

APPLICATION DETAILS

1. SITE

- 1.1 The application site known as Cedar Lodge, comprising a large single storey dwelling, an attached single storey clinic, a detached garage and outbuildings and large garden areas to the front and rear, is located off Bury Road, Rawtenstall. Currently both the dwelling and clinic are vacant/unoccupied. There are a number of mature trees located along the northerly, easterly and westerly boundary of the site.
- 1.2 Access to the site is gained from Bury Road via an access track running between the sides of dwelling No. 229 Bury Road and car sales centre. Public footpath 318 runs along the westerly boundary of the site.

2. RELEVANT PLANNING HISTORY

No history.

3. THE PROPOSAL

- 3.1 The proposal involves the demolition of the existing buildings including the garage/outbuildings and erection of four detached two storey dwellings with communal car parking and improved access with Bury Road. The dwellings would provide 3/5 bed rooms accommodation and be built in natural stone with blue slate pitched roofs. A bin storage facility has been proposed for each dwelling.
- 3.2 It is proposed that the sightlines on both sides of the access road at its junction with Bury Road would be improved and the access road widened to 4.5m for the first 15m from Bury Road. Although most of the trees on the boundary of the site would be retained however some of the trees would be removed and additional trees planted.
- 3.3 Revised plans have been submitted indicating the deletion of a window at plots 1 and 3 which help protect the amenities of the residents of the new residents. The revised plans also include the provision of additional trees as part of the boundary treatment.

4. POLICY CONTEXT

National Planning Guidance

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG13 – Transport

Regional Spatial Strategy for the NW of England (2008)

Policy DP1-9 – Spatial Principles etc
Policy EM1- Environmental Assets

Policy L 2 – Understanding Housing Markets
Policy L 4 – Regional Housing Provision
Policy L 5 – Affording Housing
Policy RT2- Managing Travel Demand
Policy RT4 – Management of the Highway Network

4.3 Saved Policies of Rossendale District Local Plan (1995)

DS1 – Urban Boundary
DC1 – Development Criteria
DC4 – Materials

4.4 Other Material Planning Considerations

RBC Housing Market Assessment (September 2007)
RBC Core Strategy
RBC Rossendale Core Strategy & Rawtenstall AAP Preferred Options
Addendum Report (October 2006)
RBC Interim Housing Policy Statement (July 2008)
RBC Rossendale Strategic Housing Market Assessment (October 2008)
DFT Manual for Streets

5. Consultation Responses

LCC (Highways) – Following amendments to the access road, driveway and parking facilities, there are no further comments to make.

RBC Environment Health - No comments. No further information is required in relation to contamination report.

6. Notification Responses

A site notice was posted on 12 December 2009 and the relevant neighbours were notified by letter on 10 December 2008 to accord with the General Development Procedure Order. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

Four individual letters raising objection to the proposal have been received. The points raised are:

- Plot 3 is to be built at the top of a steep bank behind my home. This would look directly into my home and garden affecting my privacy.
- The trees proposed to be removed are in good health and condition and serve a home for local wildlife including rare bats, woodpigeons and owls. The removal of trees would reduce further the level of privacy for my home and garden and would adversely affect on the drainage and stability of the steep bank.
- The side-facing windows at plot 3 will result in undue overlooking and loss of privacy in our house and back garden.
- The removal of so many trees from a steep, wooded embankment represents a substantial risk of soil erosion, potentially affecting and damaging the public footpath and adjoining properties.

- The 8.7m high building at plot 3 located on top of the 3m high embankment would be unacceptable.

7. Planning Issues

The main issues to be considered in the determination of this application are as follows:

- 1) Principle
- 2) Housing Policy
- 3) Neighbour's amenity
- 4) Access/Parking
- 5) Design/Appearance

Principle

In the adopted Local Plan the application site lies within the Urban Boundary and is reasonably accessible by public transport. It is therefore considered that the proposal accords with Policy DS1 of the Rossendale District Local Plan and is acceptable in principle.

Housing Policy

The Interim Housing Policy Statement (July 2008) does not preclude residential development within the Urban Boundary of Rawtenstall, it being considered a Main Development Location. However, it seeks to ensure that proposals for residential development are assessed against the following criteria:

1. It uses existing buildings/previously developed land or is for replacement dwelling(s); and
2. It makes an essential contribution to the supply of affordable housing and uses previously developed land/buildings; and
3. It is built at a density between 30 and 50 dwellings per hectare; or
4. A proposal for solely affordable and/or special needs housing.

It is appropriate to consider the application site in relation to these criteria;

1. The existing building will be demolished and the site would be redeveloped to provide 4 detached dwellings. It is clear that the application site is a previously-developed land.
2. The IHPS does not require schemes of 4 dwellings or less to contribute to the supply of affordable housing.
3. It is considered that the proposal would be of appropriate density.
4. The proposal is not for solely affordable and/or special needs housing.

It is therefore considered that the application conforms to and is acceptable in terms of the Interim Housing Policy Statement (July 2008).

Neighbours amenity

The proposal involves the demolition of the existing buildings and redevelopment of the site for 4 no. two storey dwellings. The proposed dwellings would be located close to the boundary of the site with a communal access and maneuvering area located at a central position. Plot 1 would be located on the northerly corner of the site. Since there is no development in close vicinity of plot 1, it is considered that the proposed dwelling at plot 1 would have little impact in the area. The proposed dwellings at plots 2 & 3 would be located on the westerly and north-westerly boundary approximately

35m to 47m away from the adjacent properties no. 56 to 60 Holmeswood Park. Although the proposed dwellings on plots 2 & 3 would be located at a higher level than the adjacent dwellings no. 56 to 60 Holmeswood Park, due to the separation distance and the trees on the westerly and north-westerly boundary, it is unlikely that the proposed development would have an unacceptable detrimental impact on the amenities of the neighbours. Similarly Plot 4 would be located approximately 25m away from the rear of no. 229 Bury Road and as such would have little impact on the amenities of the residents of 229 Bury Road. I consider that the objections concerning the loss of light and privacy in this respect are unjustified.

With regard to the proposed dwellings, it is considered that the proposed dwellings, due to their location, position and design, conform to the requirements of the Supplementary Planning Document concerning the separation distance and protection of amenities and privacy. It is considered that the proposed dwellings would not be detrimental to the amenities of the new residents.

Design/Appearance

The proposed dwellings would be two storey providing 4/5 bedroom accommodation. The dwellings at plot 1 & 2 would have integral double garages and parking space in front. The other two dwellings would have no garages but would have a communal parking area located close by. The dwellings would have blue slate pitched roofs and external walls built in natural stone. It is proposed that the windows would be fitted in oak colour upvc frames. In terms of its design and appearance, it is considered that proposed development would be in keeping with the character of the adjacent buildings and the area.

It is proposed that some of the existing trees on the boundary would be removed to accommodate the proposed dwellings and associated facilities such as parking/turning areas. According to the tree survey report forming part of the application, the majority of the trees likely to be removed are not good specimens and their removal would benefit those to be retained. To compensate the loss of trees, additional tree planting on the boundary has been proposed. It is recommended that a landscaping condition is necessary in this respect.

Access/Parking

It is proposed that the access road at the point of its intersection with Bury Road would be widened and a passing bay provided. This would help improve the sightlines and free flow of vehicles along the access road. The Highway Authority is satisfied with the proposed details and has raised no objection to the proposal.

8. SUMMARY REASON FOR APPROVAL

The site is located within the Urban Boundary of Rawtenstall included within the main development locations of the Borough and it is considered that the proposed development would not undermine the Council's housing strategy for the delivery of housing, or result in unacceptable detriment to visual & neighbour amenity or highway safety. It is therefore considered that the proposal accords with the provisions of PPS1/ PPS3/PPG13, Policies DP 1-9, L2-4 / EM1 / RT4 of the Regional Spatial Strategy, and saved Policy DS1 and the criteria of saved Policy DC1 of the Rossendale District Local Plan.

9. RECOMMENDATION Approve

10. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

- 2 The development shall be carried out in accordance with plans numbered 2008/761 received on 29 January 2009. Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

3. Prior to the commencement of development samples of the facing materials to be used in the elevations and roof of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials and shall not be varied without the prior written permission of the Local Planning Authority. Reason : To ensure a satisfactory appearance to the development and to accord with the criteria of saved Policy DC1 of the Rossendale District Local Plan (1995).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any order amending or revoking and re-enacting that Order, no development contained within Classes A-G and H of Part One, Schedule Two of that Order shall be carried out without the prior written approval of the Local Planning Authority. Reason : To enable the Local Planning Authority to retain a degree of control over the development in the interests of visual and neighbour amenity, in accordance with the criteria of saved Policy DC1 of the Rossendale District Local Plan (1995).

5. Prior to commencement of development of construction of the dwellings hereby permitted, details of the construction/surface finish/ drainage of the access road, parking and turning facilities shown on the approved drawings shall be provided to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of any of the dwellings hereby permitted unless otherwise first agreed in writing by the Local Planning Authority, and these areas shall thereafter be kept freely available for use for the parking and manoeuvring of vehicles. Reason : In the interests of highway safety and to accord with the criteria of saved Policy DC1 of the Rossendale District Local Plan (1995).

6. Notwithstanding the details shown on the submitted drawings or the application forms, prior to the commencement of development a scheme of landscaping/boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before development commences. The submitted details shall include the location of all existing trees and hedgerows on the site and shall specify those that are to be retained and the measures to be taken to protect them during construction of the development; the planting proposed; the areas to be hard-surfaced; the fences/walls/gates to be erected and any changes of ground-level proposed. Reason : In the interests of visual

& neighbour amenity, in accordance with the saved Policy DC1 of the Rossendale District Local Plan (1995).

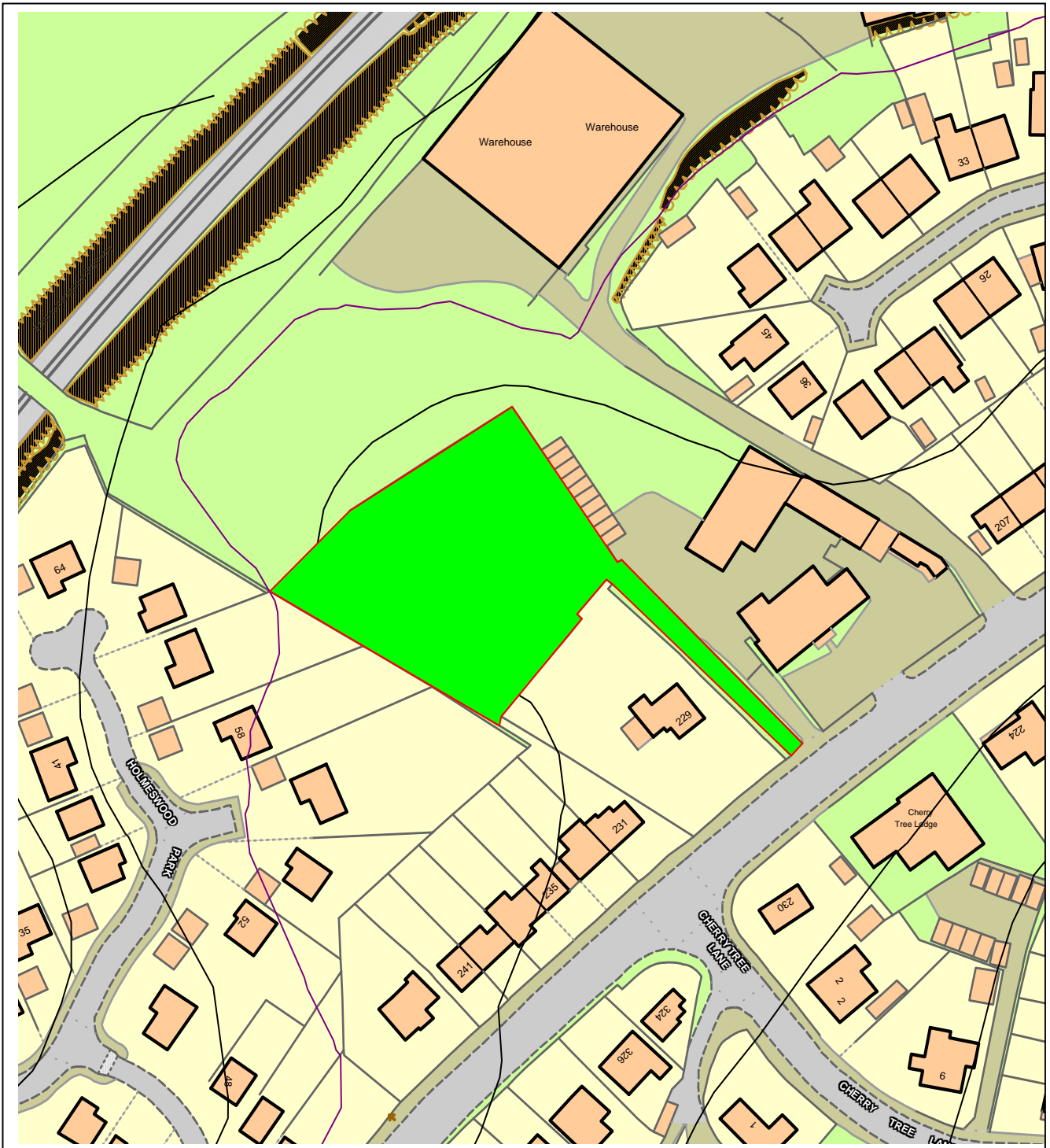
7. All hard landscaping, gates, walls, fences in the approved scheme of landscaping/boundary treatment shall be implemented prior to the first occupation of the dwellings, unless the Local Planning Authority gives written consent to any variation. All planting in the approved scheme of landscaping/boundary treatment shall be implemented in accordance with the approved timetable, and any trees or plants which within a period of five years of planting die, are removed or become diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives consent to any variation. Reason : In the interests of visual amenity, in accordance with the saved Policy DC1 of the Rossendale District Local Plan.
8. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am to 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Reason : To safeguard the amenities of nearby residential properties in accordance with saved policy DC1 of the Rossendale District Local Plan.
9. No development shall be commenced until details of the finished floor levels of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete and full accordance with the approved details. Reason : To ensure the satisfactory development of the site and in the interests of visual and neighbour amenity, in accordance with the criteria of saved Policy DC1 of the Rossendale District Local Plan (1995)
10. Prior to construction of any of the dwellings hereby approved full details of facilities to be provided for the cleaning of the wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The approved wheel wash facility shall be provided prior to commencement of construction of any of the dwellings hereby approved and shall be retained until the construction period is complete, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and to accord with the criteria within Saved Policy DC1 of the Rossendale District Local Plan.

Note For Applicant

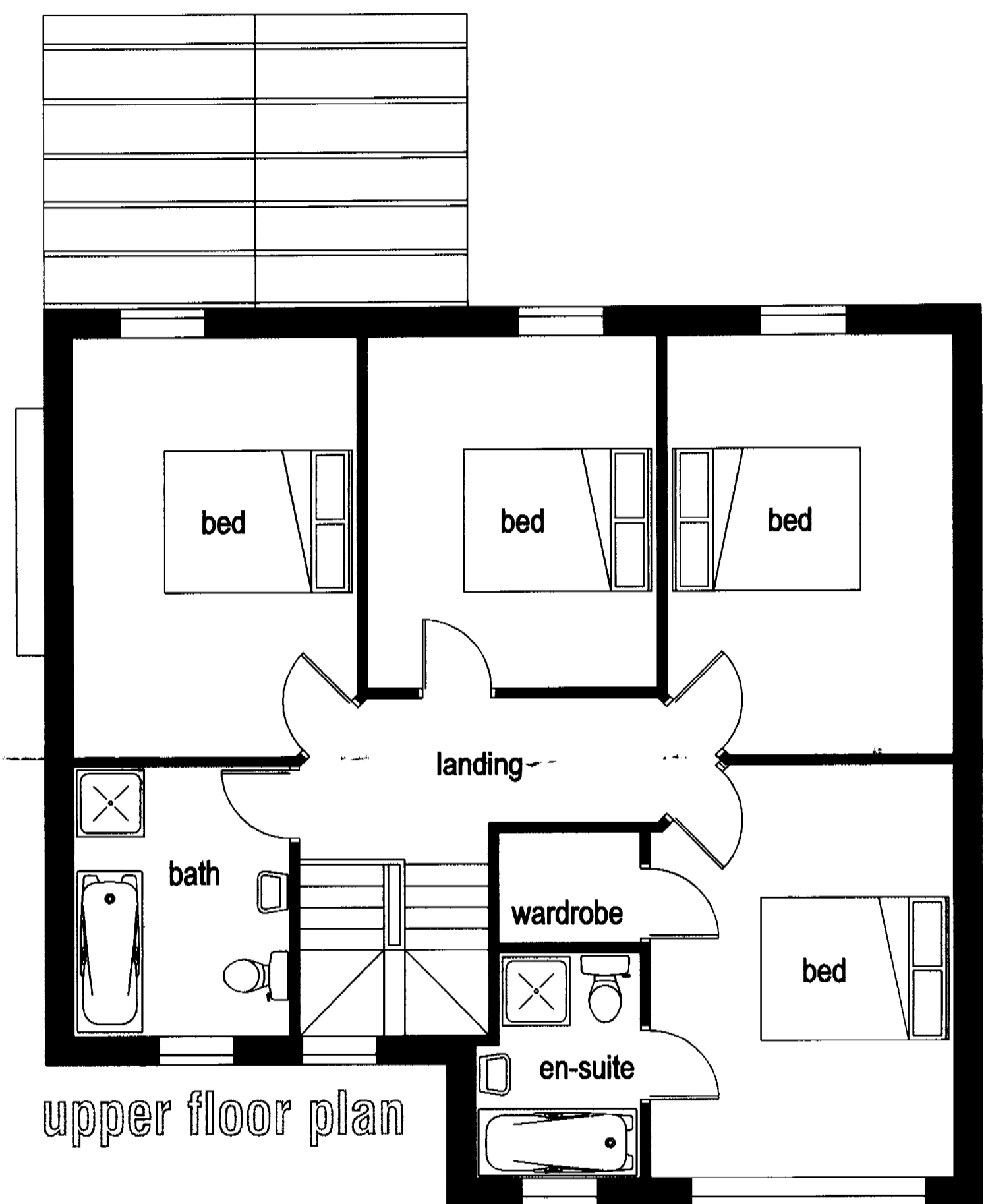
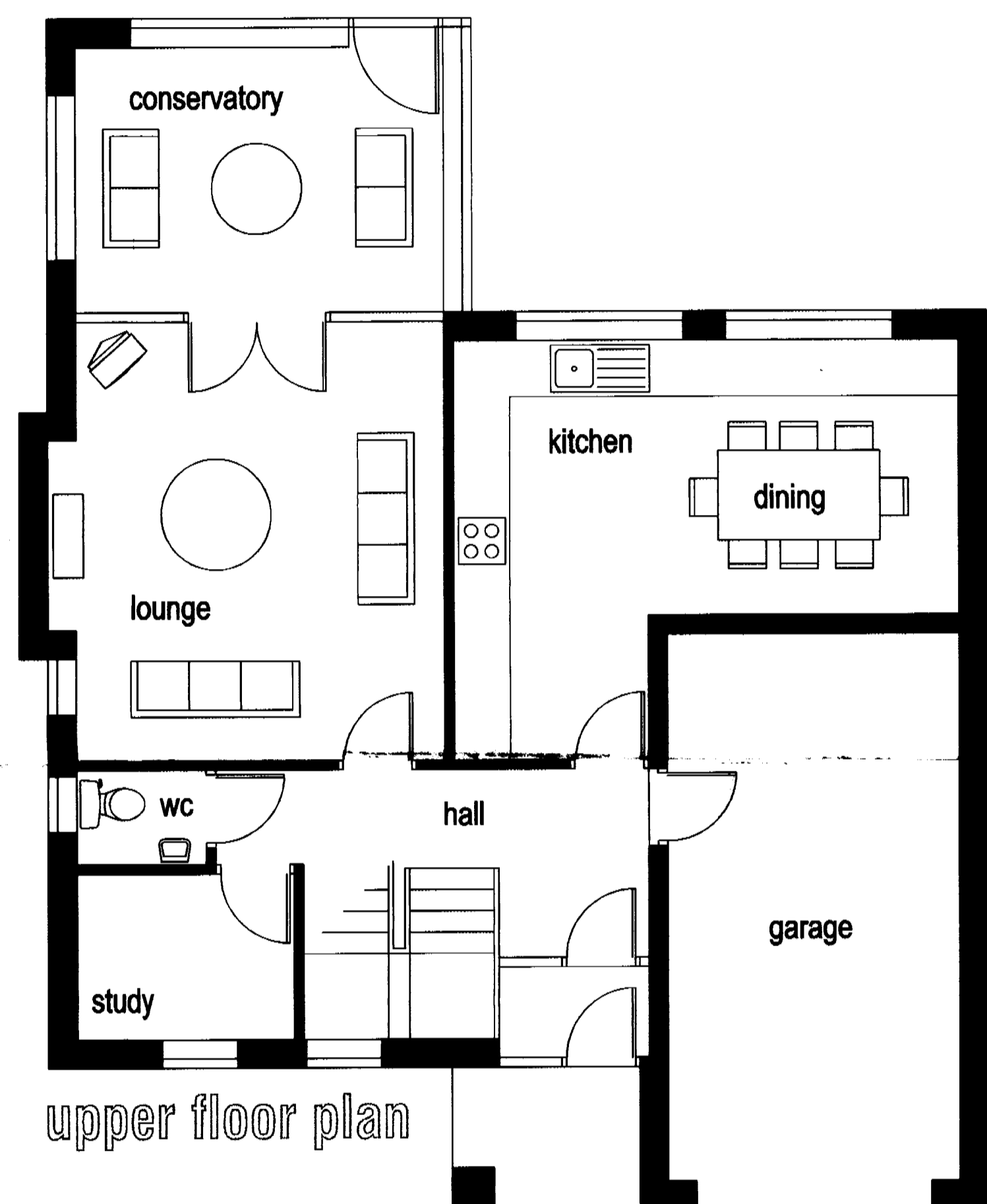
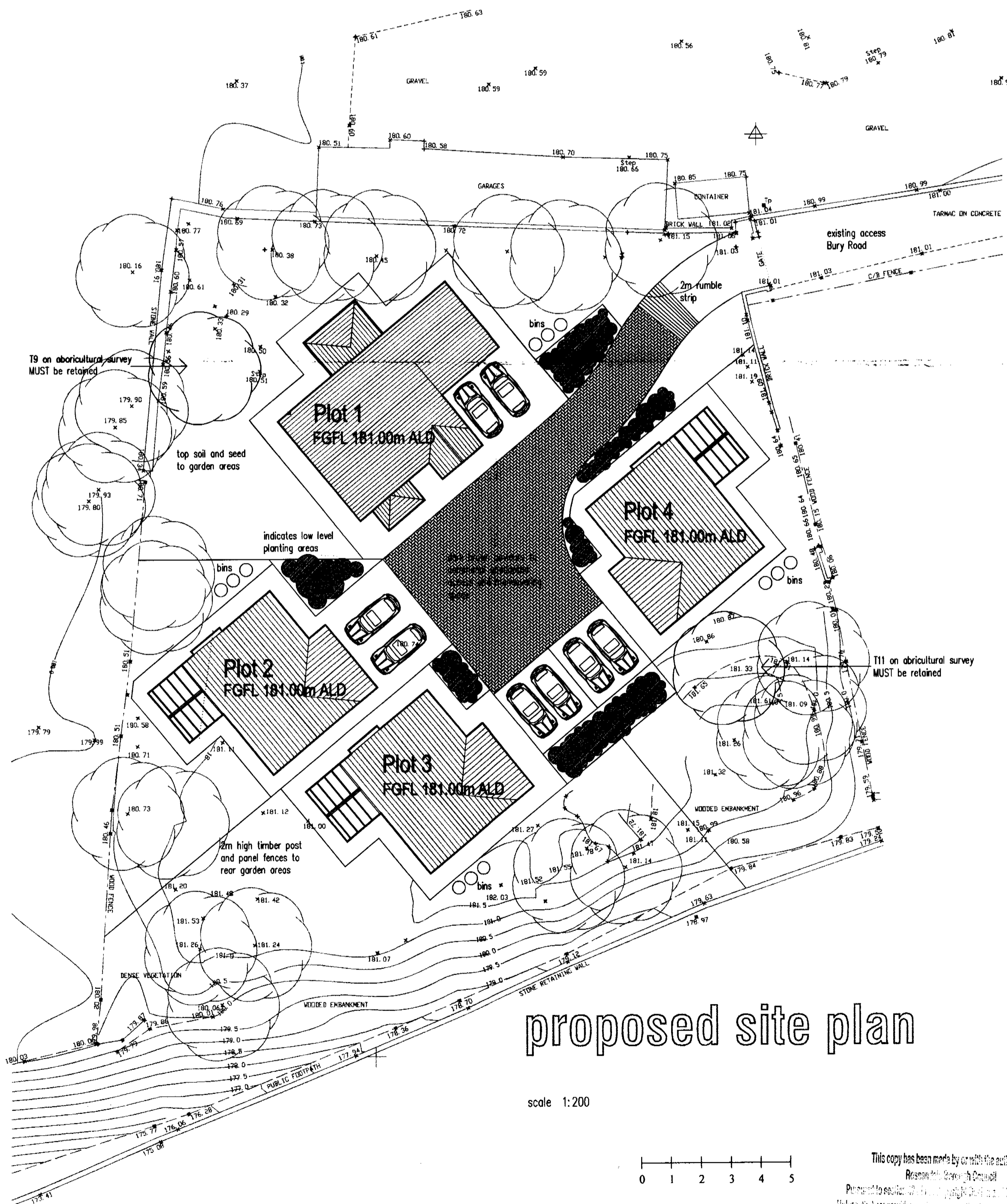
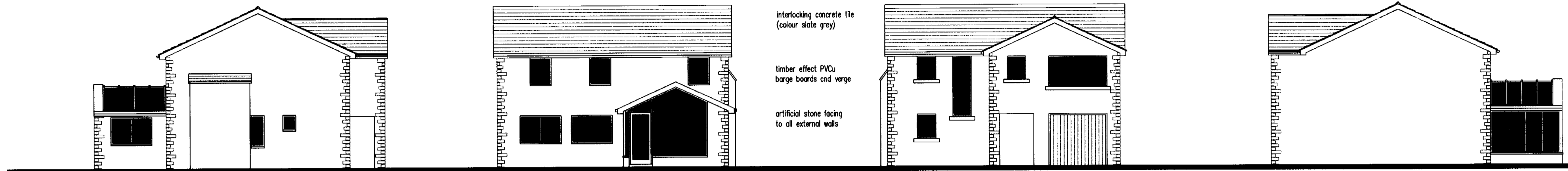
This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the District Highway Office, 1, Grange Street, Rawtenstall BB4 7RT (Tel. 01706-232160) and quote the planning application number.

Contact Officer	
Name	M. Sadiq
Position	Planning Officer
Service / Team	Development Control
Telephone	01706 238641
Email address	planning@rossendalebc.gov.uk

Location Plan – 2008/0761



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plot 2

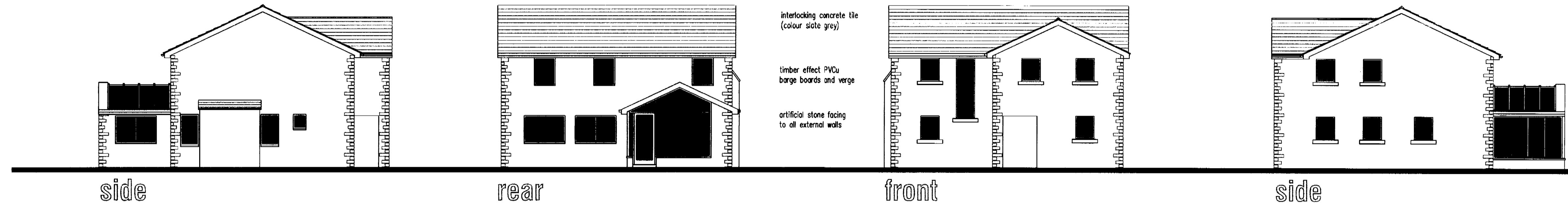
proposed 4 bed detached houses on land at

Cedar Lodge
Bury Road
Rawtenstall

scale 1:200 1:100 1:50 @ A1
 0m 10m 20m
 1:200 linear scale

Rae Connell Associates Building Design and Planning Consultants
 214 Burnley Road Bacup Lancashire 01706 873000
 05 DEC 2008

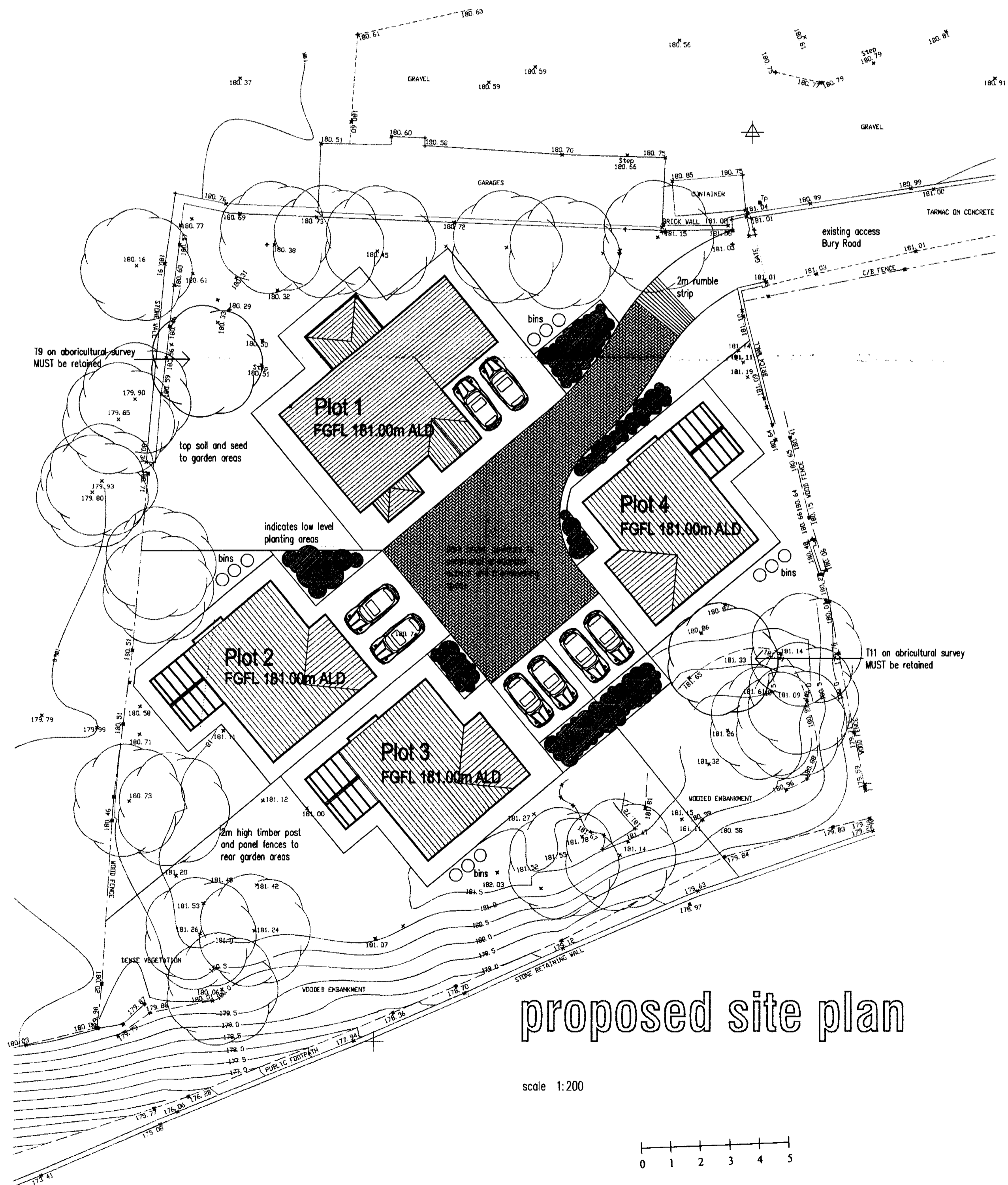
2000/761



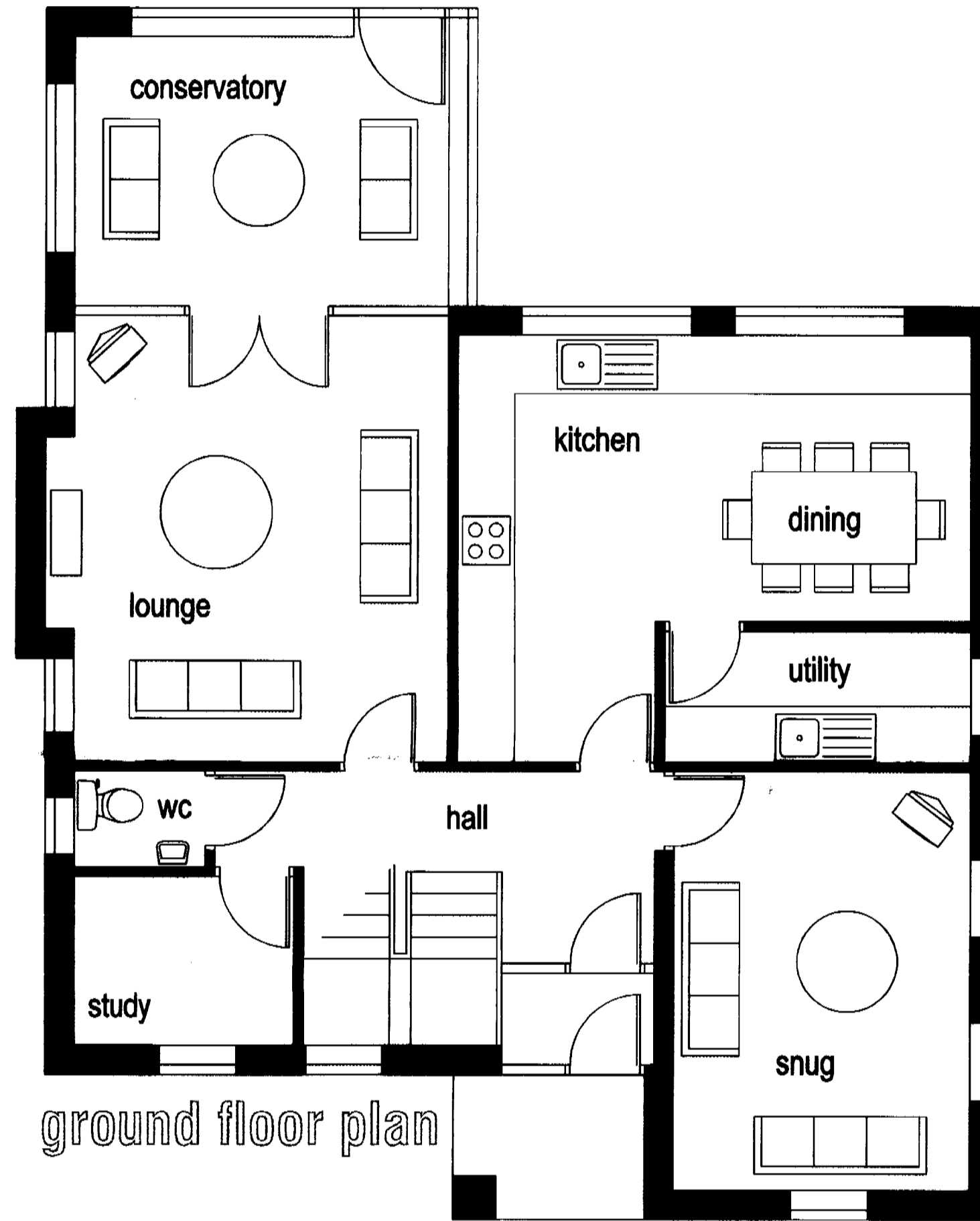
interlocking concrete tile
(colour slate grey)

timber effect PVCu
barge boards and verge

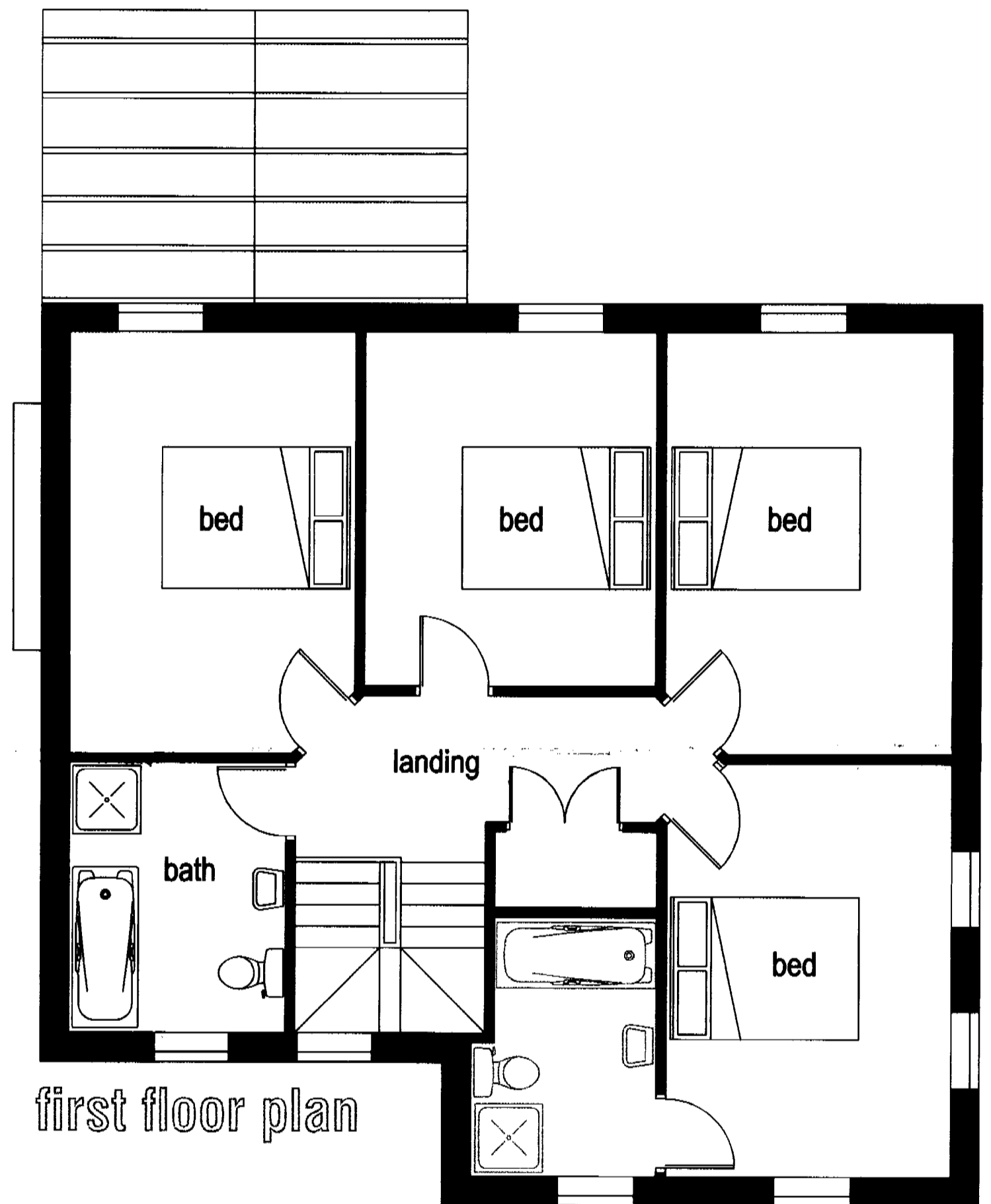
artificial stone facing
to all external walls



proposed site plan



floor plans and elevations relate to plot 4
plot 3 is handed



plots 3 & 4

proposed 4 bed detached houses
on land at

Cedar Lodge
Bury Road
Rawtenstall

scale 1:200 1:100 1:50 @ A1

0m 10m 20m

1:200 linear scale

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05 DEC 2008

2008/761

