

Application Number:	2012/397	Application Type:	Full
Proposal:	Erection of 26 apartments, with basement car parking	Location:	Holly Mount House, St Mary's Way, Rawtenstall
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	16 October 2012
Applicant:	Mr J Walsh	Determination Expiry Date:	21 November 2012
Agent:	PPY Design Ltd		

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REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	MAJOR

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.

1. RECOMMENDATION

That Permission be granted subject to the Conditions set out in **Section 11**.

2. SITE

This application relates to land to the rear of Holly Mount House, beyond which the land rises up towards housing that fronts Schofield Close and Haslingden Old Road.

Holly Mount House is a Grade II listed building, which lies within the boundary of Rawtenstall Town Centre Conservation Area. Dating from the Georgian period, it was constructed as three houses by the Whitehead Brothers (owners of the adjacent mill, where ASDA now stands). The

building occupies an elevated position, its front elevation facing towards St Mary's Way. Attached to the rear elevation was to be seen until recently a flat-roofed one-storey extension.

Vehicular access to the site is by means of the road that serves the ASDA store, which stands immediately to the east.

3. RELEVANT PLANNING HISTORY

In October 2006 DC Committee considered and approved Applications 2006/320 & 322LBC, from Hurstwoods, proposing :

- conversion of Holly Mount House to 15 apartments, entailing removal of the flat-roofed one-storey rear extension; &
- erection immediately to the north of Holly Mount House of 18 town houses & associated car parking and to the north of them 20 apartments in two 3-storey blocks with basement parking.

The town houses have, in the main, been completed and many are now occupied. Conversion of Holly Mount House did not proceed beyond demolition of later additions to the north elevation that stood in the way of completion of the access roads/parking for the town houses. Work upon erection of the 2 apartments blocks commenced but stopped after formation of their basement car parks.

Ownership of Holly Mount House and the site to be occupied by the in two 3-storey apartment blocks has recently changed hands (to different parties).

Following the grant of Planning Permission 2012/150 and Listed Building Consent 2012/151 work has resumed on conversion of Holly Mount House to 15 apartments in a slightly different form than previously permitted.

Work has also resumed on the construction of the two 3-storey apartment blocks with the erection of their steel frameworks.

Planning Permission 2006/320 was accompanied by a S.106 Obligation requiring that prior to the commencement of development £42, 000 be paid to the Council, £10k to be expended on CCTV within Rawtenstall Town Centre and £32k to be expended on regeneration schemes (including provision of affordable housing) within Rawtenstall Town Centre. These sums were received prior to commencement of development.

4. THE PROPOSAL

Rather than complete the 2 apartment blocks in accordance with the previously permitted scheme permission is sought to depart from it in a manner that will result in the creation of 26 apartments, not 15.

Whereas the previously permitted scheme proposed that there be a gap of 7.5m between the 2 apartment blocks it is now intended that they be linked by a building providing accommodation over 3 floors. It is also intended that the most easterly of the apartment blocks now have a gabled 3-storey projection forward of 4.3m. This is the main change to the scheme, although other internal and external modifications are proposed.

5. POLICY CONTEXT

National Planning Policy Framework (2012)

Section 4	Promoting Sustainable Transport
Section 6	Delivering a Wide Choice of High Quality Homes
Section 7	Requiring Good Design
Section 8	Promoting Healthy Communities
Section 10	Meeting the challenges of Climate Change, flooding & coastal change
Section 11	Conserving & enhancing the Natural Environment
Section 12	Conserving & enhancing the Historic Environment

Development Plan

Regional Spatial Strategy for the NW of England (2008)

Policy DP1	Spatial Principles
Policy RDF1	Spatial Priorities
Policy L1	Health, Sport, Recreation, Cultural & Education Services Provision
Policy L4	Regional Housing Provision
Policy L5	Affordable Housing
Policy RT2	Managing Travel Demand
Policy RT4	Managing the Highway Network
Policy EM1	Environmental Assets
Policy EM2	Remediating Contaminated Land
Policy EM5	Integrated Water Management
Policy EM16	Energy Conservation & Efficiency

Rossendale Core Strategy DPD (2011)

AVP4	Area Vision for Rawtenstall, Crawshawbooth, Goodshaw & Loveclough
Policy 1	General Development Locations and Principles
Policy 2	Meeting Rossendale's Housing Requirement
Policy 3	Distribution of Additional Housing
Policy 4	Affordable and Supported Housing
Policy 8	Transport
Policy 18	Biodiversity, Geodiversity & Landscape Conservation
Policy 19	Climate Change & Low Carbon & Zero Carbon Sources of Energy
Policy 22	Planning Contributions
Policy 23	Promoting High Quality Designed Spaces
Policy 24	Planning Application Requirements

Other Material Planning Considerations

LCC	Rawtenstall Historic Town Assessment Report (2006)
RBC	Rawtenstall Conservation Area Character Appraisal (2011)
RBC	Open Spaces & Play Equipment Contributions SPD (2008)

6. CONSULTATION RESPONSES

LCC (Highways)

Do not object to the above planning application on highway grounds. Having regard to the high accessibility of the site the 32 car parking spaces being proposed are considered adequate. Asks for a condition to ensure covered, secure cycle parking is provided for each apartment.

7. REPRESENTATIONS

To accord with the General Development Procedure Order a press notice was published on 7/9/12, 3 site notices were posted on 17/9/12 and neighbours were notified by letter on 5/9/12.

An objection has been received from resident of a property on St Mary's Court, expressing the following concerns :

- This development will overlook their house.
- The volume of traffic in the area is already considerable and building more houses will add to an already bad situation.
- Construction work on the site has occurred at unsocial hours.

8. ASSESSMENT

In dealing with this application the main issues which need to be considered are :

- 1) Principle
- 2) Housing Policy
- 3) Visual Amenity
- 4) Neighbour Amenity
- 5) Access/Parking

Principle

Policy 1 of the Core Strategy seeks to locate new development within the Urban Boundary and in sustainable locations close to quality public transport routes and other facilities.

The application site lies within the Urban Boundary of Rawtenstall, near to its Town Centre services/facilities and quality bus routes. The proposal entails no change in the use of the site from residential, merely a slight intensification in that use.

Accordingly, the proposal is considered appropriate in principle.

Housing Policy

Policy 4 of the Core Strategy indicates that on a brownfield site for which 15 or more dwellings are proposed it will be expected that 20% will be provided as affordable units, and a relaxation to this requirement will only be considered if it can be demonstrated that this would result in the development being financially unviable.

Planning Permission 2006/320 permitted the creation on the Holly Mount House site as a whole of 53 residential units - 15 by way of conversion of the Listed Building and the others by way of new-build. That permission was accompanied by a S.106 Obligation requiring the Developer pay prior to commencement of the development £10,000 towards the provision of CCTV in Rawtenstall Town Centre and £32,000 towards regeneration schemes (including the provision of affordable housing) within Rawtenstall Town Centre. These sums have been received by the Council.

In the rather more buoyant housing market then existing the Council was satisfied that the scheme for 53 units would not be viable if greater sums were sought having regard to the need to secure sympathetic conversion of Holly Mount House from offices and the ground conditions where new-builds were proposed. I am also mindful of the fact that in the context of the Holly Mount site as a whole this proposal does not appreciably increase the total number of dwelling units (from 53 to 59) and will help assist completion of a development that ground to a halt.

Accordingly, if this partially built-out development is to be completed in the foreseeable future I do not consider that it can be insisted that any of the proposed units are provided as 'affordable housing'.

Visual Amenity

The proposal will add to the footprint and bulk of building to be provided on this part of the Holly Mount site when compared with the scheme permitted under Application 2006/320 - principally by way of in-filling the gap between the two apartment blocks then permitted.

I am satisfied that the resulting building will not appear unduly prominent or intrusive, reflecting to the necessary extent the scale/design/facing materials of the town houses already built, and setback from the ASDA car park further than these houses.

Accordingly, the development will not impact upon Holly Mount House (a Listed Building) or the Rawtenstall Town Centre Conservation Area in a materially different way or to a greater extent than the previously-permitted scheme, subject to conditions to ensure that matching facing materials are used and the bank to the rear of the site is appropriately landscaped.

Neighbour Amenity

I am satisfied that the proposed development will not detract to an unacceptable extent from the amenities of any neighbours, including occupiers of longstanding housing neighbouring the site or the houses recently erected.

The objector resides in a property at St Mary's Court, 30+m to the south. The proposal will not result in building that is any nearer to them than the previously-permitted scheme or of materially different in its bulk/appearance as viewed by them.

Access/Parking

The highway authority has not objected to the proposed development. In accordance with its wishes a condition is proposed to ensure the parking proposed within the basement are provided/maintained and covered, secure cycle parking is provided for each apartment.

10. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle for a site with permission for residential development and near to Rawtenstall Town Centre. Subject to the conditions, the scheme will not detract to an unacceptable extent from Holly Mount House (a Listed Building) and the Rawtenstall Town Centre Conservation Area, neighbour amenity or highway safety. The development has been considered most particularly in light of Policies RDF1/L4/L5/RT2/RT4/EM1 of the Regional Spatial Strategy and Policies AVP4/1/2/3/4/8/9/16/23/24 of the Rossendale Core Strategy DPD (2011).

11. RECOMMENDATION

That 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: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The building and any associated retaining walls shall be constructed with the facing materials used to construct the elevations and roofs of the recently-constructed town houses immediately to the south of the site, 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 Rossendale Core Strategy DPD (2011).

3. Within 3 months of the date of this decision a scheme of landscaping/boundary treatment has been submitted for approval in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The submitted scheme shall provide details of : a) walls/fences/gates/hard-paved areas; b) the types and numbers of trees and shrubs to be planted on the site and bank to its north side, and their size and distribution; & c) any changes of ground level or landform.

Reason : In the interests of visual and neighbour amenity, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).

4. All hard-surfaced areas/walls/fences/gates forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the building hereby permitted, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing forming part of the approved scheme of landscaping/ boundary treatment shall be carried out in the first planting and seeding seasons thereafter, unless otherwise agreed in writing with the Local Planning Authority. Any trees or plants in the approved scheme which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason : In the interests of visual and neighbour amenity, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).

5. Prior to first occupation of the dwellings hereby permitted their car parking/manoeuvring areas shall be hard-surfaced, drained and delineated, and covered/secure cycle parking provision shall be provided for each apartment.

Reason: In the interests of highway safety and sustainable travel, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).

6. Any demolition/remediation/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, and no construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbours, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).