

TITLE: 2005/565 OUTLINE APPLICATION FOR THE ERECTION OF 6NO. DWELLINGS AT BLACKWOOD JOINERY, BLACKWOOD MILL, BLACKWOOD ROAD, BACUP

TO/ON: DEVELOPMENT CONTROL COMMITTEE NOVEMBER

BY: TEAM MANAGER DEVELOPMENT CONTROL

DETERMINATION EXPIRY DATE: 28th NOVEMBER 2005

APPLICANT: MR D DRISCOLL

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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 outline planning permission for the erection of 6 dwellings at the above address. The site is located within the urban boundary and is designated as an employment area.

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

Relevant Planning History

2004/818 Outline application for the erection of 6 no. dwellings at Blackwood Joinery, Blackwood Mill, Blackwood Road, Bacup. REFUSED

Notification Responses

Site notices were posted and no letters have been received.

Consultation Responses

County Highways

No objections to the proposal, subject to the inclusion of a condition relating to the gradient of the access roads.

RBC Forward Planning

The proposed site is located within the urban boundary (Policy DS.1) on previously developed land (PPG3, JLSP).

The proposal may positively contribute to urban regeneration within the Bacup, Stacksteads and Britannia area; however, the application will result in a net gain of dwellings with no supporting evidence to identify local housing need. This is contrary to the Housing Policy Position Statement, supported by Policy 12 of the Joint Lancashire Structure Plan to refuse all applications for residential development due to sufficient planning permissions in Rossendale to achieve the target of 1,920 homes over the 2001-2016 plan period.

For these reasons I consider the application should not be supported as it is considered the proposal would exacerbate the existing oversupply of housing in the Borough, in conflict with Policy UR7 in the RSS for the Northwest (RPG13) and Policies 1 and 12 of the Joint Lancashire Structure Plan.

RBC Environmental Health

No objections, subject to the inclusion of conditions.

Environment Agency

The Agency has no objection in principle to the proposed development subject to the inclusion of conditions which meet the following requirements:

The application as submitted does not include any details relating to the proposed floor levels and it is not possible to fully assess the flood risk from the adjacent River Irwell. In order to ensure an appropriate standard of protection against fluvial flooding, the ground levels must be set no lower than 219.90m above Ordnance Datum. Any plans submitted at the Reserved Matters stage must show the required levels.

Development Plan Policies

Rossendale District Local Plan

Policy DS1 (Urban Boundary) of the Rossendale District Local Plan 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.

Policy DC3 (Public Open Space) of the Rossendale District Local Plan states that “In areas of new residential development, the Council will expect appropriate public open space to be provided by the developers”

Policy J3 (Existing Employment Areas) of the Rossendale District Local Plan states “In existing and proposed employment areas the needs of industry and commerce will usually be given priority over housing, specifically in the determination of planning applications.”

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 2 (Main Development Locations) of the Joint Lancashire Structure Plan states that “development in the following main towns, Rawtenstall, including Bacup and Haslingden, will be at levels sufficient to support:

- a) their role as key centres for public transport, employment and services; and/or
- b) their regeneration role within regeneration priority areas.

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.

Parking standards require the provision of a maximum of two car parking spaces for dwellings with between two and three bedrooms, and three spaces for dwellings with in excess of 4 bedrooms.

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 within the urban boundary and therefore the proposal complies with Policy DS1 of the Rossendale District Local Plan. The location for the proposed development is located within the main development locations, as per Policy 2 of the Joint Lancashire Structure Plan.

In terms of impact upon the amenity of the local residents, the proposed development would have no significant adverse impact. The proposed development will not impact in terms of loss of privacy or loss of light. Therefore, the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

The applicant has designated part of the site as an area of open space, which will be landscaped for the benefit of the local residents. Therefore, the proposed development is in accordance with Policy DC3 of the Rossendale District Local Plan.

The proposed development is in compliance with the Council's adopted standards on car parking, which states that 2 off-road car parking spaces should be provided per dwelling. The highways authority have no objections to the proposed development, subject to the inclusion of a condition, relating to the gradient of the access roads into the site.

The proposed development is located adjacent to the River Irwell. The Environment Agency have no objections to the development.

The Rossendale District Local Plan has designated the site for the proposed development as an employment area. The proposed development is therefore contrary to the provisions of the Rossendale District Local Plan as 'in existing employment areas the needs of industry and commerce will usually be given priority over housing'.

As per the policy, contained within the Housing Policy Position Statement (as approved at Executive Committee on 17th August 2005), the proposed development is located within the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area. The proposed development may positively contribute to urban regeneration within the Bacup, Stacksteads and Britannia areas, which is in accordance with the Housing Policy Position Statement. However, the proposed development will result in the net gain of dwellings and insufficient evidence regarding the local housing need has been submitted. Therefore, the proposed development is contrary to the Housing Policy Position Statement.

One major issue associated with this application is one of housing supply. Policy 12 (Housing Provision) of the Structure Plan states that 1920 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 200 properties per year until 2006 and 80 per year thereafter. In view of this, and on the basis that only 431 properties were constructed between 2001 and September 2003, it would seem reasonable to assume that there is currently a shortfall of some 1489 dwellings in the Borough. However, at 1 April 2003 there were 1606 planning permissions that were, and still are, capable of implementation. In view of this it is contended that the Council's current housing targets for 2016 can reasonably be met. With this in mind it is contended that the additional 6 dwellings proposed by this application are not currently required to meet the housing land provision of the Borough.

Recommendation

That planning permission is refused for the following reasons:

Reasons

1. It is considered that the development 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 development will result in the net gain of dwellings and the applicant has not demonstrated sufficiently how the proposal will meet an identified local housing need, which is contrary to Criterion E of the Housing Policy Position Statement.

Local Plan Policies

DS1
DC1
DC3
J3

Structure Plan Policies

Policy 1
Policy 2
Policy 12

