

<b>Application Number:</b>	2011/535	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of Pair of Semi Detached Houses	<b>Location:</b>	Land adj to 1 Grafton Villas, Bacup
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	13 December 2011
<b>Applicant:</b>	Mr Howard Wilcox	<b>Determination Expiry Date:</b>	30 December 2011
<b>Agent:</b>	Mr Norman Thompson		

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**REASON FOR REPORTING**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

Reason for Call-In:

**3 or more objections received**

**YES**

**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.

<b>RECOMMENDATION</b>
That permission be granted subject to the Conditions set out in Section 9 of the report.

## 1. SITE

The application relates to the side-garden of 1 Grafton Villas, which is a semi-detached house finished in natural coursed stone and with a hipped slate roof. Its back garden rises up to Rockcliffe Road, to the other side of which the houses are at a higher level but set well back.

The application site measures approximately 12.5m in width and 25m in length, rising up from Grafton Villas towards Rockcliffe Road over 3 levels. Most of the site is grassed and overgrown, although a garage attached to the house gable protrudes in to it. To the north side the site is bounded by a hedge of large conifers (approximately 4.5m high), beyond which runs a public footpath and a terrace of brick-built houses that face towards the application site.

To the front of the applicants house and other properties on the north side of Grafton Villas is a 4.5m wide grass verge with a few well-spaced trees within it and a series of parking spaces for use of the residents; the verge to the front of the application site has a tree within it and the applicants garage is fronted by such a parking space. To the opposite side of Grafton Villas is a communal parking area that serves a terrace of houses that faces Verax Street.

## 2. RELEVANT PLANNING HISTORY

2011/272     Erection of One Pair of Semi-Detached Houses  
                  Withdrawn

## 3. THE PROPOSAL

Permission is sought for the erection of a pair of semi-detached dwellings in the side-garden of 1 Grafton Villas, necessitating demolition of the existing garage.

Each of the dwellings would possess 2 bedrooms and be of two storeys, with a porch projecting to the front. They would have external walls of natural coursed stone, with an obscure-glazed first floor landing windows in each gable, beneath a hipped-roof of natural grey slate.

The proposed dwellings would have an eaves height of 5m and a ridge height of 7.5m, slightly less than 1 and 3 Grafton Villas. The proposed building would stand 1.2m from the house at 1 Grafton Villas, its front elevation setback substantially further from the highway. It will have a gable which would be 3m-3.5m from the northern boundary and 9.3m away from the terrace of houses facing the site, the intervening 4.5m high conifer hedge to be retained.

The scheme proposes 2 parking spaces for the existing dwelling and each of the proposed dwellings; for the existing dwelling it is proposed that an additional part of the

verge be tarmaced to provide 2 spaces. The existing tree in the verge to the front of the application site is to be retained.

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

##### **National Planning Guidance**

PPS1 Sustainable Development  
PPS3 Housing  
PPG13 Transport

##### **Development Plan**

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

DP1-9 Spatial Principles  
RDF1 Spatial Priorities  
RDF2 Rural Areas  
L 4 Regional Housing Provision  
RT2 Managing Travel Demand  
RT4 Management of the Highway Network  
EM1 Environmental Assets

###### **RBC Core Strategy DPD (2011)**

Policy 1 General Development Locations and Principles  
Policy 2 Meeting Rossendale's Housing Requirement  
Policy 3 Distribution of Additional Housing  
Policy 8 Transport  
Policy 9 Accessibility  
Policy 19 Climate Change and Low and Zero Carbon Sources of Energy  
Policy 23 Promoting High Quality Designed Spaces  
Policy 24 Planning Applications Requirements

##### **Other Considerations**

Draft National Planning Policy Framework (2011)  
LCC Historic Town Assessment Report for Bacup (2005)  
RBC Alterations and Extensions to Residential Properties SPD

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

##### **LCC Highways**

No objection to the scheme subject to the following conditions:

- It will be necessary to widen the parking bays within the grass verge to 3m each (making for an overall width of 9m), with the vehicular crossing extended to match the width of the parking bays.
- The proposed hardstandings in the grass verge must be constructed using a porous bound material to ensure no material washes on to the footway / carriageway.

It states that as the grass verge is adopted highway the two additional vehicle hard standings and crossing will need to be constructed by Lancashire County Council.

- Where nearest to the highway the conifer hedge to the north of the site will need to be reduced to a height of 900mm (maximum) to allow a driver to see a pedestrian as they emerge from the driveway and vice versa, and significantly trimmed back on that side facing into the site.

#### LCC Archaeology

It advises that the Bacup Historic Town Assessment Report (LCC 2005) identifies the site as being of archaeological potential worthy of further investigation. Accordingly, whilst it raises no objection to the application, it requests the following condition:

- No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.  
Reason: To ensure and safeguard the recording and inspection of matter of archaeological / historical importance associated with the site.

#### RBC Property Services

No objection to the scheme, but notes that when the land was sold by RBC in 1983 the purchaser covenanted that the land was not to be used for any purpose other than as a garden for the use and benefit of the adjoining dwelling house (No. 1 Grafton Villas). The applicant should liaise directly with RBC Property Services to discuss the possibility of releasing the land from the covenant.

## **6. REPRESENTATIONS**

To accord with the General Development Procedure Order 2 site notices were posted on 9/11/11 and 26 neighbours were notified by way of letter on 7/11/11.

Seven letters of objection have been received, on the following grounds:

- The development will result in a loss of daylight to the terraced houses to the immediate north of the site, and would result in a loss of privacy for neighbouring properties.
- In order to gain access to the proposed off-street parking spaces, it will be necessary to lose six parking spaces used by local residents around the turning head on Grafton Villas. This will have a knock-on effect on parking elsewhere on the street.
- The development will result in the footways in front of the houses on Grafton Villas becoming unsafe due to cars parked on them and increased vehicular traffic.
- The development will cause traffic congestion problems on Grafton Villas and the surrounding streets, and make the area more dangerous for pedestrians.

- The proposal will exacerbate existing parking problems, there being inadequate car parking spaces on Grafton Villas (with particular problems in the evenings and weekends), and also make it difficult for emergency vehicles.
- Construction vehicles will cause access problems for local residents and there are already large pot-holes in the roads around the area.

Two letters of support have been received, on the following grounds:

- The development will tidy up a currently unattractive site, and will help to maintain it and make the area a safer place. The site is currently an eyesore and a well-built development will improve it visually.
- Groups of young adults and youths currently hang around the site and leave rubbish behind. The development would help to stop this.
- The walkway between Grafton Villas and Rockcliffe Road is currently very dark and feels unsafe. The development would help to make the walkway safer and more usable.

## 7. ASSESSMENT

The main considerations of the application are: 1) Principle; 2) Housing Policy; 3) Visual Amenity; 4) Neighbour Amenity, & 5) Access/Parking.

### Principle

The site is located within the Urban Boundary, where the Council seeks to locate most new development. The proposal is therefore acceptable in principle.

### Housing Policy

The application site is located within the Urban Boundary of Bacup. Policy 3 of the Core Strategy asserts that the largest number of additional houses will be built in the Rawtenstall area but significant numbers of additional houses will be built in Bacup, Haslingden and Whitworth equating to approximately half of the overall housing requirement.

The proposed site is not considered to be previously developed as it reads primarily as a (unused) garden plot for No 1 Grafton Villas; however Policy 2 of the Core Strategy does not preclude the release of small greenfield sites within the Urban Boundary for housing development.

Under Policy 4 of the Core Strategy there would be no requirement for the dwellings to be affordable as only two dwellings are proposed. The proposed design, density and layout of the scheme are considered acceptable.

It is considered that the proposal will accord with housing policy, providing it is considered acceptable in relation to the proceeding sections of this report.

### Visual Amenity

Although the front elevation of the proposed building would be prominent from the public vantage point, particularly when approaching Grafton Villas up Bold Street, it is slightly less substantial in size than the 1 / 3 Grafton Villas. Furthermore, the proposed design of the dwellings and the proposed facing materials, of natural coursed stone and slate, are considered to be in keeping with 1 / 3 Grafton Villas and neighbouring properties.

The retention of the existing tree in front of the proposed dwellings, and the dense conifer hedge to the north side will help to preserve the 'green' character of the surrounding area. The loss of a small area of grass in front of the proposed dwellings to be used as a car parking space would not cause significant harm to the street scene.

As such the proposed development is considered to be acceptable in terms of visual amenity.

### Neighbour Amenity

Window to window separation distances with neighbouring properties are satisfactory to the east and west of the proposed dwellings, and the privacy of neighbours to the north and south will not be impinged on due to the use of obscure glazing for the one window proposed in each gable. .and there only being one landing window present on the side elevations of the proposed properties. The large conifer hedge along the northern edge of the site is to be retained and will continue to provide adequate screening for the residents of the terraced dwellings on Bold Street, and for users of the adjacent public footpath.

Although the northern gable wall of the proposed dwellings would be located 9.3m from the front windows of 27 and 29 Bold Street rather than the 13m that would normally be sought, it is considered that the retention of the intervening 4.5m high conifer hedge will adequately screen the new dwellings and mean that there is no undue additional loss of light or outlook.

In relation to the house at 1 Grafton Villas, the proposed dwellings are set back to a degree which could potentially cause a loss of outlook from the kitchen and first floor landing window of that property. However, it is not considered that this warrants a refusal of planning permission, as the owner of 1 Grafton Villas is the applicant .

The scheme is considered acceptable in terms of neighbour amenity.

### Access/Parking

I do not consider the proposal will add significantly to the traffic on the local highway network and the Highway Authority is satisfied with the parking arrangements proposed for the existing and proposed houses at 1 Grafton Villas, subject to conditions.

Conditions are proposed to ensure delivery of the level parking shown on the submitted drawings in a manner that minimises the loss/likelihood of harm to planting in the verge and bounding the site. Most particularly, although the submitted drawings shows one

parking space would be formed between the conifer hedge on the northern boundary and the north gable of the proposed building, it is preferable that this parking space be provided instead to the front of the house.

## 8. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle within the Urban Boundary and, subject to the conditions, will not unduly detract from visual and neighbour amenity or highway safety. The development has been considered most particularly in light of PPS1/PPS3/PPG13, Policies RDF1/L4/RT2/RT4/EM1 of the Regional Spatial Strategy, Policies 1, 3 & 24 of the Council's Core Strategy.

## 9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development shall be carried out in accordance with the amended drawing numbered 3026/3b (date stamped 11/11/2011) and design and access statement dated stamped 04/11/2011, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.  
Reason: To ensure the development complies with the approved plans and to protect visual and neighbour amenity, in accordance with Policy 24 of the adopted Core Strategy DPD (2011).
3. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.  
Reason: In the interests of visual and neighbour amenity, in accordance with Policies 1, 23 & 24 of the adopted Core Strategy DPD (2011).
- 4.. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application forms and approved drawings and shall not be varied unless otherwise first agreed in writing by the local planning authority.  
Reason: To ensure that the development will be of satisfactory appearance, in accordance with Policy 24 of the adopted Core Strategy DPD (2011)
5. Notwithstanding what is shown on the approved drawings, the parking space shown adjacent to the gable of the northerly dwellings shall be relocated to the front of the dwelling it is to serve, with dimensions of not less than 6m x 3m. Prior

to first occupation of either of the dwellings hereby permitted the proposed parking spaces shall be constructed with a hard permeable surface that avoids surface-water run-off to the highway. The parking facilities provided shall thereafter be kept freely available for use as such.

Reason: In the interests of highway safety, in accordance with Policies 8 & 24 of the adopted Core Strategy DPD (2011), and to prevent damage to the roots of the existing dense hedge which is to be retained along the northern boundary of the site.

6. Prior to first occupation of the dwellings hereby permitted, the hedge along the northern boundary of the site shall be reduced to a height not exceeding 900mm for a distance of 1.5m from the footway of Grafton Villas and kept as such.  
Reason: In the interests of highway safety, in accordance with Policies 8 & 24 of the adopted Core Strategy DPD (2011).
7. Prior to commencement of development a scheme of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority, to include details of planting to be retained and the measures to be taken for its protection during construction of the development. Any walls/fences/gates forming part of the approved scheme shall be provided prior to first occupation of the dwellings and any proposed planting shall be undertaken in the first planting season thereafter.  
Reason: In the interests of visual and neighbour amenity, in accordance with Policies 1, 23 & 24 of the adopted Core Strategy DPD (2011).
8. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.  
Reason: To ensure and safeguard the recording and inspection of matter of archaeological / historical importance associated with the site, in accordance with PPS5, Policy EM1 of the Regional Spatial Strategy and Policy 16 of the Council's Core Strategy DPD.
9. 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 24 of the adopted Core Strategy (DPD 2011)