

The former office building, built with natural stone and slate, has recently been converted into 3 dwellings under Planning Permission 2009/123. To the rear of these dwellings, there is a single-storey building, currently vacant but formerly used as offices.

The application site, a rectangular piece of land with a small grassed area fronting the main road, is retained by a 1m high stone wall. Since the closure of the Neighbourhood Office the car park within the application site has been used for parking by residents of the nearby properties. There are residential properties to the south and rear, the dwellings to the rear accessed off Stoney Royd.

The application site lies within the Urban Boundary of Whitworth.

2. Relevant planning history

2008/790:	<u>Change of use of former Council Office to 3 dwellings</u> Approved
2009/123:	<u>Erection of 8 no. dwellings</u> Refused
2009/626:	<u>Erection of 8 no. dwellings</u> Withdrawn

3. The proposal

This application seeks permission for the construction of a block of 3 1-bedroomed bungalows. The bungalows would be set back from the pavement on Market Street by approximately 8.m with their fronts facing north facing and their backs facing towards the rear gardens of the semi-detached houses fronting Acre Street. The proposed bungalows would be built in stone with slated pitched-roofs.

Access to the site would be gained via the existing vehicular entrance from Market Street. It is proposed that three parking spaces, one space per bungalow, would be provided on land to the east of the bungalows, adjacent to the properties on Stoney Royd.

In support of the application, the applicant points out:

- The development would provide low maintenance living accommodation for the elderly people.
- The scheme has been designed to minimise its impact on the site and adjacent dwellings.
- The scheme provides inclusive access to the site with provision for ambulance and delivery vehicles to turn.
- The site benefits from public transport between Rochdale and Accrington.

4. Policy context

National

PPS1 Sustainable Development

PPS3 Housing
PPG13 Transport
PPG 24 Planning and Noise

Development Plan

Regional Spatial Strategy (2008)

DP1-9 Spatial Principles
L 4 Regional Housing Provision
L 5 Affordable Housing
RT2 Managing Travel Demand
EM1 Environmental Assets

Rossendale District Local Plan (1995)

DS1 Urban Boundary
DC1 Development Criteria
DC4 Materials

Other Material Planning Considerations

4NW Draft Partial review of the RSS
LCC Parking Standards
RBC Emerging Core Strategy (2009)
RBC Interim Housing Policy Statement (May 2010)
RBC Strategic Housing Land Availability Assessment (2009)
RBC Strategic Housing Market Assessment (2009)
RBC Affordable Housing Economic Viability Assessment (2010)

5. Consultation responses

LCC (Highways)

No objection.

RBC (Environmental Health)

No comments - there are no issues in relation to contaminated land.

RBC (Drainage)

No land drainage issues involved with this application.

Whitworth Town Council

Recommends that the application be refused due to :

- a) Loss of residential amenity
- b) Car parking taking place on the main road, close to shops, bus stop, and road junction with Tong Lane.
- c) Surplus of unsold properties in the town.

5. Notification Responses

To accord with the General Development Procedure Order, a site notice was posted on 9 April 2010 and the relevant neighbours were notified by letter on 22 March 2010.

Six letters raising objection to the proposal has been received from the residents of the area. The points raised are:

- The rear aspect of the proposed bungalows would be approximately 1m away from the boundary of my property. This would result in the overshadowing of my amenity space which is unacceptable.
- The proposed obscured glazed windows in the rear elevations of the dwellings could be changed to clear in the future.
- The scheme contains virtually no amenity space to the proposed dwellings and is vastly too compacted to create acceptable habitable living accommodation.
- The proposed parking area is inadequate to provide turning circles for refuse vehicles, emergency services. This is especially worrying if the scheme is predominantly aimed at elderly people.
- Market Street is an extremely busy road with a pedestrian crossing, bus stops on both sides of the road in close proximity to the only entrance of the application site. To build more dwellings would create more congestion and confusion.
- The proposed development would cause problems relating to noise, privacy and access in the area.
- As a resident of Stoneyroyd, I have enjoyed right of way through Stoneyroyd (between the old tourist information and a Stoneyroyd Garage) onto Market Street through the site. Also there is a path at the back of Acre Street which is used regularly by the residents.

6. Planning Issues

This application is a re-submission of the previous Application 2009/0123, which was refused permission for the construction of a block of 8 properties (4 single storey bungalows and 4 flats) for the following reasons:

- 1) Contrary to the provisions of RRS/Council's Interim Housing policies
- 2) Detrimental to the amenities of the adjacent residents
- 3) Unsatisfactory design/lack of adequate amenity open space
- 4) Prominent /intrusive feature in the street scene.

The original proposal has been re-considered and the number of dwelling units much reduced and the scheme re-designed.

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

- 1) Principle
- 2) Housing Policy
- 3) Neighbours Amenity
- 4) Design/Appearance
- 5) Traffic/Parking

Principle

The site is within the Urban Boundary of Whitworth and fronts Market Street, the main shopping street, along which run bus services. To this extent the site is reasonably

accessible and the proposal accords with the sustainable principles of PPS1 and Policy DS1 of the Local Plan.

Housing Policy

The Interim Housing Policy Statement does not preclude residential development within the Urban Boundary of settlements outside the Main Development Locations of the Borough. However, it seeks to ensure that proposals in Whitworth are assessed against the following criteria:

1. It uses existing buildings/previously developed land; and
2. It makes an essential contribution to affordable housing and uses previously developed land/buildings; and
3. It is built at a density of no less than 30 dwellings per hectare; and
4. It would not undermine the focus for most residential development to be in the main development locations and regeneration priority areas where the sustainability of the proposals can be demonstrated; or
5. It proposes solely affordable and/or special needs housing.

It is appropriate to consider the application in relation to these criteria:

1. The proposal relates to a concrete parking area used by the occupiers of the adjacent properties. As such it is considered that the site is previously developed land.
2. The IHPS does not require schemes of less than 4 dwellings to contribute to the supply of affordable housing.
3. The proposal is not considered to be of inappropriate density.
4. The proposal will not undermine the focus for most residential development to be in the main development locations and regeneration priority areas.

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

Neighbour Amenity

The proposed block of 3 single-storey bungalows would be located approximately 1.1m away from the rear boundary and 14m away from the rear elevation of the dwellings at Acre Street. The building would have a rear aspect of approximately 23m length and be approximately 4.8m high to ridge. The bungalows would have no windows in the rear elevation other than obscure-glazed bathroom windows. It is considered that the rear elevation, due to its restricted size, scale and height, would not be visually obtrusive or unduly detrimental to amenities of the residents of Acre Street.

The bungalows would be located with their fronts containing habitable room windows facing the gable of the recently-created house at 554 Market Street. There are two small secondary windows in the gable of the dwelling opposite; a first-floor bedroom window and a lounge window. Although the windows in the frontage of the bungalow and those in the gable of the property opposite would be approximately 9m apart, due to their restricted size and secondary nature, it is considered that the proposed development would not cause a significant loss of privacy to the residents of no. 554 Market Street.

The proposal is not considered to detract to an unacceptable extent from the amenities of any neighbour in terms of light/outlook/privacy. Occupiers of the bungalows will not have rear gardens, but will otherwise have the amenities that could be expected of a new property.

Visual Amenity

The proposed bungalows would be built in stone, with slated pitched-roofs. No windows except for the bath room windows are proposed on the rear elevation of the proposed dwellings. To the front the bungalows would have small front gardens, enclosed by 1.1m high timber fences.

It is considered that the proposed development, due to its siting, scale and design, would be in-keeping with the character of the area and is acceptable in terms of its design/appearance.

Access/parking

Three parking spaces and associated turning area have been proposed on the east side of the proposed bungalows. The existing vehicular access would be utilised to gain access to them. The Highway Authority is satisfied with the proposed parking/turning facilities and has raised no objection to the proposal. It is considered that the proposed development will not interfere with the existing right of way linking Stoney Royd with Acre Street.

7. Summary Reason for Approval

The site is located within the Urban Boundary of Whitworth and it is not considered that the proposed development would undermine the Council's housing strategy, or result in unacceptable detriment to visual & neighbour amenity or highway safety. It is considered that the proposal accords with the provisions of PPS1 / PPS3 / PPG13, Policies L4 / L5 / RT2 / RT4 / EM1 of the Regional Spatial Strategy, Policies DS1 / DC1 of the Rossendale District Local Plan and the Council's Interim Housing Policy Statement (May 2010).

8. Recommendation

Approve

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 8.0471.100A, 8.0471.101, 8.0471.204 A, received on 18 March 2010 and Amended plans numbered 8.0471.202 A, 8.0471.203 D, 8.0471.205 A received on 19 May 2010.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

3. Notwithstanding the information submitted, the external walls of the dwellings hereby approved shall be constructed of local natural stone and the roof of slate, samples of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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

4. The bungalows hereby approved shall not be occupied until the proposed parking/turning areas have been constructed, drained, surfaced and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The parking area shall thereafter be kept freely available for use as such.

Reason: To ensure adequate off-street parking, in the interests of highway safety and to accord with Policy DC1 of the Rossendale District Local Plan.

5. Notwithstanding any such detail indicated in the application submitted, no development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped, together with details of walls/fences to be erected to bound gardens; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area, in accordance with Policy DC1 of the 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 any of the dwellings, unless otherwise 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. 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 Policy DC1 of the Rossendale District Local Plan.

7. 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 Policy DC1 of the Rossendale District Local Plan.

Notes for Applicant

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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 238639
Email address	planning@rossendalebc.gov.uk