



TITLE: 2005/499 CONVERSION OF ONE DWELLING INTO TWO AND ALTERATIONS TO FRONT AND REAR ELEVATIONS AT 254 DEAN LANE, WATER

TO/ON: DEVELOPMENT CONTROL COMMITTEE 10th NOVEMBER 2005

BY: TEAM MANAGER DEVELOPMENT CONTROL

DETERMINATION EXPIRY DATE: 19TH OCTOBER 2005

APPLICANT: MR A G MORGAN

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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.

Site and Proposal

The applicant seeks permission for the conversion of one dwelling into two and alterations to the front and rear elevations.

This application has been requested to be heard by this committee by the ward councillor.

Relevant Planning History

None

Notification Responses

Site notices were posted and no comments have been received.

Consultation Responses

County Highways

No objections to the proposal on highway grounds.

RBC Forward Planning

No response.

Development Plan Policies

Rossendale District Local Plan

Policy DS1 (Urban Boundary) states *“the Council will seek to locate most new development within a defined boundary – the urban boundary – and will resist development beyond it unless it complies with Policies DS3 and DS5.”*

Policy DC1 (Development Criteria) of the Rossendale District Local Plan

The policy states that all applications for planning permission will be considered on the basis of a) location and nature of proposed development, b) size and intensity of proposed development; c) relationship to existing services and community facilities, d) relationship to road and public transport network, e) likely scale and type of traffic generation, f) pollution, g) impact upon trees and other natural features, h) arrangements for servicing and access, i) car parking provision j) sun lighting, and day lighting and privacy provided k) density layout and relationship between buildings and l) visual appearance and relation to surroundings ,m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance.

Joint Lancashire Structure Plan

Policy 1 (General Policy) of the Joint Lancashire Structure Plan states that:

Development will be located primarily in the principal urban areas, main towns, key service centres (market towns) and strategic locations for development and will contribute to achieving:

- a) the efficient use of buildings, land and other resources;
- b) high accessibility for all by walking, cycling and public transport, with trip intensive uses focussed on town centres;
- c) a balance of land uses that helps achieve sustainable development;
- d) accelerated rates of business development in the regeneration priority areas;
- e) appropriate development at Blackpool airport, ports and regional investment sites;
- f) urban regeneration, including priority re-use or conversion of existing buildings, and then use of brownfield sites;
- g) enhanced roles for town centres as development locations and public transport hubs;
- h) rural regeneration;
- i) a high quality built environment.

Other development to meet an identified local need or support rural regeneration outside principal urban areas, main towns, key service centres (market towns) and strategic locations for development will be acceptable in principle.

Policy 5 (Development outside of principal urban areas, main towns and key service centres (market towns)) of the Joint Lancashire Structure Plan states that:

Development outside of the principal urban areas, main towns and key service centres (market towns) will be of a scale and nature appropriate to its location and will mostly take place in villages and other settlements identified in local plans/local development frameworks.

Development will support rural and urban regeneration by meeting an identified local need for housing or community services or by providing for local employment opportunities that maintain, or strengthen and diversify the local economy, including farm diversification and sustainable tourism development.

Policy 12 (Housing Provision) states that provision will be made for the construction of 1920 dwellings within the Borough within the plan period (2001-2016) 220 per year between 2001 and 2006 and 80 per year between 2006 and 2016.

Other Material Planning Considerations

PPS1 (General Policy and principles)

Government guidance in the form of PPS1 emphasises that development should be sustainable and states that there is a need to achieve a balance between promoting economic prosperity and protecting the natural and built environment. It also identifies ways in which mixed use development can be promoted, and provides advice on design matters.

Paragraph 7 states that “Urban regeneration and re-use of previously- developed land are important supporting objectives for creating a more sustainable pattern of development. The Government is committed to:

- a) concentrating development for uses which generate a large number of trips in places well served by public transport, especially in town centres, rather than in out of centre locations; and
- b) preferring the development of land within urban areas, particularly on previously-developed sites, provided that this creates or maintains a good living environment, before considering the development of Greenfield sites.”

PPG3 (Housing)

Government guidance in the form of PPG 3 (Housing) states that sites for housing should be assessed against a number of criteria namely the availability of previously-developed sites, location and accessibility, capacity of existing and potential infrastructure, ability to build communities and the physical and environmental constraints on development of land.

Paragraph 22 states that *“The Government is committed to maximizing the re-use of previously-developed land...in order both to promote regeneration and minimize the amount of greenfield land being taken for development”*.

Paragraph 31 highlights the importance of the location and accessibility of housing sites to jobs, shops and services by modes of transport other than the car.

PPG13 (Transport)

Government guidance in the form of PPG13 states in paragraph 19 that *“A key objective is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport, walking and cycling.”*

Planning Issues

The location for the proposed development is outside of the urban boundary and therefore the proposed development is contrary to Policy DS1 of the Rossendale District Local Plan.

The proposed elevational changes to the proposed dwellings will not impact upon the amenity of the neighbouring residents. The proposed elevational changes will not look out of place within the locality and will be of a similar design to the existing dwellings. The proposed development will not have any adverse impact upon the amenity of the neighbouring dwellings. Therefore, the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

One issue associated with this application is whether there is a requirement for new housing in the borough based on the figures in the Joint Lancashire Structure Plan (2001-2016). Total housing completions between 1991 and September 2003 amounted to 1,983 dwellings, leaving a residual provision of 517 dwellings to be completed by 2006 based on the 2,500 figure in the adopted Structure Plan. The Replacement Structure Plan specifies an annual average dwelling provision in the period 2001 to 2006 equivalent to 1,090 dwellings. Total housing completions 2001-September 2003 amounted to 431 dwellings. At the 1 April 2003 there were existing planning permissions for 1,606 dwellings. Therefore the County Planning Officer has concluded that there are sufficient residential planning permissions to meet Rossendale Borough Council's housing requirement to 2006 and that the proposed development would be contrary to Policy 12 of the Joint Lancashire Structure Plan (2001-2016).

As per the policy, contained within the Housing Policy Position Statement (as approved at Executive Committee on 17th August 2005), the proposed development is not located within the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area or the Rawtenstall Town Centre Masterplan area. As such the proposed development is contrary to the Housing Policy Position Statement.

Recommendation

That planning permission is refused for the following reasons:

Reasons

1 It is considered that the proposed dwelling is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of Policy 12 of the Joint Lancashire Structure Plan 2001 – 2016.

2. The proposed dwelling is not located in the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area or the Rawtenstall Town Centre Masterplan area and therefore, it is considered that the proposal does not comply with the Housing Policy Position Statement.

Local Plan Policies

DS1

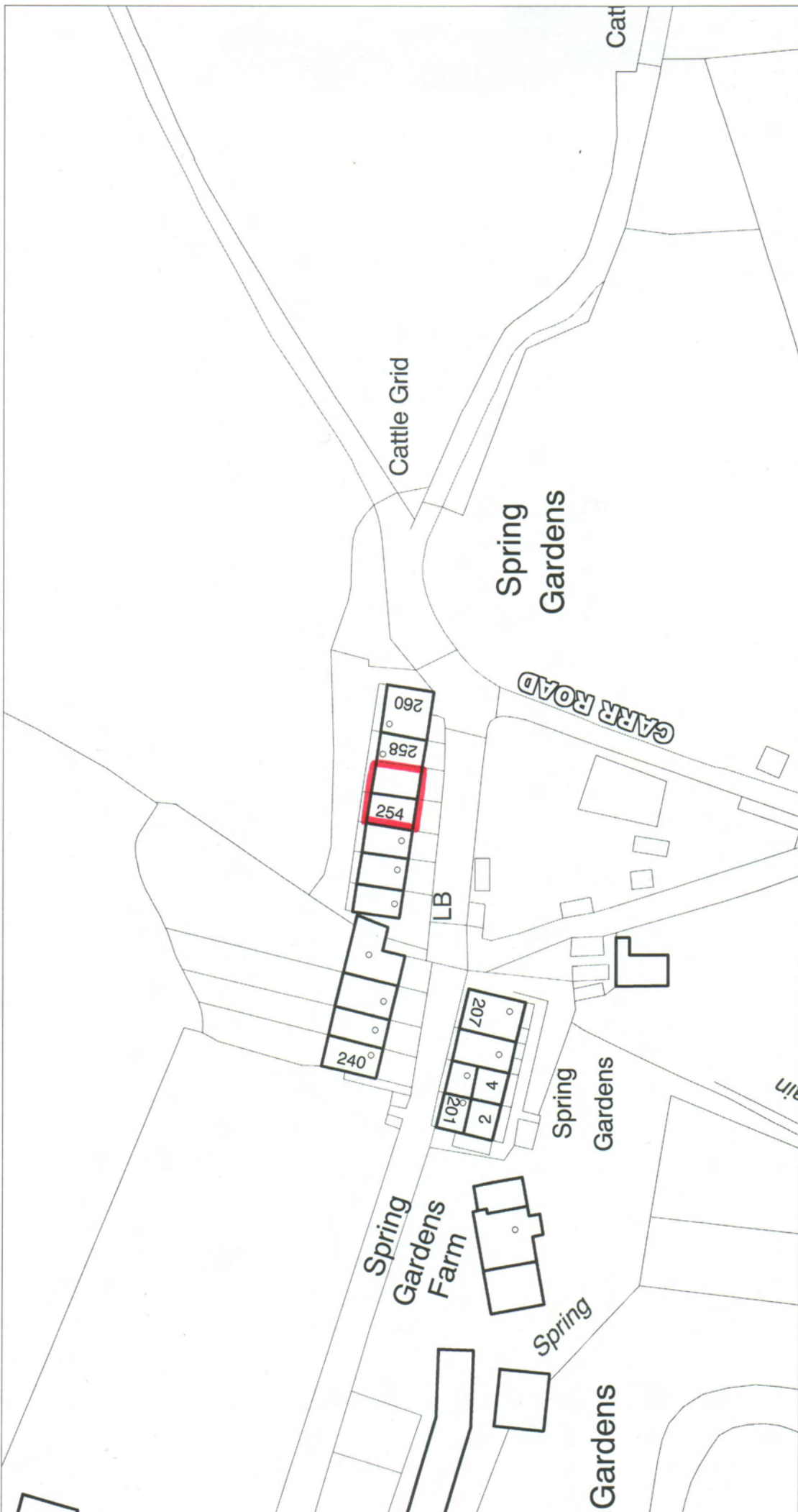
DC1

Structure Plan Policies

Policy 1

Policy 5

Policy 12



Cattle Grid

Spring
Gardens

GARR ROAD

Spring
Gardens
Farm

Gardens

Spring
Gardens

260
258
254
240

207
4
2
201

Cat

LB