

Application Number:	2011/0046	Application Type:	Full
Proposal:	Demolition of existing buildings and erection of 74 residential units and associated access works.	Location:	Holmefield House, Holcombe Road, Helmshore, Rossendale
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	14 June 2011
Applicant:	Taylor Wimpey	Determination Expiry Date:	6 May 2011
Agent:	Taylor Wimpey		

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REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:

Reason for Call-In:

3 or more objections received

MAJOR APPLICATION

Other (please state):

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.

	RECOMMENDATION(S)
	Approve subject to Conditions and Section 106 Obligation

APPLICATION DETAILS

1. SITE

This application relates to a broadly rectangular parcel of land of approximately 2.2 hectares.

The River Ogden and a terrace of houses facing Holcombe Road (B6235) are situated to the west of it, with other residential properties and commercial premises (including those of Musbury Fabrics) to the other side of the main road. Relatively modern detached and semi-detached residential properties occupy the higher land to the east and south of the site, separated from it by a public footpath/cycleway on the tree-lined former railway line. To the north side is a well used public footpath which runs between the main road and the residential quarter to the east, to the other side of which is Helmshore Textile Museum.

The site has been un-used for some years. It is occupied by a derelict 2-storey office building (2,200 sq m), with extensive areas of hardstanding surrounding it. The sole vehicular access to it is by means of a bridge over the river. Whilst the site is overlooked to some extent from the backs of residential properties that surround it, mature trees bounding the river make views into the site from the main road very limited except at the vehicle access-point. There are also views across the site from the public footpath running along the north side.

The site lies within the Urban Boundary as designated within the Rossendale District Local Plan. Although identified as being part of an Existing Employment Site, Policy J3 of the Local Plan is not a 'saved' policy. The public footpath/cycleway on the former railway line forms part of a long-distance recreational route that is a Valley Way.

2. RELEVANT PLANNING HISTORY

2003/594 Erection of six office blocks and 86 dwellings
Refused

2006/017 1,100sqm of Industrial space, 2,432sqm of Office space, 53 Apartments and 18 Houses (Outline)
Approved subject to conditions and Section 106.

3. THE PROPOSAL

Permission is sought to erect upon the site 74 residential units comprising a mix of 10 2-bed, 26 3-bed and 38 4-bedroomed homes, including an apartment block of 6 units.

A third of the houses would be detached and the others semi-detached or in short terraces. One of the buildings towards the northern boundary and another in the south-west corner of the site would be 3-storey and the 2 or 2.5 storey in height, constructed in a mix of art stone, buff brick and red brick, under slate grey roof tiles.

Access to the new housing estate would be via the existing bridge running over the River Ogden from Holcombe Road. However, the bridge is currently un-adopted and will need to be widened/enhanced to a standard enabling its adoption by Lancashire County Council. Those houses most visible from Holcombe Road over the river will be 2-storey in height, have their front elevations facing west and be constructed in art stone. Three of the TPO'd trees bounding the river are to be removed and replaced; the Tree Condition Report accompanying the application indicates that two of these TPO'd trees, the large horse chestnut adjacent to the site entrance and a sycamore further to the north to be felled are in poor condition. The

third tree is said to form an attractive group with an adjacent tree and is recommended to be retained.

To accord with the advice of the Environment Agency about how the ecological interest of the river corridor could be enhanced the river is to be provided with a Fish Pass to the south of the bridge. Footpaths within the site would link with the public footpath running to the north. Besides enhancement of the river banks, landscaping is proposed throughout and bounding the site, including planting of an avenue of trees along the main access road. In the interests of safety a 1.1m high railing will be sited between the houses and the river. Rear gardens running towards the northern, eastern and southern boundaries of the site will be made secure by erection of 1.8m high close-boarded fencing, though it will be screened to a degree from public view by existing planting bounding the footpaths/cycleway.

The applicant has agreed to provide 15 of the dwellings (ie 20%) as 'affordable housing', five of which would be in shared-ownership and ten would be rented.

The application was submitted with the following reports :

- Site Potential/Viability Report
- Contaminated Land Report
- Bridge Condition Assessment
- Flood Risk Assessment
- Ecology Report
- Tree Report/Tree Protection Method Statement
- Sustainability Checklist
- Statement of Community Consultation

4. POLICY CONTEXT

National

- PPS1 –Sustainable Development
- PPS3 – Housing
- PPS4 - Economic Growth
- PPS9 - Biodiversity and Geological Conservation
- PPG13 – Transport
- PPS 23 –Pollution Control
- PPG24 – Noise
- PPS 25 – Flood Risk

Development Plan for the North West of England (2008)

- DP 1 - 9 Spatial Principles
- RDF 1 Spatial Priorities
- W 1 Strengthening the Regional Economy
- W 2 Locations for Regionally Significant Economic Development
- W 3 Supply of Employment Land
- L 1 Health, Sport, Recreation, Cultural and Education Services Provision
- L 2 Understanding Housing Markets
- L 3 Existing Housing Stock and Housing Renewal
- L 4 Regional Housing Provision
- L 5 Affordable Housing
- RT 1 Integrated Transport Networks

RT 2 Managing Travel Demand
RT4 Management of the Highway Network

EM 1 Integrated Enhancement and Protection of the Region's Environmental Assets
EM 2 Remediating Contaminated Land
EM 3 Green Infrastructure

Rossendale District Local Plan (1995)

DS1 – Urban Boundary
DC1 – Development Criteria
DC4 – Materials

Other Material Planning Considerations

RBC – Submitted Core Strategy DPD (2010)
RBC Open Space & Play Equipment Contributions SPD (2008)
RBC Strategic Housing Land Availability Assessment (2009)
RBC Strategic Housing Market Assessment (2009)
RBC Affordable Housing Economic Viability Assessment (2010)
RBC Interim Housing Policy Statement (May 2010)
Nathaniel Lichfield & Partners Employment Land Study for RBC
LCC Planning Obligations Paper

5. CONSULTATION RESPONSES

RBC (Regeneration)

No objection. Consider the breakdown of affordable units to be acceptable.

LCC (Highways)

No objection in principle. Requested further information/amendments to ensure the adequacy of parking and turning details and so that the bridge can be formally adopted. A number of conditions have been requested in relation to construction methods, surfacing, a wheel washing scheme during construction and the submission of a travel plan.

LCC (Planning Contributions)

The following contributions have been requested :

£137,500 - Transport

£35,000 - Waste Management

£110,000 - Education – At the time of submission of the application pupil census data did not show a shortfall in primary school places. However, the most recent pupil census data has generated a claim for a contribution to address a shortfall in local primary school capacity of 9 spaces.

LCC (Ecology)

Expressed concerns with regards to the bat survey and suggest that the habitat survey extend across the whole of the site. The applicant's have provided a bat survey to address the

comments raised.

Environment Agency

No objection in principle. Request a number of conditions in respect of Flood Risk, Land Contamination and Biodiversity.

6. REPRESENTATIONS

To accord with the General Development Procedure Order a press notice was published on 25 February 2011, site notices were posted on 22 February 2011 and 66 neighbours were notified by letter on 31 May 2011.

In response, 24 objections have been received, together with a petition bearing 32 signatures. The following matters have been raised :

- Does not promote/provide for employment which is needed within Rossendale
- Too many houses / The area doesn't need affordable housing
- Impact on local schools and other services
- Flood risk
- The number and appearance of the houses would ruin the village scene
- Inappropriate materials
- Height of apartments - would overlook the garden of 27 Ogden Drive
- Loss of privacy to 300 Holcombe Road
- Traffic
- Negative effect on wildlife and environment
- Loss of trees, in particular the chestnut close to the access, which should be retained.

7. ASSESSMENT

The main considerations of the application are: 1) Principle; 2) Contaminated Land; 3) Flood Risk; 4) Housing Policy; 5) Visual Amenity; 6) Neighbour Amenity, 7) Highway Safety; 8) Developer Contributions

Principle

The application site lies within the Urban Boundary where the Council seek to locate most new development.

Contaminated Land

A stage one desktop study and a stage 2 intrusive investigation were carried out on the site in 2004. These reports demonstrated that the principle of the site for sensitive end uses was acceptable as was confirmed under planning approval for the mixed use scheme in 2008. The applicant's Land Contamination consultants have recommended that further reports should be carried out to bring them in line with current standards, however, the principle of developing the site remains acceptable. The Environment Agency concur with this view and recommend that a condition is imposed to ensure further investigations prior to commencement of development.

Flood Risk

The Environment Agency is satisfied that the scheme is acceptable in principle with regards to flood risk. Conditions are required to secure acceptable details in relation to surface water regulation and that finished floor/surface levels are appropriate.

Housing Policy

The application site is located within the Urban Boundary of Haslingden, wherein the Council's Interim Housing Policy Statement (May 2010) indicates new residential development will be encouraged where the proposed development:

- It uses existing buildings/ previously developed land or is for replacement dwellings; and
- It makes an essential contribution to affordable housing (as summarised overleaf); and
- It is built at a density between 30 and 50 dwellings /hectare (where appropriate the higher density of 50 dwellings /ha will be expected); or
- Proposals are for solely affordable and/ or supported housing as defined in the Glossary.

The scheme proposed would be sited on previously developed land and would result in the provision of dwellings at an appropriate density. The proportion of the dwelling units being proposed as Affordable Housing meets that required to accord with the Council's Interim Housing Policy. The Council's Regeneration Delivery Manager considers the Affordable Units of the type proposed acceptable.

The IHPS also refers to the need for the applicant to demonstrate the loss of employment building/land to housing is appropriate - marketing would need to be carried out for a period of no less than 6 months.

The site has been marketed for a range of uses since before planning permission 2006/017. Details of the type, form and extent of marketing has been included within the application. The viability report which accompanies this planning application concludes that there is no potential for re-use of the site for employment purposes; that the site is unsuitably located and constrained and that residential use of the site would not prejudice the supply of employment land in the area.

In addition to the above I am mindful that the Nathaniel Lichfield Employment Land Study (2009), conducted for the Council, describes the site as having "*limited market attractiveness to be developed for employment uses*" and states that it "has potential for redevelopment but performed poorly in the site assessment and has limited market attractiveness for employment uses. It does have resolution to grant planning permission for a mixed use development incorporating employment and residential uses, subject to a Section 106 Agreement. Unless this planning permission is implemented, it is recommended that the Council consider releasing this part of the site."

Taking all of the above into account I am satisfied that sufficient information has been provided to demonstrate that residential use is the most viable and beneficial option for this site. The application is therefore considered acceptable with regards to Housing Policy.

Visual Amenity

The development of this derelict site, including enhancements to the site boundaries and the River Corridor, would undoubtedly improve the character and appearance of the site. The general layout of the buildings and streets is considered acceptable. Orientating those dwellings that will be most visible from Holcombe Road so that they face the river is beneficial and helps to continue the pattern of development set by the existing terrace to the south west. The use of artificial stone for these properties is considered to be appropriate. The access road into the development would offer the most direct views into the site from Holcombe Road and would provide views of a mix of artificial stone dwellings with planting and front garden space lined by dwarf stone walls with railings which is considered acceptable. Within the site

the buildings would not be prominent from outside of the development; their size, form, layout and materials are not considered inappropriate and help to provide variety to the scheme.

The north east corner of the site is currently quite open in terms of planting and fencing, it is considered that increased planting to this area would soften the impact of the buildings when travelling along the public footpath. The 3 storey red brick dwellings to the north appear to take reference from the Mill on the opposite side of the road. Again it is considered that this provides variety within the scheme which is acceptable.

Pedestrian routes increase permeability within the development and link it to the public footpath to the north. Their condition is such it is proposed to fell two of the protected trees along the River Bank including the large horse chestnut close to the bridge. In the circumstances it is considered appropriate to allow their felling subject to acceptable replacements. It is considered that this would not unduly harm the character and appearance of the area.

It is considered that the scheme is acceptable in terms of visual amenity subject to conditions to ensure an appropriate scheme of landscaping within the site and that the River Corridor is appropriately enhanced/maintained.

Neighbour Amenity

Separation distances are acceptable so as to prevent a loss of light, privacy or outlook to the terrace row to the west. There would not be a loss of light, privacy or outlook to properties located to the south and east due to the difference in levels and existing boundary treatments. There are no other properties in the area that would be affected due to the location of the site. The scheme is considered acceptable in terms of neighbour amenity.

Highway Safety

Comments have been received from residents regarding the impact of the development on highway safety, and said sight lines are poor at the junction with Holmefield House. Both the developer and the Highway Authority have looked into these matters.

The Highway Authority has no objection in principle. The Highway Authority has also commented that there is little evidence to suggest any accidents have occurred at this junction when the site was previously in use. Permission was also granted for a mixed use scheme on the site consisting of 1,100sqm of industrial space, 2,432sqm of office space, 53 apartments and 18 dwellings. The current scheme therefore would not be likely to generate more traffic movements than either a wholly commercial use on the site or that granted under planning permission 2006/017.

Following receipt of amended plans the proposed number of car parking spaces is considered acceptable and the roads provide for adequate turning of refuse vehicles. Subject to the conditions requested by the Highway Authority the scheme is considered acceptable in terms of highway safety.

Developer Contributions

To accord with the Council's own SPD and the LCC Planning Obligations Policy (which has been endorsed by this Council) the applicant should make a financial contribution of £101,084 towards Open Space/Play Space and £137,500 towards Public Transport. Lancashire County Council has also requested £37,500 in respect of Waste Management.

At pre application stage and when first consulted on the application Lancashire County Council advised that there was no requirement to make a contribution to education. Since that time however, pupil census data has been updated. Taking into account the new census data the amount of monies sought to address the local primary school capacity issue has resulted in a request of £48,855 in respect of a proposal for 11 dwelling units at Flaxmoss House, Helmshore (Reference 2011/0153 also on this Agenda). In respect of the Holmefield House site it has concluded that the development of 74 units is likely to generate a need for 26 primary school places. Having regard to this and expected/projected school roles over the next five years it forecasts a shortfall in capacity of 9 spaces. This being the case I consider it appropriate to seek a contribution of approximately £110,000. As the application has not yet been determined it is considered that this sum should be requested.

The applicant's initially proposed to pay the full amount of contributions in respect of Public Open Space and Public Transport, as well as the full requirement of affordable units (totalling 8 units).

The additional £110,000 education contribution was not factored in to the applicant's calculations as it was previously not requested by Lancashire County Council. I am mindful that such an additional figure of such an amount may affect the viability of the scheme. Nevertheless I do not feel able to disregard the request for education monies. It has therefore been proposed to the applicant that the £35,000 for Waste Management not be sought and that the £75,000 not be sought for improvement to the Cycle Network, with flexibility for the Public Open Space contribution to enable some of the monies to be spent on improvements to pedestrian cycle ways should the applicants provide the £110,000 for education.

Negotiations are currently ongoing with the applicants.

8. CONCLUSION

Taking into consideration the findings of the Nathaniel Lichfield Employment Land Study for the site and the lack of demand for employment uses as demonstrated by a significant period of marketing it is considered that the loss of this existing employment site for a scheme consisting solely of housing is acceptable in this instance.

Subject to the applicant's entering into a Section 106 to provide and the conditions advised by the Highway Authority and the Environment Agency it is considered that the scheme would not be detrimental to the area.

9. SUMMARY REASON FOR APPROVAL

The site is located within the Urban Boundary of Haslingden and the proposal will secure the re-use of a large, vacant employment site to residential use where there is no identifiable demand for re-use for employment purposes. The development would provide an acceptable level of Affordable Housing units and would enhance the River Corridor. Subject to the conditions, and the accompanying S.106 Obligation, it is considered that the proposed development will not result in unacceptable detriment to visual & neighbour amenity, ecology or highway safety. It is therefore considered that the proposal accords with the provisions of PPS1/ PPS3 / PPS4 / PPS9 / PPG13 / PPS25 , Policies DP1-DP9 / EM1 / EM2 / RDF1 / L2 / L3 / L4 / L5 / RT1 / RT2 / RT3 / W1 / W2 / W3 and RDF1 of the Regional Spatial Strategy, Policies DS1 / DC1 of the Rossendale District Local Plan, and the Council's Interim Housing Policy Statement (May 2010).

10. RECOMMENDATION

That permission be granted subject to:

- completion of the S.106 Obligation to secure delivery of the Affordable Housing and the following contributions:
£110,000 towards Education
£62,500 towards Transport Improvements; and
£101,084 towards Public Open Space;

a) the Conditions which will appear on the Up-Date Report