

**Application No:** 2010/685

**Application Type:** Full

**Proposal:** Environmental Improvement Schemes ( including alley-gating, fencing, paving, installation of washing lines, creation of communal & individual bin stores and car park improvements)

**Location:** Five sites in the residential area to the S of Newchurch Road, Stacksteads

**Report of:** Planning Unit Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 15<sup>th</sup> February 2010

**Applicant:** Proffitts CIC

**Determination Expiry Date:**  
25 February 2010

**Agent:**

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**X**

**Member Call-In**

Name of Member:  
Reason for Call-In:

**3 or More Objections received**

**X**

**Other** (please state) ..... Council-owned Land

**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.

## **APPLICATION DETAILS**

### **1. SITE**

The application relates to five sites located within a residential area to the south of Newchurch Road, Stacksteads:

- Site 1 comprises the back street of Herbert Street/Branch Street and the ginnel alongside the disused railway line. The back street is unmaintained and has become mossy and slippery. The ginnel alongside the disused railway line is overgrown with grass and weeds.
- Site 2 comprises land abutting 19 David Street and 18 Farholme Lane. The area is partly flagged and partly overgrown/unused.
- Site 3 comprises land adjacent to the lock up garages at Farholme Lane and Holme Street. The area is overgrown and used for informal parking
- Site 4 comprises the car park at the junction of Newchurch Road and Branch Street. The car park is unmarked and looks run-down. The barriers and entrance archway are damaged. The car park is often used by youths for playing ball games.
- Site 5 comprises a small triangular area of land to the side of 1 Herbert Street. It is used by the residents for the storage of bins ready for collection.

### **2. RELEVANT PLANNING HISTORY**

None

### **3. THE PROPOSAL**

The application has been submitted by Proffitts (Investing in Communities), and is a partnership-project with the Council under the Elevate Housing Renewal Programme and Craig Hambling Ltd. It seeks permission for various environmental improvement works. The proposed works consist of:

- Installation of double alley-gates at the top of back Herbert/Branch Street, single alley-gates at 32 Branch Street.
- Cleaning of moss/weeds and repairing and resurfacing of the back street with tarmac to prevent weeds from re-growing.
- Surfacing of the ginnel in stone flags with stone sett to make the surface safe and easier to maintain.
- Creation of a communal bin store adjacent to 3 Branch Street to cater for the needs of 3-25 Branch Street, 2-36 David Street & 228 Newchurch Road.
- Re-defining the car parking spaces with new white lines.
- Re-placing the existing beds at the top of the car park along Newchurch Road with a flagged area.
- Installation of a stone boulder approximately 1.5m x 1.5m in paved area adjacent to Newchurch Road with the word "Stacksteads" carved on its sides.
- Removal of the existing barriers and archway from the car park and making good the edging.
- Installation of retractable washing lines replacing the fixed lines across David Street.

- Creation of a bin storage on land abutting 18 Farholme Lane/19 David Street.
- Creation of a hard surfaced area for parking adjacent to the garages on Holmes Street.
- Installation of metal railings along the length of the railway line from Farholme Lane to Herbert Street. The railings will be at 100mm high and galvanised.

#### **4. POLICY CONTEXT**

##### **National**

PPS1 Sustainable Development

PPS3 Housing

##### **Development Plan**

##### Regional Spatial Strategy for the NW of England (2008)

DP1-9 Spatial Principles

L3 Existing Housing Stock and Housing Renewal

RT2 Managing Travel Demand

RT4 Management of the Highway Network

EM1 Environmental Assets

##### Rossendale District Local Plan (1995)

DS1 Urban Boundary

DC1 Development Criteria

##### **Other Material Planning Considerations**

RBC Submitted Core Strategy (2010)

#### **5. CONSULTATION RESPONSES**

##### LCC (Highways)

No objection

##### RBC (Operations Team)

Presently we are going through various changes to how we operate to improve the safety for our operatives and member of the public.

One of the main changes is that we have to reduce the amount of unnecessary reversing. At the moment, to service the properties in the area we have to reverse directly off the main road, which is a practice that we wish to eliminate. The establishment of the bin stores proposed in the application would eliminate the need to reverse.

#### **6. REPRESENTATIONS**

To accord with the General Development Procedure Order site notices were posted on 7/1/11 and letters were sent to neighbours on 5/1/11.

Two letters, one signed by 6 individual residents, raising objection to the application have been received. The points made are:

- The proposed bin store on land at the bottom of David Street, due to its close proximity to their houses, would be overlooked from the living rooms and front bedrooms of properties 26 to 36 David Street.
- During the warmer weather it will smell and will not be an environmental improvement to the area.
- In the past, this area has been subjected to a lot of dumping of rubbish, furniture, old prams, electrical equipment and general rubbish. Should the bin store be established, it would act as magnet for dumping from the surrounding area.
- The proposed bin store means that the residents will have to move rubbish to the top of the street for collection. Several residents, due to mobility problems, would find great difficulty in doing this. We would prefer to keep our wheelie bins.

## 7. ASSESSMENT

The main issues for consideration are:

- 1) Principle; 2) Visual Amenity;
- 3) Neighbour Amenity; & 4) Access/Parking.

### Principle

In the adopted Local Plan the application sites lie within the Urban Boundary. It is considered that the proposed works are acceptable in principle and accord with Policies RDF1/ L3 of the RSS and Policy DS1 of the Local Plan.

### Visual Amenity

Site 1, comprising the back street of Herbert Street/Branch Street and ginnel alongside the disused railway line, is unmaintained and overgrown. The proposed works, entailing cleaning, repairing and re-surfacing of back streets with stone flags and provision of alley-gates, will help enhance the visual amenity of the area and safety for the residents.

Site 2, comprising land abutting 19 David Street and 18 Farholme Lane, is partly flagged and partly overgrown/unused. The proposed works, involving re-surfacing of the area and provision of a communal bin store, will help enhance the appearance of the area and provide useful facilities for the residents.

Site 3, comprising land adjacent to the lock up garages at Farholme Lane and Holme Street, is overgrown and used for informal parking. The proposed works, involving re-surfacing the area with concrete flags and provision of parking spaces, will help improve the visual amenity of the area and provide additional parking facilities.

Site 4, comprising the car park at the junction of Newchurch Road and Branch Street is unmarked and run down. The proposed works, involving re-defining of the parking spaces, replacing the existing beds at front with raised beds/tiered planters over resurfaced area and provision of a communal bin store, will help improve the appearance of the car park, and visual amenity of the area. The proposed communal bin store will compliment the local vernacular and other features in the area.

Site 5, comprising a small triangular area of land abutting 1 Herbert Street, is used for the residents for the storage of bins ready for collection. The proposed boundary wall to the front and side, will help improve the visual appearance of the area and prevent any parking/storage of wheelie bins on it.

### Neighbour Amenity

Some of the residents of David Street are concerned that the proposed bin store on land abutting David Street/Farholme Street would be detrimental to their visual amenity and that it would give rise to smell during the summer time.

It is acknowledged that the proposed bin store on land abutting David Street/Farholme Lane would be located directly opposite some of the dwellings at David Street. However, it would be enclosed with 1.6m high boundary wall with access from Farholme Lane. In view of this, it is unlikely that the proposed bin store would give rise to significant detriment for immediate neighbours in terms of visual amenity, noise, smell, etc. I am also mindful of what the Operations Manager has said about the need to improve the safety of operatives of the Refuse Collection Service and members of the public by reducing vehicle reversing. At the moment, to service the properties in the area a vehicle has to reverse directly off the main road. The establishment of the bin stores proposed in the application would eliminate the need to reverse.

### Access/Parking

The Highway Authority has not raised objection to the proposal.

## **8. SUMMARY REASON FOR APPROVAL**

The sites are located within the Urban Boundary of Stacksteads and the works proposed will help improve parking/bin storage facilities, enhance the appearance of the area, without unduly detracting from neighbour amenity or highway safety. It is therefore considered that the proposal accords with the provisions of PPS1/ PPS3, Policy RDF1 / L3 / RT2 / RT4 / EM1 of the Regional Spatial Strategy, and Policies DS1/ DC1 of the Rossendale District Local Plan.

## **9. RECOMMENDATION**

That the permission be granted subject to the following conditions:

### **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 the drawing no. 058/L01, L02, L03, L04, L05, L06, 058/D01-4, 058/D05-6, 058/D07-8, 058/D07 received on 31 December 2010.  
Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.
3. 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 and 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 neighbours, in accordance with Policy DC1 of the Rossendale District Local Plan.

<b>Contact Officer</b>	
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