

Application Number:	2013/0081	Application Type:	Full
Proposal:	Demolition of 1-storey former rest home and the erection of 6 terraced houses with associated parking	Location:	Cherry Tree, Dean Road, Haslingden
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	18 June 2013
Applicant:	Mr P Nuttall	Determination Expiry Date:	10 June 2013
Agent:	Flanagan Design Associates Ltd		

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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	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.

1. RECOMMENDATION

That Committee grant Permission subject to the Conditions set out in Section 10.

2. SITE

The application relates to a building sited in a residential area off Dean Road, within the Urban Boundary of Haslingden.

The building is single storey and of brick and render construction, under a tile roof. Its lawful use is as a Children's Residential Home for the care of up to 8 children, but is presently vacant. It has off-street car parking for approximately 6 cars, accessed via an unadopted side road leading to two other residential properties.

The front of the property faces Dean Road (until relatively recently hidden from public view and the houses opposite by a high conifer hedge) and there is a band of mature hedging to the west side, separating the building from Helmcroft Court, a residential home of substantial size set back from the road, behind a parking area. There are a mix of house types in the vicinity, including traditional stone/slate terraces to the south west and east, semi-detached housing of artificial stone/tile to the south, and detached properties including a bungalow to the north.

3. RELEVANT PLANNING HISTORY

2012/0312 Change of use from Children's Residential Home (C2) to one Dwelling (C3)
Approved

2009/0306 Change of use to residential institution (Use Class C2) for specialist alcohol therapeutic facility
Allowed on appeal

2009/0467 Change of use to residential institution (Use Class C2) for 10 people as a specialist alcohol therapeutic facility (resubmission of 2009/0306).
Approved for a period of 1 year.

4. PROPOSAL

Permission is sought for the demolition of the existing building and the construction of a terrace of six 3-bedroomed houses, with parking to the front and rear.

The proposed building would be of 2.5 storeys in height, accommodation on the upper floor of each house largely within the roof space and illuminated by a dormer in the front and rear roof-plane. It is proposed that the houses be constructed in natural stone to the front with brick to the side and rear, under a tiled roof.

The building would have a length of 30m and depth of 8.7m, with an eaves height of 6.8m and a ridge height of 9.2m (0.7m higher than the terrace to the east). It would be set back from Dean Road by 5.5 metres, each property having one off-street parking space to the front and one to the rear, beyond their gardens and accessed from the side road to the east. To serve the 6 houses a total of 14 spaces are proposed.

5. POLICY CONTEXT

National

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 11 Conserving and Enhancing the Natural Environment

Development Plan Policies

Rossendale Core Strategy DPD (2011)

AVP 6	Haslingden and Rising Bridge
Policy 1	General Development Locations and Principles
Policy 2	Meeting Rossendale's Housing Requirement
Policy 3	Distribution of Additional Housing
Policy 4	Affordable & Supported Housing
Policy 18	Biodiversity and Landscape Conservation
Policy 22	Planning Contributions
Policy 23	Promoting High Quality Designed Spaces
Policy 24	Planning Application Requirements

Other Material Planning Considerations

RBC Alterations and Extensions to Residential Properties SPD (June 2008)

6. CONSULTATION RESPONSES

RBC (Environmental Health)

No objection.

Recommend the following Conditions :

- 1) Hours of work during construction be limited to:
 - o Monday to Friday 0800 -1800
 - o Saturday 0800 - 1300
 - o At no times on Sundays or Public Holidays
- 2) A dust management plan is in place and that no burning takes place on site during the development phase and that wheel washing facilities are provided.

LCC (Highways)

No objection. However, recommend that :

- 1) The front drives and manoeuvring space to the rear be extended from 5.5m to 6m in length.
- 2) The side street should be made up to adoptable standards.
- 3) A junction warning sign should be provided on Helmshore Road to the south of the junction of Dean lane prior to works commencing as visibility onto Helmshore Road is below standard.
- 4) The works to create vehicular crossings over the footway along Dean Road are approved by LCC.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order 2 site notices were posted on 18/04/13 and 73 letters were sent to neighbours on 16/04/13.

Three objections have been received raising the following points:

- The off street parking to the front of the houses would preclude parking along this stretch of road by them.
- Parking is already congested at evenings and weekends.
- Possibly all the parking could be located to the rear instead
- Loss of privacy from dormer windows - currently no properties along Dean Road have dormers

8. **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 within the Urban Boundary of Haslingden, and makes use of a previously developed site in residential use and in a residential area. Accordingly, the proposal is considered appropriate in principle

Housing Policy

The scheme would conform with the Council's Core Strategy regarding the distribution of new dwellings in Rossendale. Due to the limited number of dwellings proposed there is no requirement for affordable housing.

Visual Amenity

The height of the proposed building would be consistent with existing dwellings in the area. I am satisfied that the design and appearance of the dwellings is acceptable, there being a mix of house types and facing materials in the area.

Whilst none of the existing dwellings in the vicinity of the site have front dormers facing Dean Road, the dormers proposed are modest in scale and would be unduly prominent or intrusive in the street-scene.

Private amenity space is adequate and there is space to the rear of the properties for bin storage.

Subject to approval of samples of the stone, brick and tile to be used, and appropriate landscaping and boundary treatments, the scheme is considered acceptable in terms of visual amenity.

Neighbour Amenity

Separation distances between the proposed houses and properties to the rear and side are consistent with the Council's guidance. Likewise, the terrace would be separated from the semi-detached properties directly opposite by 20m. I do not consider that the separation distance needs to be greater than this as the dormers do not result in materially greater loss of privacy than would a traditional 2-storey house and the proposed building has a gutter and ridge height not dissimilar to 2 storey properties in the vicinity.

The western-most end of the proposed terrace would partly to the front of 13 Dean Road, itself an end terrace property. As it stands forward of the semi-detached houses to its side the separation distance would be approximately 18.5m. However, that this is the same separation distance as exists between the terrace of houses to the east of the application site and the detached houses opposite them.

The scheme is considered acceptable in terms of neighbour amenity.

Access / Parking

The Highway Authority is satisfied that the local road network can accommodate the traffic generated by the proposed development and the number of parking spaces proposed is sufficient. However, it has requested that the front drives and manoeuvring space to the rear be extended from 5.5m to 6m in length. The latter can be easily achieved and a Condition is proposed to secure this amendment to the scheme. To lengthen the front drives from 5.5m to 6m cannot be achieved without modification of the proposed building because of the way in which the site narrows to the rear.

I can appreciate LCC Highway wishing a drive length of 6m where fronting a garage to enable the door to be opened/closed without a car overhanging the footway. However, in this instance the drives do not lead up to a garage. Accordingly, I consider 5.5m driveway lengths adequately in this instance.

As the proposed development will not generate materially more traffic than could result from resumption of use of the existing rest home I do not consider LCC Highways request that the Applicant be required to fund a warning sign to the Helmshore Road junction or for the side road to be constructed to an adoptable standard proportionate. However, I do consider it appropriate to require that upon completion of construction of the proposed building the side road be made-good prior to first occupation of any of the dwellings, in order that the cost of re-instatement required as a result of construction vehicles does not fall on other users of it.

9. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle in the Urban Boundary of Haslingden and, subject to conditions, would not detract to an unacceptable extent from visual and neighbour amenity, highway safety or in respect of any other material planning consideration.

10. RECOMMENDATION

That Permission be granted subject to the Conditions set out below.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. Notwithstanding what is shown on the approved drawings, the manoeuvring area associated with the rear parking spaces shall be increased to 6m in width. The development shall otherwise be carried out in accordance with the plans numbered 13/2048/01 rev 0, 13/2048/02 rev 0, unless a variation is first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and neighbour amenity and highway safety and to accord with Policies 1 and 24 of the Council's Core Strategy DPD.

3. No development shall take place until samples of the facing materials to be used in the construction of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason : In the interests of visual amenity in accordance with Policies 1 and 24 of the Council's adopted Core Strategy DPD.

4. Prior to commencement of development a scheme of landscaping and boundary treatment shall be submitted to the Local Planning Authority. Any planting forming part of the approved scheme shall be carried out in the following planting season and any trees or shrubs removed, dying or becoming seriously damaged or diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species, 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 Policies 1 and 23 of the Council's Core Strategy DPD (November 2011).

5. Prior to first occupation of any of the dwellings hereby permitted the proposed parking and manoeuvring areas shall be constructed, drained, and provided with a hard permeable surfaced . Thereafter these parking and manoeuvring areas shall be kept freely available for the parking and manoeuvring of cars at all times.

Reason : In the interests of pedestrian and highway safety in accordance with Policies 1, 23 and 24 of the Council's Core Strategy DPD.

6. Prior to first occupation of any of the dwellings hereby permitted the side road shall be re-instated to the condition it was in immediately prior to the commencement of any works associated with the implementation of this permission.

Reason : In the interests of pedestrian and highway safety in accordance with Policies 1, 23 and 24 of the Council's Core Strategy DPD.

7. Any demolition or construction works associated with the development hereby approved shall not take place except between the hours of 7:00am and 7:00pm Monday to Friday and 8:00am and 1:00pm 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 Policies 1 and 24 of the Council's Core Strategy DPD.