**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 and the Proposal**

1.1 The application site extends to an area of 3.6 hectares and the existing building occupies a gross floor space of approximately 23,225 square metres.

- 1.2 The River Spodden runs north to south through the site within the eastern side. The site is currently occupied by the Orama Mill building to the west of the River which ranges in height from single storey to five storeys. An area of vacant land which was formerly used as a car park and represents approximately 20% of the site area occupies land to the east of the River. This element of the site is Council owned.
- 1.3 The surrounding area is characterised by bungalows and two-storey residential properties to the east across Cowm Park Way South and to the south across Hall Street. The Whitworth Community High School is situated to the west of the site with playing fields associated with the school to the north. St Bartholomew's Church of England Primary School is situated approximately 70 metres to the south west of the Orama Mill site.

## **2. Relevant Planning History**

- 2.1 None.

## **3. Proposal**

- 3.1 This application seeks outline consent to include layout, scale and access for the erection of 123 residential units. The matters reserved for future consideration / approval are appearance and landscaping. The units would comprise 23 no. 4 bedroom detached houses, 17 no. 4 bedroom townhouses, 46 no. 3 bedroom townhouses, 9 no. 1 bedroom apartments and 28 no. 2 bedroom apartments. Properties would range in height from 2 to 4 storeys and from 7 to 14.6 metres.
- 3.2 It is proposed that access be taken from Cowm Park Way South with the construction of a bridge over the River Spodden. The apartment block to the north east of the site would have two vehicular accesses from Cowm Park Way South. A further access for the apartment block to the south east of the site would be accessed from Hall Street. Car parking spaces are proposed at an average provision of 1.5 spaces per dwelling.

## **4. Policy Context**

### Rossendale District Local Plan (Adopted 1995)

- DS1 – Urban Boundary
- DC1 – Development Criteria
- DC2 – Landscaping
- DC3 – Public Open Space
- J3 – Existing Employment Areas
- H3 – Land for Residential Development

### Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 – General Policy
  - Policy 2 – Main Development Locations
  - Policy 5 – Development outside of Principal Urban Areas, Main Towns and Key Service Centres (Market Towns)
  - Policy 7 – Parking
-

Policy 12 – Housing Provision  
Policy 14 – Business and Industrial Land Provision  
Policy 20 – Lancashire’s Landscapes  
Policy 24 – Flood Risk

Other Material Planning Considerations

PPS1 – Delivering Sustainable Development  
PPS3 – Housing  
PPG13 - Transport  
PPS25 – Development and Flood Risk  
RPG13  
Draft RSS  
LCC Supplementary Planning Guidance ‘Access and Parking’  
LPOS Planning Obligations  
RBC Core Strategy  
RBC Revised Interim Housing Position Statement (January 2007)  
RBC Affordable Housing Position Statement (January 2007)  
RBC Housing Needs & Market Assessment  
Manual for Streets (March 2007)

**5. CONSULTATIONS**

5.1 LCC (Planning)

5.2 It is not considered that there is justification for the proposal in terms of housing over supply and policy 12 of the Joint Lancashire Structure Plan. Concern is raised that the scale of new housing will not primarily serve local housing needs and the housing provision is substantial in scale for a settlement the size of Whitworth.

5.3 The site is calculated as having an accessibility score of 33 and to have “medium” accessibility. A sum of £144,000 should be payable. The site is within 600 metres of Whitworth Library and an indicative contribution of £35,000 is required.

5.4 Recommends conditions relating to bats, breeding birds, Japanese knotweed, protection of watercourses, landscaping and archaeology.

5.5 Whitworth Town Council

5.6 Object on the grounds of too much traffic exiting onto Market Street and also the height of 4 storey buildings specifically.

5.7 LCC (Education)

5.8 A contribution in respect of the provision of school places need not be sought as there are sufficient school places in the surrounding areas.

5.9 United Utilities

5.10 No objections provided the site is drained on a separate system, with only foul drainage connected into the foul sewer.

5.11 RBC (Housing)

5.12 The site triggers the threshold of 15 units and so we should be asking for 45% affordable housing to be delivered preferably on site through a Registered Social Landlord. This equates to 55 units out of the total 123 illustrated in the planning application, this should be split with 11 shared ownership/shared equity units and 44 affordable rented units.

5.13 Environment Agency

5.14 Objects to the application. Parts of the proposed development lie within Flood Zones 2 (medium risk) and Flood Zone 3 (high risk). The Flood Risk Assessment submitted with the application does not provide sufficient information. The access road arrangement for the residential plot to the south of the left hand bank should not be within the 8 metre buffer zone. There is a lack of detail regarding boundary treatments, particularly with regard to the right hand bank of the River Spodden. The ecological assessment of the site is not satisfactory.

5.15 RBC (Policy)

5.16 Releasing the site would add to the over-supply of land in Rossendale, contrary to the objectives of Policy 12 of the Structure Plan and PPS3 requirements for the management of housing land. Although there would be environmental benefits in finding a use for a previously developed site in a sustainable location, which would also improve the outlook of local residents, that does not outweigh the harm to carefully considered local housing policies and priorities.

5.17 RBC (Environmental Health)

5.18 Conditions relating to demolition and construction hours of work and contaminated land are recommended.

5.19 LCC (Highways)

5.20 Satisfied that local road networks can accommodate the traffic the proposal will generate. The submitted Transport Assessment appropriately includes the growth factor applied accordingly with consideration to the traffic situation for the opening year (2009). The access proposed onto Hall Street is substandard and parking details and bridge details are required.

**6. REPRESENTATIONS**

6.1 61 letters have been received in response to the application publicity from 47 properties objecting to the application for the following reasons:

- Three and four storey blocks of flats along Cowm Park Way South is inappropriate. Would set a precedent within Whitworth. Would dominate the landscape.
- Blocks of flats along the thin strip of land along Cowm Park Way South is very high density.
- Unacceptable increase in traffic, the junction where Hall Street meets Market Street is already unable to cope.
- Consideration needed for the amount of off road parking, not enough car parking spaces are provided.
- The site is semi-rural.
- At least one of the local primary schools is over subscribed for the next school year.
- Increased noise
- Loss of easily accessible open space. The grassed areas surrounding Orama Mill have been used for many years for dog walkers and horse riders.
- In the adopted Joint Lancashire Structure Plan, Whitworth is neither listed under policy 2 (main development locations) or policy 4.
- Policy H3 of the Local Plan lists four sites in Whitworth, these sites were to provide approximately 80 dwellings.
- Japanese knotweed is prevalent across the site.
- Would increase the population of Whitworth by up to 10%.
- Increased chance of road accidents.
- Location of the access road from Hall Street is close to a major junction, situated immediately above a precarious bend and is on a section of road where the footpath is very narrow on one side and non-existent on the other.
- Effect on natural habitat.
- The site should be used for playing fields.
- GP services, dentist and the police are over-subscribed/stretched.
- It should be a condition of any planning permission that the developer be responsible for the cost of the necessary improvements to the Hall Street/Market Street junction.
- The application contradicts information provided to residents in a community newsletter issued by Redrow.
- There is an over-supply of housing within Rossendale.
- 3 acres of space are required yet none is shown.

## **7. REPORT**

- 7.1 The key issues to be considered in the determination of this application are: 1) whether the loss of employment is acceptable; 2) whether the proposal represents an unacceptable over-supply of housing; 3) whether an acceptable level of affordable housing is proposed; 4) whether the restructure in settlement hierarchy is acceptable; 5) whether the proposal would adequately address issues of flood risk; 6) whether the layout is acceptable; 7) whether there would be a detrimental impact on residential amenity; 8) whether the proposal would have any impact upon highway safety; and 9) whether an acceptable contribution is proposed. I shall deal with each of these issues in turn.

## 7.2 Loss of Employment

- 7.3 Policy 5 of the Structure Plan considers that development resulting in the loss of employment provision to other uses will not be permitted unless it can be demonstrated that the use is no longer needed by the community. Policy 14 of the Structure Plan states that existing Local Plan allocations for business and industrial land will be assessed to gauge their continued suitability for business and industrial uses.
- 7.4 The site is allocated under Policy J3 of the Rossendale District Local Plan which states that existing and proposed employment areas and the needs of industry and commerce will usually be given priority over housing, specifically in the determination of planning applications.
- 7.5 King Sturge LLP were commissioned to undertake an Employment Land Study for Rossendale. The project is now nearing completion. Its Draft Report suggests that to ensure that the lack of available employment land does not impede the local economy 2 hectares per year of genuinely available and suitable employment land be available in Rossendale. It is evident from the study that lack of suitable supply is a constraint to employment, which increases the importance of retaining those areas allocated for employment under Policy J3 of the adopted Local Plan.
- 7.6 The Orama Mill building has a gross floor area of approximately 23,225 square metres. Given that Policy J3 protects employment uses and there is an over-supply of housing within the Borough, it is reasonable to expect the developer to provide significant evidence to demonstrate that all reasonable efforts have been made to attract a viable alternative employment use for the site. To be completely satisfied that there is no current demand I would expect the developer to include details of the marketing that has been undertaken. This would include details on the length of the marketing period, whether this was at a price that reflects its current value and that no reasonable offer was refused.
- 7.7 In addition I would expect the developer to demonstrate that:
- The land/premises has been regularly advertised in the local and regional press (e.g. The Free Press, Manchester Evening News, property press (e.g. Estates Gazette)), specialist trade papers and any free papers covering relevant areas;
  - The land/premises have been registered by the Economic Development Officer;
  - Local property agents and specialist commercial agents have been regularly sent mail shots or hard copies of particulars to find out whether there is a demand for business premises in the area; and
  - Local businesses have been contacted and have been regularly sent mail shots or hard copies of particulars to explore whether they can make use of the premises (or part of) as alternative or additional accommodation.

- 7.8 A report prepared by Beesley Silas has been submitted in support of the application detailing that the site was marketed for a period of 14 months. A general mail shot highlighting the availability of the premises was forwarded to a large number of local and national developers plus other occupiers in the Whitworth and Rochdale area. Site details were distributed to commercial property agents and placed on the Beesley Thomson website openly available to the public for a period in the region of 18 months. A study was carried out to confirm the likely demand for accommodation in the area and following agent feedback research was undertaken into the demand for office and industrial space in Whitworth and the surrounding area. In addition a structural survey was carried out in 2004. It has been stated that a full repair was quoted at a figure of £51.79 per linear metre, which would equate to an outlay in excess of £500,000. The report prepared by Beesley Silas identifies that a mixed use development is a possibility.
- 7.9 The supporting information does not satisfactorily address the issues outlined within paragraphs 7.7 and 7.8 and as such it is not considered that sufficient evidence has been submitted to demonstrate that there is no demand for this site and furthermore, to ensure that there would be no harm to the future interests of the local economy. The proposal is therefore contrary to policy J3 of the Rossendale District Local Plan.
- 7.10 Housing Policy
- 7.11 The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.
- 7.12 The eastern side of the site is allocated for housing under Policy H3 of the Rossendale District Local Plan. However, it is noted that the Lancashire County Council has considered the policy against the more up to date Joint Lancashire Structure Plan and the policy is considered to not be in general conformity with the Structure Plan.
- 7.13 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, Lancashire County Council (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.

- 7.14 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 housing or special needs housing or form a key element within a mixed use regeneration project”*.
- 7.15 Members will recall that a revised Interim Housing Position Statement and an Affordable Housing Position Statement were approved by Council in January of this year. Both documents set out that applications received on or after the approval date will be considered against the criteria set out in these position statements. The application was submitted after the approval of these documents and will therefore be assessed against their provisions.
- 7.16 The Council’s revised Interim Housing Position Statement (January 2007) accepted the contention that the Council would over-shoot its housing allocation and the permissions now granted should be limited to those it set out:
- 7.17 *“Applications for residential development in Rossendale will be acceptable in the following circumstances:*
- a) The replacement of existing dwellings, provided that the number of dwellings is not increased.*
  - b) The proposal can be justified in relation to agricultural and forestry activities.*
  - c) In relation to listed building and important buildings in conservation areas, the applicant can demonstrate the proposal is the only means to their conservation.*
  - d) Conversion or change of use of buildings within the urban boundary of the main development location within the Borough (ie Rawtenstall including Bacup and Haslingden) where the number of units is 4 or less.*
  - e) The conversion to 5 units or more, or for new build developments of 1 unit or more on previously developed land, where it can be demonstrated the proposal lies within and will deliver regeneration benefits within the Regeneration Priority Areas of Rawtenstall Town Centre or Bacup, Stacksteads and Britannia (Elevate) Pathfinder.”*
- 7.18 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 provisions of just 80 that the JLSP requires on an annual basis for the period 2006 to 2016”*. The Draft Regional Spatial Strategy has not progressed to the stage that its contents can have a greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.



- 7.19 Accordingly, it is appropriate to consider the application in relation to the criteria of the revised interim Housing Position Statement. The application proposal:
- Does not represent the replacement of existing dwellings.
  - Is not in relation to agricultural or forestry activities.
  - Will not harm the character of any Listed Building or Conservation Area.
  - Does not represent 4 or less units.
  - Does not lie within the Study Area boundary of the emerging Bacup, Stacksteads & Britannia AAP or Rawtenstall Town Centre AAP. No affordable housing is proposed and it is not considered that the applicant has demonstrated any significant regeneration benefits.
- 7.20 I do not consider that the applicant has demonstrated any other limited circumstances set out in Policy 12 of the Structure Plan that allows for housing permissions in circumstances of oversupply.
- 7.21 Therefore, I do not consider that the proposal accords with any of the limited circumstances identified where housing development would be considered acceptable in positions of housing over supply.
- 7.22 Affordable Housing Provision
- 7.23 The Affordable Housing Position Statement (January 2007) states that: *“In determining applications for residential development of 15 units or more, the Council will seek to negotiate on site a minimum of 45% of the units to be affordable housing where justified by the Housing Market Needs Assessment. Exceptions to this policy will only be considered where clear evidence can be shown to demonstrate that the required level of affordable housing provision would not be viable due to strategic or significant wider regeneration and commercial benefits. A minimum of 10% of the affordable provision will be intermediate tenure unless the Housing Market Needs Assessment indicates a higher requirement.”*
- 7.24 The Housing Market Needs Assessment by David Cumberland HR Ltd identified the level of affordable housing need to be 354 units for the period 2005 to 2010 equating to an annual affordable housing need of 70 dwellings. The build rate over the period 2001 – 2006 was approximately 200 dwellings per annum. Based on this historic build rate, approximately 45% of residential development being completed on sites of 15 dwellings or more would need to be affordable to deliver the 70 units per annum as identified in the Housing Market Needs Assessment.
- 7.25 The provision of 45% affordable housing on this site equates to 55 of the 123 units, this should be provided on site rather than through an off site contribution. No affordable housing is proposed by the developer, the applicant states that Whitworth is not within either of the two Area Action Plan areas and there is no evidence to suggest that affordable housing is required in this area.

7.26 The Housing Needs and Market Assessment update 2007 explains the numbers required in the Key Service Centre Area of Whitworth stating that Whitworth has a total requirement of 26 units. However, whilst there is only a requirement of 26 units within this part of the Borough there is a Borough wide shortage of affordable housing and to meet the annual affordable housing need 45% would be required on this site.

#### 7.27 Settlement Hierarchy

7.28 Policies 1, 2 and 4 of the Joint Lancashire Structure Plan seek to direct development to Principle Urban Areas, Main Towns and Key Service Centres on the basis that this represents the best opportunity to maximise efficient use of land, buildings and services.

7.29 A detailed analysis of the service role of a large number of different was undertaken as a basis for this classification. Whitworth was not identified in the final list of identified centres. The proposal should therefore be considered under Policy 5.

7.30 Development in Policy 5 settlements should be of a scale and nature appropriate to its location with the main focus for development being on villages and other settlements identified within the adopted Local Plan. The policy further states that development will support rural or urban regeneration by meeting an identified local need for housing. Loss of employment provision should be resisted unless it can be demonstrated that the use is no longer needed by the community. The issue of loss of employment has been discussed in detail above.

7.31 The proposed housing provision is substantial in scale for a settlement the size of Whitworth. It is therefore considered that the scale of new housing will not primarily serve local housing needs but will instead attract new residents who will commute to Rochdale and other parts of Greater Manchester. As such, the proposed development fails to maintain a balance between employment and the existing Whitworth residential community and it is considered that to allow this proposal would not serve to reflect the sustainability approach outlined by the settlement hierarchy set out within the Structure Plan or the principles of sustainability set out within PPS1.

#### 7.32 Flood Risk

7.33 PPS25 (Development and Flood Risk) states that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk.

7.34 Policy 24 of the Joint Lancashire Structure Plan relates to flood risk and states that in developed high flood risk areas, development will be limited to proposals for which appropriate flood alleviation measures either exist or will be provided by the developer.

- 7.35 A Flood Risk Assessment has been submitted in support of the application. Comments from the Environment Agency object to the application advising that parts of the proposed development lie within Flood Zones 2 (medium risk) and Flood Zone 3 (high risk) and that the Flood Risk Assessment submitted with the application does not provide sufficient information. It is subsequently recommended that the application be refused.
- 7.36 Neighbour Amenity / Layout
- 7.37 Policy DC1 of the Local Plan states that all development proposals will be expected to provide a high standard of building and landscape design all applications for planning permission will be considered on the basis of a number of criteria including sun-lighting, day-lighting and privacy provided and visual appearance and relationship between existing buildings.
- 7.38 The surrounding area is predominantly characterised by bungalows and two-storey residential properties. The existing Orama Mill building ranges from single storey to five storeys in height and is situated towards the western side of the site approximately 90 metres from properties along Milner Street at its closest point. The proposed dwellings would range in height from two to four storeys and from 7 to 14.6 metres.
- 7.39 The apartment blocks would be situated on the Cowm Park Way South frontage and would range in height from 11.8 metres to 14.6 metres. These apartment blocks would be set back approximately 8 metres from Cowm Park Road at their closest point and situated approximately 40 metres from properties within Milner Street. Whilst the apartment blocks would extend much higher than surrounding residential properties, the existing Orama Mill building extends to a maximum of five storeys and the apartment blocks would be set back from the road frontage and screened to the north, south and west by landscaping. It is therefore considered that the scale of development across the site is acceptable and would not be visually obtrusive within the context of the surrounding area.
- 7.40 The proposed residential properties are situated in excess of 21 metres from surrounding residential properties and the proposal would not therefore have a detrimental impact on the amenity of surrounding properties by reason of overlooking or overshadowing. With respect to internal separation distances, it is reasonable to assume that a terraced property would have habitable room windows in the both the front and rear elevations. The proposed layout plan shows facing distances of as little as 16.6 – 19 metres in some instances. This distance is not considered adequate to satisfactorily protect the amenities of future occupiers in terms of overlooking and it is consequently recommended that the application be refused.
- 7.41 The application is in outline form and so there are no details yet to consider with respect to appearance. There is no reason to believe that the properties could not be designed in a way that would not be detrimental to the form and character of the area.

7.42 Access/Parking

- 7.43 Policy DC1 of the Rossendale District Local Plan states that all new development proposals should not be detrimental to existing conditions in the surrounding area and should have acceptable arrangements for access.
- 7.44 LCC Highways have reviewed the Transport Assessment and advise that the trip rates are deemed acceptable. The junction of Hall Street / Market Street has been identified as a key location. The modeling results indicate that this junction should operate within capacity for the opening year (2009) and anticipated traffic levels from the residential development are unlikely to have significant impacts. However, if background changes occur on the network, traffic might increase to higher levels than those modeled resulting in potential problems with vehicles exiting the development.
- 7.45 The site is allocated for employment use and whilst the existing Orama Mill building is currently vacant, a proposal could come forward for industrial development and brought up to full operational capacity which could result in the movement of HGV's. In light of the above, it is considered that an objection in terms of traffic generation could not be supported.
- 7.46 The proposed development has good public transport by bus and is close to the Accrington-Bacup-Rochdale bus route. It is proposed that this will be upgraded to a "Quality Bus Route" over the next year. Using the Residential Accessibility Questionnaire in Supplementary Planning Guidance "Access and Parking" the site is calculated as having an accessibility score of 33 and to have "medium" accessibility.
- 7.47 The main access would be taken from Cowm Park Way South approximately 70 metres to the north of Hall Street and would serve 87 of the dwellings on site. An additional two accesses would be taken off Cowm Park Way each providing access to the car parks for the apartment block to the north east of the site. This apartment block would accommodate 18 dwellings. The existing site access would be used for emergency access only.
- 7.48 The final access point would be taken from Hall Street approximately 33 metres to the east of the existing site access into the Orama Mill site and 24 metres to the west of the junction of Hall Street with Cowm Park Way South. This access would serve an apartment block to the south east of the site accommodating 18 dwellings. LCC Highways object to the creation of an access onto Hall Street in the location shown. This access would be on a bend in the road and insufficient visibility splays could be achieved. This access is situated unduly close to the junction of Hall Street with Cowm Park Way South, is substandard and would be detrimental to highway safety. The proposal is therefore contrary to policy DC1 of the Rossendale District Plan and it is accordingly recommended that the application be refused.

7.49 The Transport Assessment confirms that car parking would be provided on the basis of 1.5 spaces per dwelling across the site. This is in accordance with maximum car parking standards set out within Supplementary Planning Guidance 'Access and Parking' and could be controlled through the attachment of an appropriate condition to any planning consent. The level of car parking is therefore considered to be acceptable.

#### 7.50 Contributions

7.51 In accordance with Policy DC3 of the Rossendale Local Plan. This policy provides that in areas of new residential development the Council will expect appropriate public open space to be provided by developers.

7.52 The proposed development does not incorporate provision for public open space either within the site or through a financial contribution and the proposal is therefore contrary to policy DC3.

### **8. CONCLUSION**

The proposed development would result in an inappropriate excess in housing supply and there are no significant regeneration benefits to justify an exception being made to the policy. Furthermore, the application proposes no affordable housing and would represent a disproportionate addition to housing provision to a settlement the size of Whitworth forming an imbalance between employment and existing residential within Whitworth contrary to the hierarchy of settlements of the Structure Plan. The proposal is therefore contrary to policy 12 of the JLSP, revised interim Housing Position Statement and Affordable Housing Position Statement. The application fails to provide sufficient evidence to demonstrate that the loss of employment land is acceptable and that the development would not result in an unacceptable risk of flooding. The proposed development fails to provide sufficient separation distances between properties within the site which would result in an unacceptable level of overlooking. No public open space has been provided within the site and no off site financial contribution is proposed.

### **9. RECOMMENDATION(S)**

I recommend therefore, that the committee refuse the proposal for the following reasons:

### **10. REASONS FOR REFUSAL**

1. The proposed development would contribute towards an inappropriate excess in housing supply provision and would provide no affordable housing, contrary to Policy 12 of the adopted Joint Lancashire Structure Plan and the Rossendale Borough Council revised interim Housing Position Statement (January 2007) and Affordable Housing Position Statement (January 2007). In this instance the case does not provide significant regeneration benefits to warrant an exception to policy being made.

2. The proposed development would result in the loss of an existing employment use to the detriment of employment land supply within the Borough. The proposal is contrary to Policy J3 of the Rossendale District Local Plan in that insufficient evidence has been submitted to demonstrate that the proposal would not result in an unacceptable shortfall in employment land.
3. The proposed development would contribute to an inappropriate excess of housing, failing to maintain a balance between employment and the existing Whitworth residential community contrary to the hierarchy of settlements. As such, the proposed development represents an unsustainable form of development contrary to PPS1 (Delivering Sustainable Development) and PPG13 (Transport) and policies 1 and 5 of the Joint Lancashire Structure Plan.
4. Insufficient evidence has been provided to demonstrate that the proposed development would not result in an unacceptable risk to flooding and as such a full assessment cannot be made and the proposal is contrary to PPS25 (Development and Flood Risk) and policy 24 of the Joint Lancashire Structure Plan.
5. The proposed development incorporates insufficient internal separation distances between properties which would result in an unacceptable level of direct overlooking between the proposed dwellings. As such, the proposed development is contrary to policy DC1 of the Rossendale District Local Plan and PPS1 (Delivering Sustainable Development).
6. The proposed access onto Hall Street would be unduly close to the junction of Hall Street with Cowm Park Way South and would be sub-standard providing insufficient visibility splays owing to its position on a bend in the road. As such, the proposal is contrary to policy DC1 of the Rossendale District Local Plan, PPG13 (Transport) and Manual for Streets.
7. Insufficient evidence has been provided to demonstrate that adequate provision for public open space either within the site or through an off-site financial contribution would be provided. As such, the proposed development is contrary to policy DC3 of the Rossendale District Local Plan.

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2007/375

Whitworth Community High School

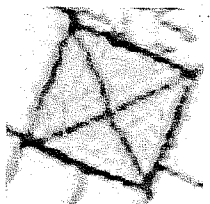


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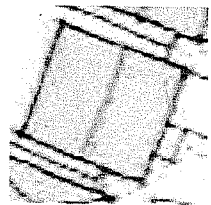
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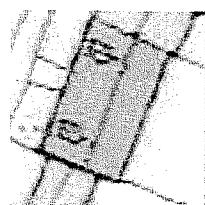
## Proposed Storey Heights Plan NTS



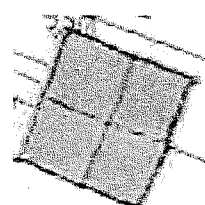
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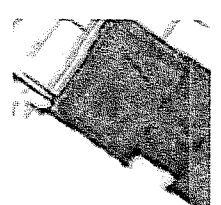
2 Storey Building



2.5 Storey Building



3 Storey Building



4 Storey Building





**aldwin**  
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Scheme: ORANA MILL, WHITEARTH.  
Drawing Number: RD0/04/05  
Drawn: CB 13<sup>th</sup> MAY 2007 Scale: 1:500@A1