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| Application No: 2008/244 | Application Type: Reserved Matters |
| Proposal: Erection of two blocks of apartments of 3 & 4 storeys, providing 50 units of accommodation | Location: Site of former Tongbridge Mill, Reed Street, Bacup |
| Report of: Planning Unit Manager | Status: For Publication |
| Report to: Development Control Committee | Date: 2 June 2008 |
| Applicant: Scott Davey Associates Ltd | Determination Expiry Date: 30 June 2008 |
| Agent: Stanton Andrews Associates | |

| REASON FOR REPORTING | Tick Box |
|---|--------------------------|
| Outside Officer Scheme of Delegation | <input type="checkbox"/> |
| Member Call-In | <input type="checkbox"/> |
| Name of Member: Reason for Call-In: | |
| More than 3 objections received | <input type="checkbox"/> |
| 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.

Background

This application relates to a site forming part of a large parcel of land for which Outline Planning Permission for residential redevelopment was granted following re-consideration of Application 2002/501 by Committee in July 2006.

Relevant Planning History

Application 2002/501 related to a site of irregular shape, measuring 0.4ha in area, and bounded to the north by Reed Street, to the west by Tong Lane, to the south by Venture Street and to the east by Spring Gardens & a public footpath extending up to Venture Street.

The land sloped/stepped down in height to Reed Street from a derelict former chapel (latterly used as a warehouse) at the southern tip of the site. The northern portion of the site was occupied by hardstandings/retaining walls associated with the former mill buildings, and the central portion of the site was in part occupied by a handful of buildings associated with allotments/the keeping of pigeons.

The application sought permission in outline for residential redevelopment of the site, with all matters of detail reserved for later consideration. In accordance with the Officer Recommendation, at its meeting on 11 July 2006 Committee decided that despite the housing oversupply situation within the Borough the circumstances existed to warrant the grant of permission in this instance given the regenerative benefits that would accrue from development of this significant site within the Urban Boundary of Bacup and the Bacup, Stacksteads & Britannia AAP.

Outline Permission was granted subject to :

- a) a Condition requiring that the reserved matters application provide for the erection of a significant element of single-storey house types, to reflect the identified local housing need; &
- b) a S.106 Agreement which requires that the Developer pay £1,000 per dwelling for the provision/enhancement of play facilities in the local area instead of providing for this on-site.

Proposal

The reserved matters application now received relates to a slightly smaller area than does the Outline Permission, as a result of the exclusion of the former chapel at the southern tip of the site and land immediately adjacent to it. To its other sides the application site continues to be bounded by : Reed Street to the north, a poorly-surfaced road, on the opposite side of which are commercial premises presenting a blank/single-storey elevation to this highway; Tong Lane to the west, on the opposite side are houses with a limited number of windows which face the site; & to the east by Spring Gardens/a public footpath, on the opposite side of which are commercial premises towards the northern end and allotment gardens screened by a high conifer hedge towards the southern end.

Approval is sought to erect upon the site two apartment blocks, to contain a total of 50 apartments, each with 2 bedrooms.

Block A is to measure 13.5m in width and 55.5m in length, and will bound Reed Street. The elevation to Reed Street will be of 3-storeys in height towards its eastern end and 3-storeys towards its western end; at ground-level there will be just 2 openings, giving access to undercroft-parking for 34 cars and bicycles, whilst the floors of apartments above are topped by a parapet wall which forms the balustrade to a roof-top balcony serving additional apartments setback from the main elevations of the building and under a pitched-roof. By reason of the slope of the site, the south-

facing elevation of this building will appear of 1-storey less in height, containing both windows and the 2 main pedestrian entrances, which give access to lobbies with stairs and lifts allowing movement between the undercroft-parking and all floors of apartments.

Block B is to sit 19m from Block A. It is to have a similar footprint to it and will again appear of 1-storey greater height on that elevation facing into the site. It will differ from Block A most notably in that it will not have undercroft-parking. Instead it will have its 2 main pedestrian entrances in the southern elevation, facing towards a 41-space car park to be accessed from Tong Lane.

In support of the application the Applicant states :

- From a review of the local housing stock it is clear that there is a wide variety of family-housing (ie 3+ bedrooms with private garden), ranging from terraced to more modern detached/semi-detached. However, there are few apartments/single-storey dwellings. These are favoured by a wide range of residents, including young adults/couples wanting apartments with secure parking and older people requiring accommodation on one floor and with good access, wishing the benefit of garden but without the burden to maintain it. The proposed development seeks to fill this gap, providing 50 2-bed apartments with all their accommodation on the same level (16 at ground-level and all accessible by lift), with either off-street surface or basement parking available in the ratio of 1.5 spaces per unit.
- The scale of building proposed is appropriate given the history of the site and the surrounding development. The demolished mill was a large building, having three tall stories, slate roof and a chimney. The proposed blocks are of similar height to former buildings, and their mass is broken-up by respecting existing differences in ground-level and variation in building and roof heights.
- Historically the most common cladding material used is local stone. However, over the last century new materials have been introduced, the demolished mill was in part brick and the houses to the other side of Tong Lane are of buff concrete brick. Given the scale of the buildings and their visibility, it is proposed that the blocks have slated roofs and the main material to be used for those elevations facing towards site boundaries is artificial stone. A modern twist is the use of timber-cladding in the form of panels on external facing elevations and for the apartments on the upper floor, which are setback from the main elevations. The elevations of the blocks facing towards each other will be further varied with the use of extensive areas of render, to help make the landscaped courtyard between them less formal/brighter.
- A large landscaped courtyard is proposed between the two blocks, capable of accommodating trees. To measure 19m x 62m, this car-free area will provide an attractive public resource/setting for the blocks.
- As a guide to establishing parking policies that support sustainable development, PPS3 gives an average maximum of 1.5 spaces per dwelling. Furthermore, dedicating car parking spaces to individual dwellings does not provide the same flexibility towards variations in car ownership between

households as communal arrangements do. Whilst the off-street parking proposed for residents and their visitors will be secure it is not to have individual spaces allocated to specified dwellings. Accordingly, it is considered appropriate to propose parking in the ratio of 1.5 spaces per unit, with 12 of them to be mobility-impaired spaces, and also secure storage for at least 7 bicycles and 3 motorbikes.

- The proposed siting/design of the blocks avoids outlook from windows in their principal elevations towards existing residential properties and also outlook for proposed residents directly towards the industrial units to the other side of Reed Street which, although not tall, have a blank unyielding appearance.

Policy Context

National Planning Guidance

PPS1 - Sustainable Development
PPS3 - Housing
PPG13 - Transport
PPG17 - Sport & Recreation
PPS23 - Pollution Control
PPS25 - Flood Risk

Development Plan Policies

RPG13

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy
Policy 2 - Main Development Locations
Policy 7 - Parking
Policy 12 - Housing Provision
Policy 20 - Lancashire's Landscapes
Policy 24 - Flood Risk

Rossendale District Local Plan (Adopted 1995)

DS1 - Urban Boundary
DC1 - Development Criteria
DC3 - Public Open Space
DC4 - Materials
E7 - Contaminated Land

Other Material Planning Considerations

Draft RSS
LPOS Planning Obligations Paper
LCC Landscape & Heritage SPG and Landscape Strategy for Lancashire
LCC Access & Parking SPG and Parking Standards
RBC Core Strategy
RBC Bacup, Stacksteads & Britannia Emerging AAP
RBC Interim Housing Policy Statement (December 2007)
RBC Housing Market Assessment (September 2007)

4. CONSULTATIONS

LCC (Highways)

No objection in principle. It requests conditions be imposed to secure : provision of the proposed parking facilities; improvement of Reed Street in terms of its surface/ drainage/lighting; and improvement of other footways bounding the site and Public Footpath 442. It also requests that a contribution of £20,000 be sought from the Developer to be used to improve public transport facilities.

5. REPRESENTATIONS

The Application has been publicised by way of site notices and a newspaper notice, together with letters to neighbours.

A letter has been received from a resident of Springfield Avenue objecting to the proposal for the following reasons :

- The buildings are of a size to block sunlight to some homes.
- Tong Lane & Hammerton Green are narrow/potholed/over-used and the proposed development will generate traffic that exacerbates these problems, and will add particularly to the risk for pedestrians and cyclists/motor-cyclists.
- Parking in this area is bad enough already and the proposed development will result in an additional 50-100 cars vying for a rare and safe place to park.

6. ASSESSMENT

In dealing with this application the main issues which need to be considered are :

- 1) Principle
- 2) Housing Policy
- 3) Design & Appearance;
- 4) Neighbour Amenity
- 5) Traffic/Parking.

Principle

The application site lies within the Urban Boundary of Bacup and is also within the boundary of the Bacup, Stacksteads & Britannia AAP.

As the application is seeking reserved matters approval in respect of an Outline Planning Permission for residential development of the site which is still valid there is no objection in principle to the proposal.

Housing Policy

As the application is seeking approval for details pursuant to an Outline Permission for residential development of the site which is still valid it raises no issues in relation to housing oversupply.

In accordance with the advice of PPS3, the Structure Plan seeks to ensure that residential developments achieve a minimum density of 30 dwelling units per hectare, more in the case of sites with good access to public transport. The submitted scheme

achieves this density target, whilst proposing dwelling units in a form that will broaden the range of house types available in a manner that reflects local needs. It thereby fulfils one of the principal aims and objectives of the Housing Market Initiative.

Design and Appearance

The submission proposes the erection of two apartment blocks which are of significant height/bulk and will be visible not only within their immediate setting but from further afield.

The application is accompanied by a Design & Access Statement which properly characterises the site and its surroundings, and sets out how this context has been used to inform the decisions made about the scale/design/facing materials to be used for the proposed buildings and in the provision of parking and landscaping.

Whilst the proposed buildings are of more stories than the buildings that surround them, they will not appear unduly intrusive or prominent when viewed at a distance as the development to the south occupies land which is higher. Care has been taken to ensure that the elevations of the blocks which face out of the site are lower than those which face each other. Furthermore, pitched slated roofs of varying heights are proposed over the blocks to break-up the mass of buildings and the principal material to be used for the elevations facing out of the site is artificial stone.

When the apartment blocks are viewed from nearer to the more modern features incorporated within their design will be apparent (eg windows of a size exceeding those in traditional stone-built mill buildings, contrasting panels of timber-board and render on inward-facing elevations, etc). Having regard to the variation in the size/design/facing materials of the buildings surrounding the site what is proposed is considered appropriate, so long as the proposed facing materials are of satisfactory quality. A condition is recommended to ensure that this is the case.

The space between the 2 apartment blocks is such that it will provide not only adequate levels of privacy for future occupiers, but is to form an attractive communal area, accommodating trees capable of growing to a significant height. Similarly, planting is proposed around the perimeter of the surface-level car park to be provided on the south side of Block B.

Consistent with the design aims and objectives of the emerging Bacup, Stacksteads & Britannia AAP, the development is in a modern idiom but founded on the architectural heritage of the area.

Neighbour Amenity

The proposed apartments will provide their occupiers with the amenities they could reasonably expect to enjoy, each accessible by stairs and lift, with off-street parking. The design of Block A avoids any dwelling being at a level that would mean its windows directly face the industrial units to the other side of Reed Street. That the dilapidated former chapel to the south of Block B is not being cleared and this area re-developed as part of this proposal is regrettable. However, I am satisfied that its retention does not preclude development of the application site in the manner proposed or stymie future re-development of the chapel site in a satisfactory manner.

I am satisfied that the proposed development will not result in significant detriment for any neighbouring residents. Block A will have a couple of houses on the opposite side of Tong Lane facing towards its gable at a distance of 17+m. However, these houses are of a design which means they have limited window in this elevation and none of the proposed apartments have the principal windows to habitable rooms in the gable. Block B has been sited to align with Springfield Avenue rather than have houses facing it. Accordingly, the proposed buildings will not cause an unacceptable loss of light/privacy/outlook for existing residents.

Likewise, I am satisfied that the proposed development will not result in unacceptable detriment for the occupiers of the neighbouring commercial premises. The premises to the other side of Reed Street presently make use of Reed Street at times for parking, but there is only one vehicular access to them from this highway and it is situated close to Tong Lane. Thus, although the undercroft-parking to serve Block A is to be accessed from Reed Street, it is not considered that access to the commercial premises will be unduly affected.

Traffic/Parking

Although the local road network is not ideal it is preferable that this site is re-developed for residential purposes rather than for a use generating HGV traffic. The applicant acknowledges that it will be necessary for them to re-surface Reed Street. The Highway Authority advises that there is a need to improve it in respect of its surface, drainage and lighting. Conditions are also proposed to secure provision/improvement of the footways/footpath to other sides of the site.

The housing to the other side of Tong Lane at times gives rise to on-street parking. However, the proposal is considered to provide adequate off-street-parking to meet the needs of its residents and visitors. The level of parking proposed accords with national guidance and the LCC Parking Standards.

The conditions below reflect the Highway Authority's wishes. It has also requested that a contribution of £20,000 be sought from the Developer, to be used to improve public transport facilities. This was not sought at the Outline stage and cannot now reasonably be requested of the applicant.

7. SUMMARY REASON FOR APPROVAL

The proposal accords with Outline Permission 2002/501 and will not detract to an unacceptable extent from visual and neighbour amenity, highway safety or in respect of any other material planning consideration.

8. RECOMMENDATION

That Reserved Matters approval be granted subject to the following conditions :

1. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved drawings, or as otherwise first agreed in writing by the Local Planning Authority. *Reason*

: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

2. Notwithstanding what is shown/annotated on the approved drawings, full details/samples of all external facing materials to the proposed buildings shall have been submitted to and approved in writing by the Local Planning Authority. Local natural stone (or an alternative acceptable natural substitute which matches as closely as possible the colour, texture, general appearance & weathering characteristics of local natural stone) shall be used for those areas indicated as 'stonework' on the approved drawings. The development shall only be carried out using the approved external facing materials. *Reason : In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 and Policy DC4 of the adopted Rossendale District Local Plan.*
3. No development approved by this permission shall be commenced until full details have been provided of the works to be undertaken to improve Reed Street and for the improvement/provision of footways bounding the site and Public Footpath No 442(over its full length). The approved scheme shall be implemented in full prior to first occupation of any of the dwellings hereby permitted, or as otherwise first agreed in writing by the Local Planning Authority. *Reason : In the interests of highway/ pedestrian safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
4. No development approved by this permission shall be commenced until full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the apartment block to which they relate and shall thereafter be kept freely available for use communally as such by residents of the apartment blocks and their visitors. *Reason : In the interests of highway safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
5. Notwithstanding what is shown on the approved drawings, full details of the scheme of landscaping/boundary treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall provide full details of : the heights/materials to be used for fences/walls/retaining walls/gates; the lighting/street furniture/bin stores; the types and numbers of trees and shrubs to be planted, their distribution on site, and of those areas to be seeded, paved or hard-landscaped; and detail any changes of ground level or landform. *Reason : In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
6. All hard-surfaced areas/walls/fences/gates forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the apartment block to which they relate/are nearest, unless otherwise first agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following

substantial completion of the building to which they relate/are nearest. Any trees or plants in the approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

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|------------------------|------------------------------|
| Contact Officer | |
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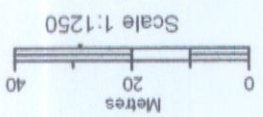


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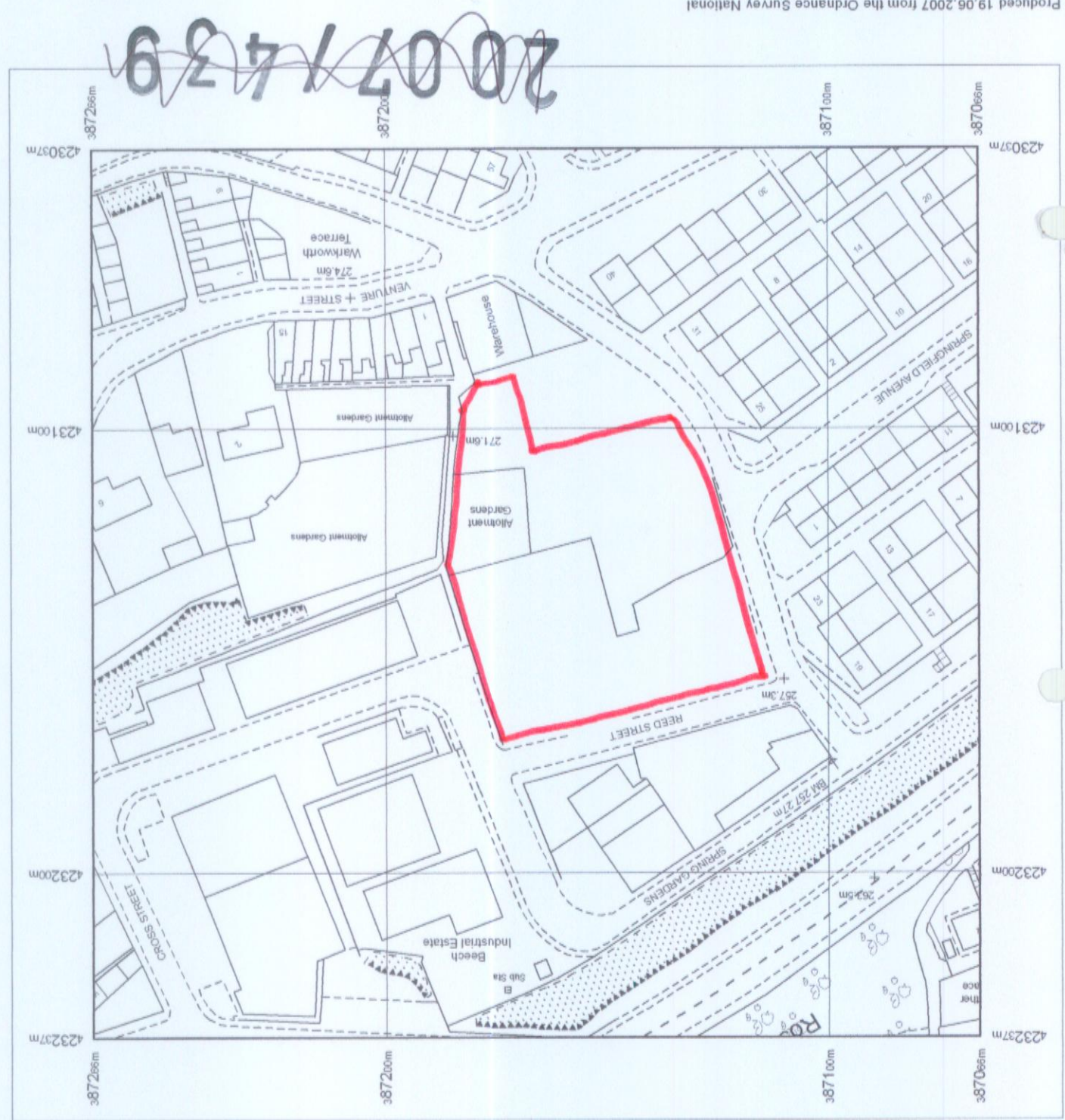
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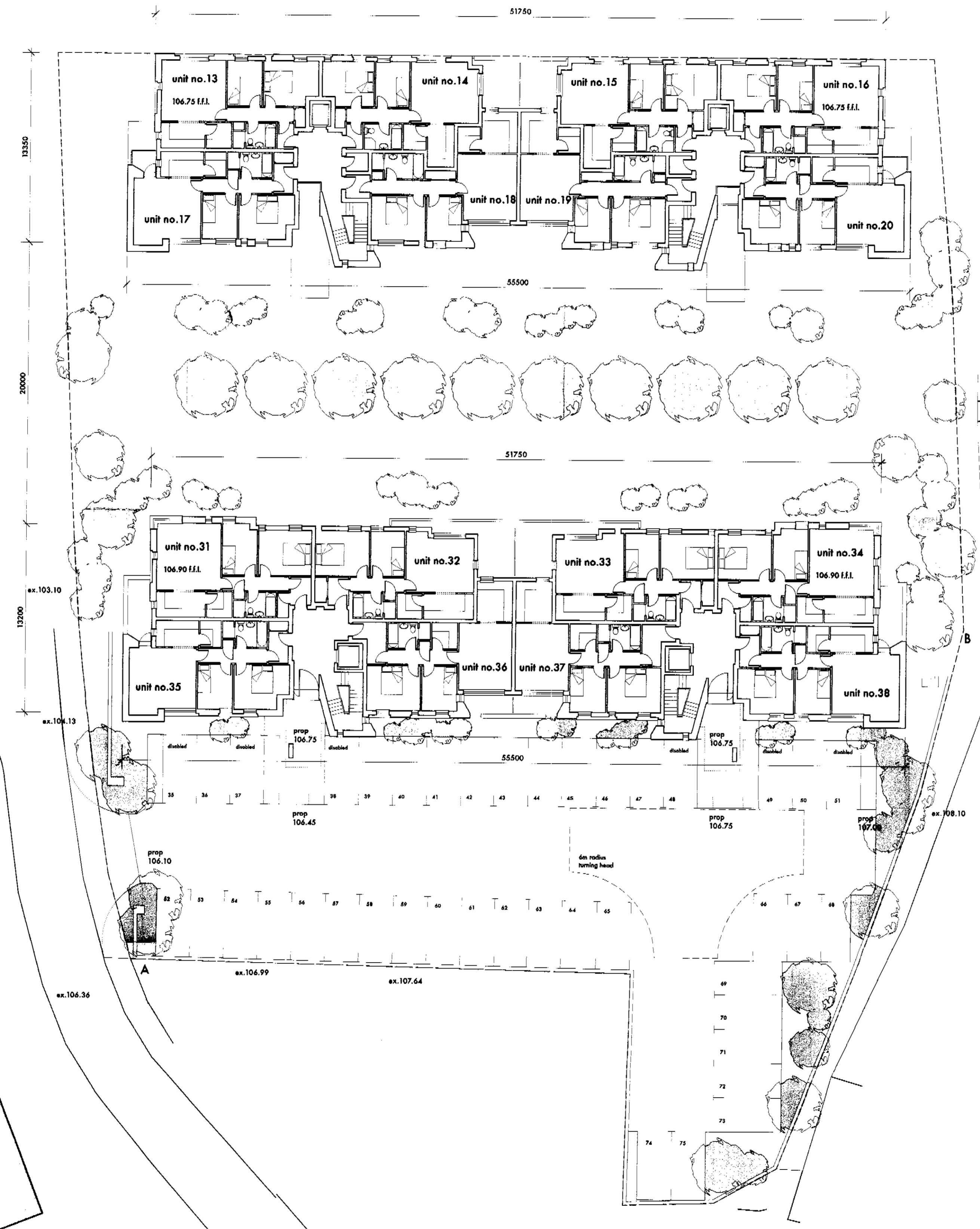
Supplied by: **Outlet User**
 Serial number: 00109100
 Centre coordinates: 387166 423137



31 MAR 2008

20087244





proposed access from tong lane to car parking.
min.4.5m clear entrance width, min.6m radius, min.2m rumble strip.

drop kerb to be provided to pavement to both sides of entrance

car parking spaces illustrated to be 2.4 x 4.8m with min 6m clear to rear

69no. car parking spaces provided (1.5no. spaces per unit in line with advice provided by local authority)

point A to B
stone faced wall provided along boundary with neighbouring site, head to be approx. 300mm above ground level.
close boarded fence to head of wall - overall height approx. 1800mm
wall may act as retaining wall depending on actual levels - exact arrangement to be agreed on site

level threshold provided at entrance to units to ensure all areas are accessible to all

illustrated site levels to be considered indicative - exact levels to be agreed on site to the full satisfaction of the planning department

turning head illustrated in accordance with LCC standards

proposed car park for tarmac finish, parking bays and disabled spaces clearly defined to the satisfaction of the local authority's highways department

rev.C - 25.06.07 planning application
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tong lane bacup

site plan level no.3
block A - first floor
block B - entrance floor

dra. no. 6/11.42 rev. C
na date feb.07 scale 1:400 at A3
drawn date feb.07 scale 1:200 at A1

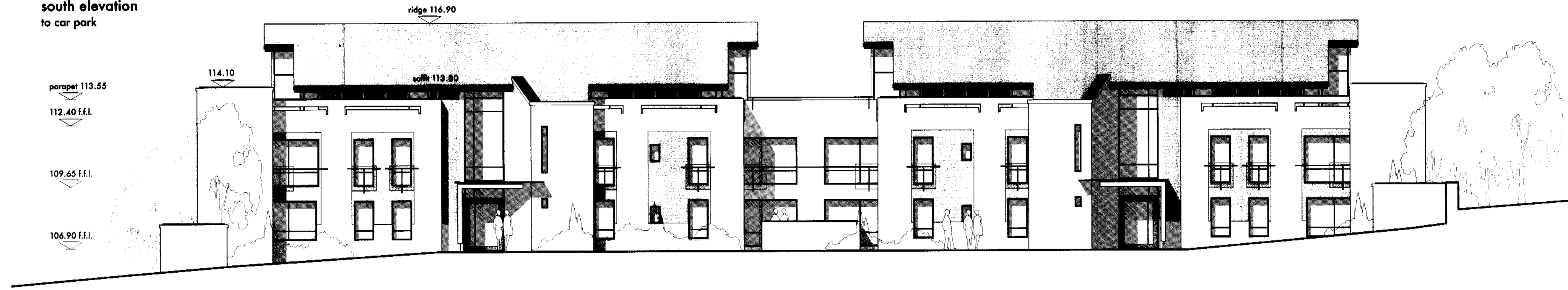
material schedule

samples of facing materials to be submitted to local authority for approval

- walls
'stonework', render and natural finish cedar boarding.
- roof
slate to pitched roof.
- boundary walls
'stonework' to match units.
- landscape
tarmac to vehicle areas, paving to pedestrian areas.

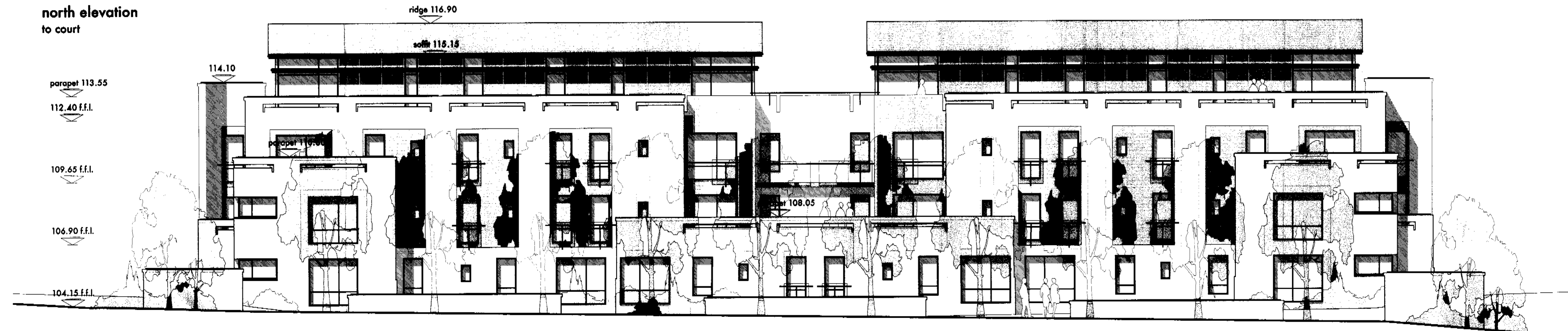
31 MAR 2008

**south elevation
to car park**



entrance from tong lane to car park

**north elevation
to court**



ramped entrance from spring gardens to pedestrianised court

ramped entrance from tong lane to pedestrianised court

rev.C 25.06.07 planning application

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block B
elevations 2 of 3

6.14 - 51 rev. C

1:100 of A1
1:200 of A3

drawn. na date. feb.07 scale.

material schedule

samples of facing materials to be submitted to local authority for approval

- walls 'stonework', render and natural finish cedar boarding.
- roof slate to pitched roof.
- boundary walls 'stonework' to match units.
- landscape tarmac to vehicle areas, paving to pedestrian areas.

31 MAR 2008



openings fitted with black metal grilles, to provide natural ventilation to undercroft car park

doorways providing access to undercroft car park

rev. C 26.04.07 planning application 2007/214/4

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block A
elevations 1 of 3

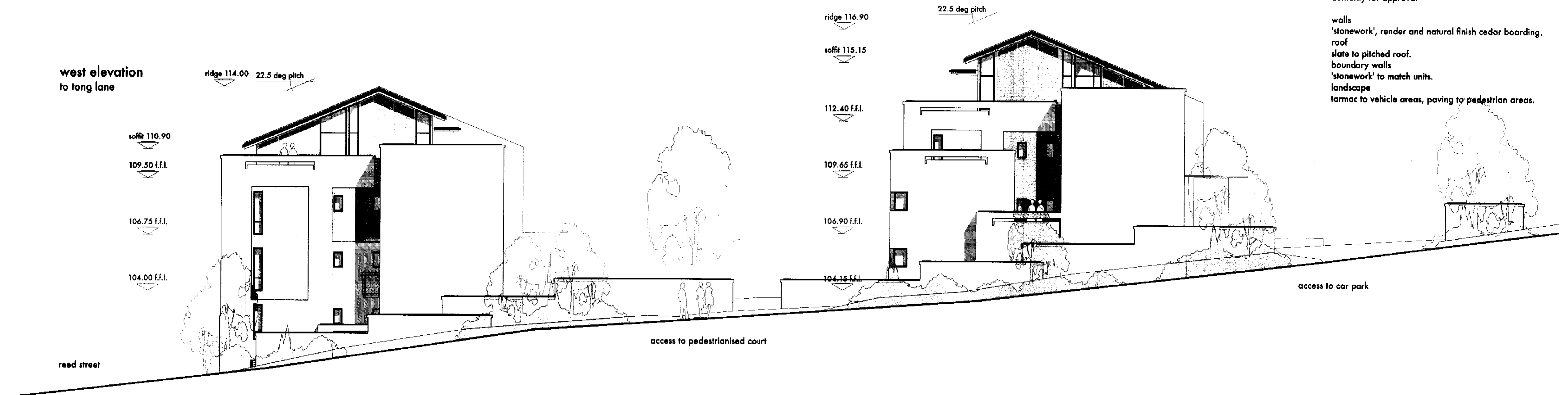
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material schedule

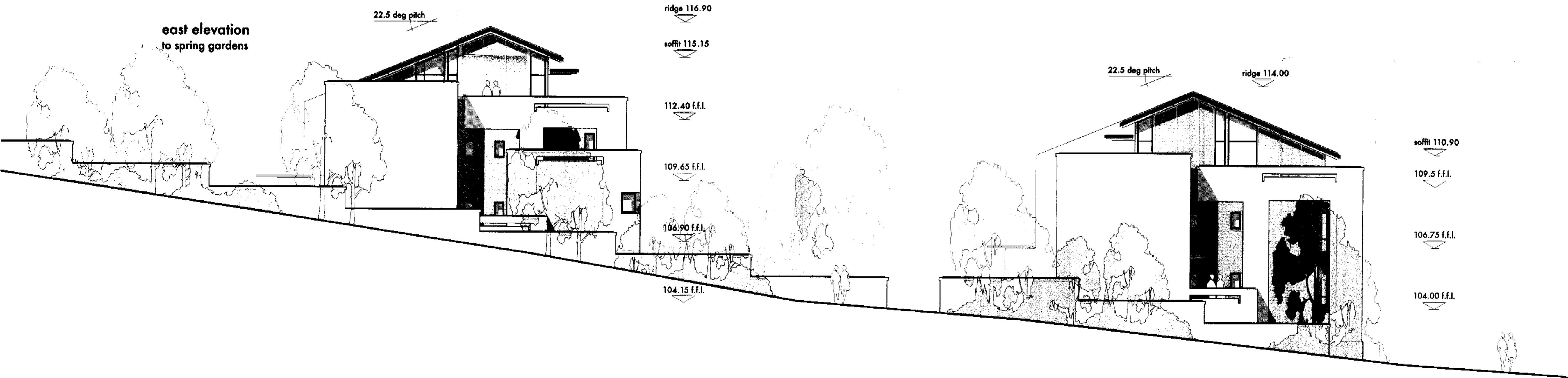
samples of facing materials to be submitted to local authority for approval 31 MAR 2009

- walls
'stonework', render and natural finish cedar boarding.
- roof
slate to pitched roof.
- boundary walls
'stonework' to match units.
- landscape
tarmac to vehicle areas, paving to pedestrian areas.

west elevation
to tong lane



east elevation
to spring gardens



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blocks A and B
elevations 3 of 3

dig.no. 6.14 - 52 rev. C
drawn. na date. feb.07 scale. 1:200 at A3