

TITLE: 2005/733 (OUTLINE) ERECTION OF FOUR BUNGALOWS (SITE AREA 0.135HA) ON GARAGE LAND FRONTING INDUSTRY STREET AND MILLFOLD, WHITWORTH

TO/ON: DEVELOPMENT CONTROL COMMITTEE 7TH FEBRUARY 2006

BY: TEAM MANAGER DEVELOPMENT CONTROL

DETERMINATION EXPIRY DATE: 23RD FEBRUARY 2006

APPLICANT: WHITWORTH TOWN COUNCIL

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 approval for the erection of four bungalows on the site. The applicant has requested that the proposed siting of this development is formally considered as part of this application.

The site incorporates a garage site and falls within the urban boundary as defined by the Rossendale District Local Plan.

This proposal was requested to be heard by this Committee by a ward Councillor.

Relevant Planning History

2005/528 Outline application for the erection for 4no. bungalows (Site area 0.135 ha) on garage land fronting Industry Street and Millfold, Whitworth. REFUSED

Notification Responses

A press notice and site notices were posted and one letter has been received, which has raised the following points:

- Parking is a big problem within this area and in some cases, Industry Street is blocked
- There are parking issues on the main road (Market Street) too.
- The land is to be used solely for the purpose of garages.
- The allocation of dwellings had been exceeded in Whitworth

Consultation Responses

County Highways

No objections.

RBC Forward Planning

An objection as the proposed development does not meet the criteria set out in the Housing Policy Position Statement or Policies 5 and 12 of the Joint Lancashire Structure Plan as there are already sufficient planning permissions to achieve the target of 1920 homes by 2016.

RBC Environmental Health

No objections.

RBC Estates

No objections.

Development Plan Policies

Rossendale District Local Plan

Policy DS1 (Urban Boundary) 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 H2 (Protection of Garage Sites) of the Rossendale District Local Plan states that *garage sites essential to the long term survival of areas of traditional terraced housing will be protected from redevelopment to ameliorate the problems of on street parking congestion and traffic hazards in over crowded narrow streets.*

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 5 (Development outside of principal urban areas, main towns and key service centres (market towns)) of the Joint Lancashire Structure Plan states that: Development outside of the principal urban areas, main towns and key service centres (market towns) will be of a scale and nature appropriate to its location and will mostly take place in villages and other settlements identified in local plans/local development frameworks.

Development will support rural and urban regeneration by meeting an identified local need for housing or community services or by providing for local employment opportunities that maintain, or strengthen and diversify the local economy, including farm diversification and sustainable tourism development

Policy 7 (Parking) of the Joint Lancashire Structure Plan states that parking provision for new development will be expected to meet the standards set out in the relevant technical appendix of the plan.

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 is in accordance with Policy DS1 of the Rossendale District Local Plan.

The proposed dwellings have been sited so as to have little adverse impact upon the amenity of the properties opposite. The proposed dwellings will be approximately 21 metres away from the neighbouring dwellings, which is considered an acceptable distance. The proposed bungalows will not impact upon the loss of light to the neighbouring properties. Therefore, the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

The proposed dwellings have been sited as far away from the neighbouring employment site, and therefore the potential noise and disturbance will be no more severe than that experienced by the occupiers of properties on Industry Street. Therefore, the proposed development is in accordance with Policy J3 of the Rossendale District Local Plan.

The site for the proposed development is currently used as a garage site. Although, the proposed development would result in the loss of a garage site, it is proposed to site 12 off-road parking spaces for use by neighbouring residents negate the impact.

Each dwelling will be able to accommodate at least one car within its curtilage and therefore, the highways authority have no objections to the proposed development. Therefore the proposed development is in accordance with the Council's adopted car parking standards, Policy DC1 of the Rossendale District Local Plan and Policy 7 of the Joint Lancashire Structure Plan.

The proposed development is sited within Whitworth, which is outside of the main development locations, as designated in the Structure Plan. Based on the information submitted, it is considered that no evidence has been provided to suggest that the proposed development is required to meet an identified local need for housing and it will not provide employment opportunities. Therefore, the proposed development is contrary to Policies 1 and 5 of the Joint Lancashire Structure Plan.

As per the policy, contained within the Housing Policy Position Statement (as approved at Executive Committee on 17th August 2005), the proposed development is not located within the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area or the Rawtenstall Town Centre Masterplan (Area Action Plan). As stated above, there is no evidence to support the identified local need has been submitted and 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 should be refused, for the following reasons:

Reasons

01. The proposed development would result in the provision of dwellings outside of the main development locations, which will not support rural regeneration or has no identified local need and therefore does not comply with Policies 1 and 5 of the Joint Lancashire Structure Plan.

02. The proposed dwelling is not located in the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area or the Rawtenstall Town Centre Masterplan area and therefore, it is considered that the proposal does not comply with the Housing Policy Position Statement.

03. 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.

Local Plan Policies

DS1
DC1
H2

Structure Plan Policies

Policy 1
Policy 5
Policy 7
Policy 12

GARAGE LAND FRONTING INDUSTRY STREET & MILLFOLD, WHITWORTH



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