

**TITLE: 2005/678 (OUTLINE) ERECTION OF FOUR DWELLINGS, LAND AT LEE ROAD, BACUP.**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE 10<sup>TH</sup> JANUARY 2006**

**BY: TEAM MANAGER DEVELOPMENT CONTROL**

**DETERMINATION EXPIRY DATE: 18<sup>TH</sup> JANUARY 2006**

**APPLICANT: BOARSGREAVE DEVELOPMENTS LTD**

**DETERMINATION EXPIRY DATE: 18<sup>TH</sup> JANUARY 2006.**

### **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 four dwellings on land at Lee Road, Bacup. The land is located within the urban boundary and part of the site is a protected garage site.

### **Relevant Planning History**

None

### **Notification Responses**

Site notices were posted and the following summarised comments have been received:

- The garages on the site are used on a regular basis.
- The garages have been on Lee Road for a long time and are used for storage of vehicles.

- The loss of garages would cause parking issues and no other parking has been allocated for local residents.
- There is no need for housing in the area.
- The character of Lee Road would be changed for the worse.
- There would be a great deal of disturbance to the neighbouring residents.
- The surrounding wildlife, e.g. badger sets, would be disturbed.
- The extra daily traffic would have a detrimental effect on the un-surfaced, un-adopted road.
- The proposed development would result in the loss of a retaining wall, which has been present for a long time and adds to the character of the area.
- There is no need for the additional houses

## **Consultation Responses**

### County Highways

### County Archaeology Unit

No further response is required.

### RBC Forward Planning

### RBC Environmental Health

## **Development Plan Policies**

### Rossendale District Local Plan

Policy DS1 (Urban Boundary)

Policy DC1 (Development Criteria)

Policy H2 (Garage Sites)

### Joint Lancashire Structure Plan

Policy 1 (General Policy)

Policy 2 (Main development locations)

Policy 12 (Housing Provision)

## **Other Material Planning Considerations**

PPS1 (Delivering Sustainable Development)

PPG3 (Housing)

PPG13 (Transport)

## **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 site for the proposed development is currently being used as a garage colony and is a brownfield site. Therefore, the proposed development accords with PPG3 (Housing), as the government is committed to maximising the re-use of previously developed land and the proposal to provide 60% of new housing on brownfield sites or conversion of existing buildings.

The proposed development will have the potential to overlook the gardens of the neighbouring residents. However, the proposed development will be approximately 10 metres from the garden and it is considered that the impact would not be significantly adverse and therefore, is in accordance with Policy DC1 of the Rossendale District Local Plan.

As stated above, part of the site is currently used as a garage site. Therefore, if the proposed development was to take place, an additional four cars would have to park on the road and this could lead to on-street parking congestion and traffic hazards. It is clear from one of the letters of objection that the garages are being used at present and to clear the garages from the site would be contrary to Policies H2 and 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 adopted Joint Lancashire Structure Plan. 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 units proposed by this application are not currently required to meet the housing land provision of the Borough.

As per the policy, contained within the Housing Policy Position Statement (as approved at Executive on 17<sup>th</sup> 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 the applicant has not submitted evidence regarding the local housing need. Therefore, the proposed development is contrary to the Housing Policy Position Statement.

### **Recommendation**

That planning permission be refused for the following reasons:

### **Reasons**

01 The proposed development would result in the loss of a garage colony and therefore off-road parking and would be contrary to Policy H2 (Protection of Garage Sites) of the Rossendale District Local Plan.

02 The loss of off-road parking could lead to on-street parking congestion and vehicles being parked on the highway to the detriment of highway safety, thereby failing to accord with Policy DC1 (Development Criteria) of the Rossendale District Local Plan.

03 The proposed development is not required to meet the housing provision, and therefore does not comply with Policy 12 of the Joint Lancashire Structure Plan or the Housing Policy Position Statement.

### **Local Plan Policies**

DS1  
DC1  
H2

### **Structure Plan Policies**

Policy 1  
Policy 2  
Policy 12

