

<b>Application Number:</b>	2014/0494	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of 8 3-bedroomed dwellings & 4 2-bedroomed dwellings, formation of associated estate road & landscaping	<b>Location:</b>	Land adj 368 Rochdale Road, Britannia
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	24 February 2015
<b>Applicant:</b>	Easybase Home Ltd	<b>Determination Expiry Date:</b>	24 March 2015
<b>Agent:</b>	Michael Dyson Associates Ltd		

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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	<b>Yes</b>
<b>Other (please state):</b>	<b>Major Application</b>

## 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 be minded to grant Permission subject to a S.106 Obligation and the Conditions set out in Section 10.**

## 2. The Site

This application relates to a broadly L-shaped site, of approximately 0.3 hectares in area that fronts Rochdale Road (A671), and includes part of a poorly-surfaced road to the west side that gives access to Meadow View (a bungalow that faces the site) and the complex of buildings at

Higher Stack (approximately 200m to the north); this private road is a Public Footpath. The land to the north of the site is agricultural. To the east of the site is a pair of houses (368/370 Rochdale Road) and land fronting to Lees Street upon which a row of 3 part-built houses stand.

As viewed from Rochdale Road, the site is of poor appearance, natural regeneration having done a little to obscure areas of hardstanding remaining from its former use; I understand the site to have been cleared of buildings in the late 1980's. The part of the site behind 368/370 Rochdale Road has become more overgrown, while a small portion of the site which lies beyond a post-and-wire fence presently forms part of the adjacent field.

The application site lies within the Urban Boundary of Britannia except for a strip of land on the northern boundary, amounting to approximately 15% of the total site area, which is presently designated as Countryside.

### **3. RELEVANT PLANNING HISTORY**

#### 2000/538

In January 2001 permission was granted for the erection of 13 dwellings on a site which essentially embraced the site of the current application and the land fronting Lees Street now occupied by the 4 part-built houses.

#### 2004/449

In July 2004 permission was granted for the erection of eight 2-storey houses on the site of the current application.

#### 2006/609

This application sought permission to erect on the site of the current application 13 Town Houses.

In short, the scheme proposed the up-grade of the first 30m of the existing roadway giving access to Meadow View, in order that it may serve an accessway around which would be arranged thirteen dwellings of 3 or more bedrooms. There were to be three blocks of terraced houses, each of 2 ½-storeys in height. Each building to have all elevations constructed of stone, with a slated-roof, with the facility to park 1 or 2 cars on its forecourt.

The block proposed nearest to Rochdale Road was to have its front elevation face the main road, with parking to the rear. It would thereby go some way towards hiding from public view the gable of 368 Rochdale Road (which is of rather poor appearance).

Officers advised Committee as follows :

*“There is a valid permission enabling the erection of eight houses on the site. Whilst the submitted scheme will increase the number of dwellings to thirteen, it satisfactorily addresses the Townscape and Landscape concerns that prompted the recommendation to refuse Application 2006/406 [prior to its withdrawal by the Applicant]. By addressing these concerns the ‘regeneration’ credentials of the proposal have been enhanced.*

*As the site is in the middle of Britannia/fronting a main road, and is within the Bacup, Stacksteads & Britannia AAP, this is now a finely balanced case in terms of whether there are sufficient grounds to warrant permission being granted as an exception to the policy of restraint on housing development arising from Policy 12 of the Joint Lancashire Structure Plan and the Council’s own Housing Position Statement. Having regard to the extent of*

*housing oversupply which presently exists I have concluded that the case has not been made for permitting this proposal as an exception to Policy 12.”*

In accordance with the Officer Recommendation the application was refused but in November 2007 was granted on Appeal. The Inspectors decision letter states :

*“It seems clear to me that in considering previous applications on the site and adjoining land, the Council regarded the townscape and landscape impact of proposals as contributing to the regeneration of the area. This was the reason it gave for allowing four dwellings on the adjoining land on Lees Street.....In my opinion, given its present condition, the development of the site as proposed would significantly contribute to the regeneration of the Britannia area.*

*I consider that in terms of increasing the sustainability of the development in line with Structure Plan policy, and in accordance with the adopted Lancashire County Council Planning in Lancashire Policy Paper (PLPP), it is necessary to improve public transport and provide alternative means of access to the car. I agree that the most appropriate way to achieve this would be to upgrade the nearest bus stop to ‘Quality Bus Standard’ and to contribute towards the development of a nearby cycle route. The appellant has submitted a signed and dated unilateral undertaking dated 20 July 2007 agreeing to contribute [£15,990] to this provision in accordance with the PLPP.*

*Subject to appropriate conditions relating to materials and landscaping (including consideration of existing trees on the site), I am satisfied that the layout and design of the proposed development would complement the character and appearance of the area including the adjoining countryside. In my view the incursion into the countryside is relatively small and no greater than development to the west. Again, subject to conditions relating to parking and manoeuvring areas, I am also satisfied that the proposal makes proper provision for car parking and the creation of a safe access onto Rochdale Road. From my observations, I do not consider the proposed town houses would cause any significant loss of light, privacy or outlook to existing nearby properties given the distances between them.”*

#### 2012/538

The above permission having become time-expired without commencement this application sought Outline Permission to erect 13 dwellings.

Outline Permission is now sought to erect upon the site 13 dwellings. Although all matters of detail were reserved for later consideration, the application was accompanied by a Design & Access Statement which proposed development of the site be undertaken in essentially the form permitted by Planning Permission 2006/609. That is to say :

*“The proposed buildings shall take their cue from nearby terraced buildings that have up to a 2½ storey height appearance, having tall ceilings and high eaves lines. The application is outline so further detail is reserved, but general appearance would be as the previously approved scheme (see attached views)*

*These shall be modern terraces that re-visit a successful tradition and are to be of high quality construction, using stone facades and details.*

*Access to the site would be via the existing road crossing, improved as required by Highways and a new entry from that access into a courtyard, very similar to the more recently approved plan (see attached)*

*Terraces would probably be arranged in two ranges with parking spaces directly in front of each property. 2 spaces per property would be provided.”*

This permission has not been acted upon but can still be implemented.

#### **4. PROPOSAL**

Rather than implement the above Permission, the new owner of the site seeks permission for a scheme that proposes erection on the site of 12 houses.

In short, the scheme proposes the re-configuration/up-grade of the first 25m of the private road giving access to Meadow View, in order that it may serve an accessway around which would be arranged the 12 houses.

There are to be three short terraced of houses, each terrace to contain 4 houses of 2 storeys in height. That terrace to front Rochdale Road is to comprise of 3-bedroomed house with grey concrete tiled roofs and external walls of locally-sourced stone at ground-level and buff-coloured render at first-floor level. The two terraced blocks to the rear are to comprise of 2 and 3-bedroomed house with grey concrete tiled roofs and external walls of red multi brick at ground-level and buff-coloured render at first-floor level.

Following amendment of the layout to accord with the wishes of LCC Highways, each of the houses will possess 2 parking spaces taking access from the proposed accessway. The works to re-configure/up-grade the first 25m of the private road giving access to Meadow View entail improvement of the surface-finish of the carriageway and provision of a separate footway to each side.

The application is accompanied by a Design & Access Statement, Ground Condition Report, Noise Report and case for not paying financial contributions beyond £100 per dwelling for refuse bins.

The Design & Access Statement states that :

- The main elements of the layout now proposed accord with the scheme permitted under Application 2012/538, entailing :
  - Alteration to existing track
  - 3nr blocks of terraced dwellings
  - Front block facing Rochdale Road
  - Parking within the site
- It is intended to build the houses with a Modern Method of Construction entailing construction off-site of units built in the factory from their external wall finish to the inside painted internal lining, with structural internal frame of sufficient strength to enable their delivery to site by lorry and lifting into place by crane, thereby enabling each house to be erected on its prepared slab in 2 days.
- Within the vicinity of the site there is no dominant facing material, the recently-built residential properties to be seen either a red brick or sandstone with render. It is therefore proposed to use this palette of 3 basic materials across the site. A roof angle of 35 degrees is proposed in order to create a building mass of comparable height to dwellings in the area.

The Ground Condition Report concludes that the site is capable of development for residential purposes without the need for remediation due to contamination and is not likely to require

incorporation of landfill gas prevention measures. However, it indicated that piled foundations may be necessary.

The Noise Report concludes that traffic noise is discernible on the site during the day and night. For the protection of occupiers of the terrace fronting Rochdale Road the front façade may require basic to high performance acoustic vents. Habitable rooms on the rear facing façade of the front block and all facades of the rear block will have acceptable levels with windows shut and basic non-acoustic vents open. Acceptable levels in rear gardens will be easily achievable.

The Applicant's case for not paying financial contributions beyond £100 per dwelling for refuse bins is contained within an Open Space Assessment & Financial Viability Assessment.

The Open Space Assessment states that to request a contribution of £1,366 per dwelling be paid so the Council can make available facilities in the local area to meet the needs of residents would require a total contribution of £16,392. This is a further development cost that will have a significant effect on the viability of the scheme. There is a new play area located a 2 minute walk from the site which provides a secure play area of excellent condition. Furthermore Stubbylee Park is only located 1 mile from the site which is easily accessible in a 20 minute walk; this is a significant park that provides play areas, tennis courts and large open grassed playing fields. As the location of the site in Britannia is a rural area, with a low density of dwellings, we feel the above open space areas provide adequate facilities to serve the existing area and also have the use capacity to cater for the small development density of this application which is only for 12 dwellings.

In terms of the form and cost of development of the site the Applicant advises that they purchased the site on the basis of the Outline Approval for 13 dwellings. Following the purchase of the site further investigations were completed which identified services of United Utilities not identified on its maps. In summary, the UU maps correctly identify 2 water supply pipes running through the west of the site but not a scour pipe of 250mm diameter and depth of 3m which goes directly through the middle of the site, running north to south from a nearby reservoir to Rochdale Road.

Discussions have been held with UU to overcome this significant issue and they have agreed that the scour pipe could be diverted to a similar location as the other supply pipes on the west side of the site. However, the cost of this diversion will have to be paid for solely by the applicant and preliminary discussions with UU put the cost of this work at £26,000 to £30,000 plus VAT.

No such cost had been included within the Client's financial assessment of the site and when now included brings increased strain on the viability of this site. Furthermore, including space on the proposed site layout for this pipe diversion and the necessary easement has resulted in a site layout proposing 12 dwellings, one less than the Outline Approval. This reduced number of dwellings lowers the sales revenue and again puts pressure on the viability of the development.

## **5. POLICY CONTEXT**

### **National Planning Policy Framework (2012)**

- Section 1 Building a Strong Competitive Economy
- 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 challenge of climate change, flooding & coastal change
- Section 11 Conserving and Enhancing the Natural Environment

### **Development Plan Policies**

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

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AVP2	Bacup, Stacksteads, Britannia & Weir
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 8	Transport
Policy 9	Accessibility
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity, Geodiversity and Landscape Conservation
Policy 19	Climate Change and Low & 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 Planning Obligations in Lancashire (2008)

RBC Open Spaces & Play Equipment Contributions SPD (2008)

**6. CONSULTATION RESPONSES**

**RBC Environmental Health**

Due to road traffic noise Environmental Health request a condition that basic glazing and high performance acoustic trickle vents are installed in the properties on the front facade as detailed in the ADC Acoustics report dated 15th January 2015, to ensure that 'Desirable conditions' are met for daytime.

**LCC (Highways)**

The amendments are as requested. Accordingly, there is no objection to the proposal subject to the following conditions:-

- No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
  - i) The parking of vehicles of site operatives and visitors
  - ii) The loading and unloading of plant and materials
  - iii) The storage of plant and materials used in constructing the development
  - iv) The erection and maintenance of security hoarding
  - v) Wheel washing facilities
  - vi) Measures to control the emission of dust and dirt during construction
  - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
  - viii) Details of working hours
- The access road should be built to an adoptable standard and adopted by Lancashire County Council under a Section 38 of the Highway Act 1980 agreement.
- The parking bays should be constructed of a bound porous material
- Cycle stores should be provided at each property.
- A 106 agreement should be entered into with a contribution of £1,500 to cover the pursuance of a TRO on Rochdale Road at the junction of the estate road and on the estate road to ensure adequate sightlines are maintained.

Public Footpath 483 should be free from obstruction at all times; if necessary a temporary closure of the footpath can be requested a minimum of 6 weeks prior to the closure date to allow for the statutory process to be commenced.

### **LCC Contributions**

The above application has been assessed by the LCC Education team, and has not resulted in a request for a planning contribution.

### **United Utilities**

#### **Drainage**

In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

- a) an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical
- b) a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable
- c) a sewer (approval must be obtained from United Utilities)

To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas.

UU have no objection to the proposed development provided that the following conditions are attached to any approval :

- 1) Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed, maintained and managed in accordance with the approved details.
- 2) Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

#### **Water**

A domestic water supply can be made available to the proposed development. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

## Water Conditions

- Two trunk mains, one of 300mm and one of 400mm in diameter, cross the site. As we need access for operating and maintaining them, we will not permit development in close proximity to these mains. For pipelines up to and including 300mm, an access strip of 5 metres being measured 2.5 metres each side of the centre line of the pipeline should be adopted. For pipelines over 300mm the access strip is 10 metres but this may be offset from the centre line of the pipeline e.g. 7 metres one side and 3 metres on the other side.
- Our records show the supply pipe for Meadow View, Britannia, Bacup OL13 9TL crosses the area highlighted for development. Development over this existing pipe will not be permitted. Any necessary disconnection or diversion of the private main(s) must have the approval of the pipeline owner and be carried out to our standards at the applicant's expense.
- A modification of the site layout, or diversion of the main at the applicant's expense, will be necessary. Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.
- The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.
- If planning permission is granted, the applicant should check the location and conditions of our easement with United Utilities Facilities and Property Management, United Utilities, Lingley Mere Business Park, Lingley Green Avenue, Great Sankey, Warrington, WA5 3LP.

## LCC Drainage

As part of the Council's response to climate change, new developments will be required to maximise the environmental risk management benefits of Green Infrastructure where possible through :

a. Flood risk management (utilising Sustainable Drainage Systems)

Policy 19 of RBC's Core Strategy (on Climate Change and Low & Zero Carbon Sources of Energy) states that :

*"The Council will promote adaption to climate change by the following measures :*

*7. New development should not be located in areas considered to be at a high risk of flooding in accordance with the Rossendale Borough Council SFRA. Where development cannot be accommodated in areas of low flood risk and this is demonstrated to the Council, it will only be acceptable where appropriate mitigation is undertaken and demonstrated that the development is not at an unacceptable risk of flooding and will not increase flood risk elsewhere.*

*8. Expecting new developments to implement Sustainable Drainage Systems (SuDS) - such as incorporating permeable paving, swales, soakaways and conserving floodplains where appropriate, and minimise the use of impermeable surfacing in order to slow down the passage of rainwater into waterways and contribute to flood prevention."*

Under Government proposals, approval will be required for the drainage design on any new development for which a full planning approval is submitted to the Local Planning Authority which meets the requirement criteria of 10+ dwellings or greater than 0.5 hectare from the date of implementation.



The LLFA strongly promote Sustainable Drainage Systems (SuDS) to be incorporated within the design of a drainage strategy for any proposed development, applying the SuDS management train. Paragraph 103 of the National Planning Policy Framework (NPPF) prioritises the use of SuDS for areas at risk of flooding.

From 6th April 2015 SuDS will become the default drainage option for new developments and redevelopments under the NPPF and the LLFA a statutory consultee on major applications which have a surface water impact or local flood risk.

The LLFA encourages that site surface water drainage is designed in line with the current draft National SuDS Standards, including restricting developed discharge of surface water to greenfield runoff rates making suitable allowances for climate change and urban creep, managing surface water as close to the surface as possible and prioritising infiltration as a means of surface water disposal where possible. Regardless of the site's status as greenfield or brownfield land, LCC encourages that surface water discharge from the developed site should be as close to the greenfield runoff rate as is reasonably practicable.

Prior to designing the site surface water drainage, a full ground investigation should be implemented to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body or public sewer system. LCC also strongly encourage that the developer should take into account designing drainage systems for exceedence working with the natural topography for the site.

The applicant is proposing for the surface water from the development to discharge into the main sewer. This is not supported by the LLFA as it is contrary to the principles of the NPPF, and Policies 17 and 19 of the Rossendale Core Strategy. It is also unfavourable under the Draft National SuDS Standards. Permission and confirmation should be obtained from United Utilities as to available capacity within the sewer system for any subsequent discharge rates calculated. This has not been included with the application and therefore, at this stage, it is unclear whether the proposed development will present a future flood risk by discharging to this means.

According to the Flood Risk Management Team's records, in February 2014 a flood incident was reported at a location adjacent to the proposed development. Our records indicate that United Utilities were to undertake remedial work to rectify the situation.

The Lead Local Flood Authority does not object to the proposed development and recommends the inclusion of the following conditions:

1) Drainage Strategy Approval

CONDITION: A drainage strategy is submitted to and approved in writing by the Local Planning Authority or SuDS approving body, dependent on changes to the drainage approval process, in line with the necessary standards outlined in this response.

REASON: To ensure that the drainage system is adequate and designed to the necessary standards.

2) Maximise Employment of SuDS

CONDITION: It is recommended that opportunities to employ Sustainable Drainage Systems (SuDS) are explored further through in situ permeability testing and other necessary geotechnical testing and, where possible, the use of SuDS are maximised.

REASON: To reduce discharge volume and to conform to Policies 17 and 19 of the Rossendale Core Strategy

**Police Architectural Liaison Officer**

Within the last 12 month period there have been 39 reported burglary offences in the immediate area surrounding this site. In the same search area and time scale there were also 22 reported auto-crimes and 34 criminal damage offences.

In order to reduce the risk of burglary, auto-crime and criminal damage offences and anti-social behaviour affecting the residents, staff, visitors and local community, the development should be follow the principles of Secured by Design and incorporate the following recommendations.

- All ground floor windows should be certified to PAS 24:2012 which have been tested against the usual types of intruder attack. All ground floor glazing in the rear elevations should incorporate one pane of 6.8mm laminated glazing - this measure is essential to reduce the risk of burglary.

- All external doors should be certified to one of the following security standards by a UKAS accredited certification body;  
PAS 24:2012,  
LPS 1175 SR2,  
STS 201 or STS 2020 BR2.

- Laminated glazing should be installed in any glazed panels within or adjacent to the doors.

- The dwellings fronting Rochdale Road have 1m high boundary railings and gates indicated to the front elevations, this measure is supported as it indicate clearly what is the private garden of the resident and deters casual intrusion to cut the corner of cause nuisance and anti-social behaviour (ASB) for the occupier.

- Rear access gates are indicated which deter intrusion to the side and rear gardens. Most burglaries target these areas so this design is supported. These gates should be lockable from the inside approximately 1m from the ground so they cannot be unlocked from outside.

- All rear boundary treatments should be a minimum height of 1.8m and designed to deter climbing. All cross rails should be fixed internally so they do not provide a foothold from outside.

- Utility meters should be located on or close to the front elevation so that officials do not require access to the secure areas to take meter readings. This measure reduces the risk of bogus official offences.

- Where the parking spaces are detached from the dwellings they should be well lit by the street lighting as they could be more vulnerable to auto-crime.

- All parking spaces should be clearly marked with the dwellings they serve to deter disputes arising over parking spaces.

- The steps leading to rear gardens on plots 1-4 should be illuminated by the street lighting for safe use and to prevent dark spaces that would be more vulnerable to crime and ASB.

- All landscaping should be low level and carefully placed so trees and shrubs do not obscure street lighting and views to parking areas and rear access gates which would increase the risk of crime.

- The gable elevation of Plot 5 should have defensive planting to reduce the risk of nuisance such as football games and graffiti for this resident.

## **7. NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order the application has been publicised by way of a newspaper notice, site notices posted on 24/12/14 and letters sent to the relevant neighbours on 23/12/14. Objectors have been re-notified of the amendments to the scheme.

Objections to the scheme as first submitted have been received from 6 local residents :

### **310 Rochdale Road**

I read with dismay that the above planning application places the stone pillars and walls on Higher Stack Lane in a precarious situation. These pillars form a wonderful entrance to the track and together with the trees on the developer's land, serve to enhance the public footpath.

As I was the person who erected these structures on behalf of the residents of Britannia but especially the owners of Meadow View and the houses at Higher Stack, I feel a personal loss should they be dismantled.

The trees nearest the track which are earmarked for removal should also be saved together with the old stone flags forming part of the boundary between land owned by the developer and United Utilities Properties.

I have looked at the developer's proposal and I see absolutely no reason why the existing entrance to the track, the trees and old stone slabs cannot be incorporated into their plans. Three simple steps would ensure the well established layout's survival.

- a. Move the 2 car parking spaces below the entrance onto the main body of the site.
- b. The new scour pipe should be positioned as suggested by United Utilities.
- c. Existing trees should be incorporated into the new landscaping.

As the ex school caretaker at Britannia Community Primary School, I am also concerned about the potential safety of the new junction onto Rochdale Road if car parking restrictions around the junction are not incorporated.

I sincerely hope that you will be able to recommend to Committee these amendments which they may incorporate into any conditions they would wish to make as part of the Planning Approval.

### **315 Rochdale Road**

I would like to make a few comments about the application.

The access track past Meadow View and Higher Stack Lane are one the very few paths that I can use to exercise my dog due to my disability. It has a very nice entrance maintained by the owners of the bungalow and I would not like to see it changed as suggested by the plans. I think that the pillars, trees and garden areas should be preserved.

As I have a background in the building trade I offer a few observations regarding the type of build proposed :

1. The lifespan of PMS is unproven and not on par with traditional build.
2. Once completed they are unadaptable e.g. unsuitable for installation of a Chair lift and walls cannot be taken down to open up rooms.
3. Because they are built off site, local trades people miss out on employment opportunities.

These types of properties have been experimented with before and some have failed. Traditionally built properties have been tested over time. Why cut corners when other development such as Cloughfold have good quality houses of 3 bedrooms for approximately £90k?

I think all the properties should be finished in stone.

From someone with a physical disability, my immediate reaction on seeing the plans is that there seems to be a lot of steps both around the properties and their entrances. These are contradictory to the design statement which states that the ground floor areas are wheelchair friendly.

This proposal for the centre of Britannia village deserves careful consideration and wider consultation with the community before planning approval is given for this experimental scheme of prefabs.

### **319 Rochdale Road**

Having lived in the area all my life I have been involved with the local community in efforts to improve and enhance the public spaces in Britannia. I do not object to the new proposed houses but I am concerned that certain features which I regard now as part of the landscape might disappear.

I refer to the public footpath running from Rochdale Road up along Higher Stack Lane. There have been a lot of improvements along the track especially by the residents at Higher Stack properties and Meadow View. I use the track every day to walk with my dog and I enjoy seeing the planting that has taken place and how the trees have grown and spread through the years. The small stone walls and pillars that have been added to the very old quarried blocks truly enhance the entrance to the footpath.

It would now appear that several trees will be removed and the pillars and walls are precariously placed so that they too might be demolished. If this is to happen I would ask that trees of similar height and spread are planted as a replacement and the stone walls and pillars reinstated at the new entrance to the track. Best solution would be to not disturb this small area of natural beauty, unless absolutely necessary.

Air pollution has been a problem in the village for many years. I am sure that Rossendale BC is well aware of the level of complaints received when the chimney at Lancashire Sock is belching out obnoxious fumes especially in the evenings. Surely ripping out trees that play a part in absorbing unwanted elements in the air would be counter productive?

### **324 Rochdale Road**

I do not wish to oppose in principle the development of this site, however I understand that a number of trees are to be removed together with some stone walls and pillars. These were planted and erected by the residents of Britannia who have worked hard to improve the area around the public footpath from Rochdale Road and up along Higher Stack Lane.

Whenever residents in this area are asked the question, "What in your opinion is the most attractive feature of Rossendale?" invariably the top answer is "The natural beauty of the surrounding countryside".

It would be very sad if these trees were removed. Could they not be saved in any way?

### **234 Rochdale Road**

During my time as a Councillor on Rossendale Borough Council and also in my capacity as a Community Development Officer with the Bacup and Stacksteads Community Pafinship Ltd

(employed by Rossendale Borough Council), I was actively involved with the residents of Britannia.

This work led to the local residents forming their own community group, Britannia Residents United. During this time, I was witness to the work done by members of BRU and other local residents to clean up the village. I am happy to say that it is a joy to visit or to pass through Britannia nowadays.

It would be a travesty if the residents' endeavours to improve the local area with planting, building and landscaping, were needlessly destroyed. I refer to the trees along the West boundary of the site, the pillars on the access track to Higher Stack and the planting along the public footpath.

Britannia is today what many villages would aspire to, why should local residents and visitors have their achievements dismantled because of an application to build houses that could accommodate their work; please respect what they have achieved.

I am well aware of the need for good quality local housing but hope that you will consider my comments and ask the developer to work around the improvements made by the residents.

### **18 Ernest Street**

I have felt for sometime now that Britannia is losing its Pennine villlage "feel". I am not against development and growth so long as it is sympathetic to the existing atmosphere of the area. I feel strongly that developers seem to plan for what is best for them rather than considering the overall community. It would appear to be all about the money; the less spent the more profit. Of course I can see the appeal of simply ripping out all vegetation including trees and starting with a nice clean tidy site. How inconvenient that there are trees or carefully erected structures in the way.

The entry to Public footpath 483, which I use every day, should serve as an example of the efforts of the local residents to better their surroundings. It has a lovely canopy of trees, some planting and beautifully constructed stone pillars. Special notice should be paid to the stone slabs that have been present for over 100 years and form part of our heritage. Many would see them as an intrusion into modern aesthetics, but as someone born and bred in Britannia I together with most other residents see their contribution to our history. In my opinion everything should be done to preserve the trees and structures.

All new properties should be finished in stone irrespective of what the developer has surveyed in the area.

### **Re-notification**

The following comments have been received since re-notification of objectors on the amended scheme; should further comments be received in what remains of the consultation period they will be reported to the meeting of Committee by way of the Update Report or verbally :

### **Higher Stack Farm**

The proposed plans would require that my right of way be moved. I would not agree to this. At the moment I have a straight and clear line of sight to Rochdale Road.

Traffic movements through the junction with Rochdale Road have been grossly under-estimated.

The trees, pillars and stone flags should not be removed as they provide an amenable entrance to the public footpath. The stone flags are not on the developer's land.

## 8. ASSESSMENT

The main considerations of the application are :

- 1) Principle; 2) Housing Policy; 3) Visual Amenity; 4) Neighbour Amenity;
- 5) Access / Parking); & 6) Contributions.

### Principle

The site is located for the most part within the Urban Boundary of Britannia, with a post office/other town centre services opposite and is on a main road frontage along which runs a 'quality' bus route, with bus stops nearby. Whilst the rear of the site lies within the Countryside this has not previously precluded permission for residential development being granted for it and Outline Permission 2012/538 to erect 13 dwellings on the site could still be implemented. As part of the borough-wide review of Urban Boundaries the Urban Boundary here is being reviewed in order to reflect the application history of the site and its surroundings.

Accordingly, I consider it appropriate in principle to grant permission to the current application.

### Housing Policy

Policy 4 of the Core Strategy indicates that on 'brownfield' sites for which more than 15 dwellings are proposed 20% of the units should be provided as Affordable Housing. As the submitted scheme is for 12 dwellings, and the site is for the most part previously-developed, there is no requirement any of the dwellings are provided as Affordable Housing.

### Visual Amenity

The most recent schemes for the site have proposed erection of 13 family houses arranged in 3 short terraces, that terrace nearest Rochdale Road to have its front elevation facing the main road, with the private road to the west side being improved to give access to the parking of all of the new houses. Each of those houses was to have living accommodation on 3 floors, the blocks to have external walls of natural stone and slated hipped roofs.

The site is currently of unkempt appearance and the latest scheme proposes its development with broadly the same layout as the extant permission, the 12 houses still arranged in 3 short terraces, that terrace nearest Rochdale Road to have its front elevation facing the main road, with the private road to the west side being improved to give access to the parking of all of the new houses. Each of the houses is to be of 2-storeys in height, with a conventional pattern of door and window openings for modern town-houses.

Accordingly, in terms of street-scene, I am satisfied with the proposed layout and with the size/design of the proposed buildings.

With respect to facing materials, it would be preferable for natural stone and slate to be used, or good artificial substitutes for them. However, the applicant is proposing that the front block be faced with locally-sourced stone at ground-level with buff-coloured render at first-floor level and the two terraced blocks to the rear are to have external walls of red multi brick at ground-level with buff-coloured render at first-floor level, all 3 blocks to have grey concrete tiled roofs.

Members may re-call the scheme of redevelopment permitted in 2010 on the Fernlee Petrol Filling Station site (at the junction of New Line with Rochdale Road, 400m to the east of the current site) which has resulted in erection of a terrace of 7 2-storey houses and a 3-storey block of apartments that bound the main road. The front elevation of that terrace of houses is constructed of artificial stone, with the sides/rear of render and the roof of artificial slates, whilst the elevation of the apartment block facing Rochdale Road is constructed of artificial stone at ground-level, the 2

upper floors essentially faced with render relieved by having artificial-stone decoration in the form of quoins and sills &/or lintels around windows and a roof of artificial slates.

Accordingly, I do not consider there to be an objection 'in principle' to the front terrace having external walls of locally-sourced stone at ground-level with buff-coloured render at first-floor level. However, the need to keep the weight of the pre-fabricated units down arising with the intended Method of Construction gives me a concern I that the size/course-height of the stones to be used will be akin to that of bricks and give the appearance of bricks, the render above will be unrelieved by having artificial-stone decoration in the form of quoins and sills &/or lintels around windows, and concrete tiles are to be used rather than artificial slates. The Agent has indicated that a sample board showing the intended stonework will be displayed at the Committee meeting, as too will a sample of the roof material. I would hope that the samples will allay my concerns. If so, I would consider it more appropriate for the same materials to be used for the construction of the two rear terraces rather than the red multi brick being proposed. Notwithstanding that the bungalow at Meadow View is of brick construction, this would give a more harmonious appearance to the proposed development.

In terms of boundary treatments, the Agent has agreed to my wish for a hedge to be provided on the boundary of the site with the field to the rear. A number of objectors have expressed a wish for the stone gate pillars on Higher Stack Lane and the flag-on-edge wall which presently runs between the lane and the application site to be retained. The latest Site Layout Plan received from the Agent now shows the gate pillars and carries the following note : "*Access point serving Meadow View to be re-aligned to go through the existing gateposts*"; they have also submitted drawings to show that the intended improvement of the first 25m of the lane in order that it may serve the proposed houses will still allow a refuse wagon and tractor with trailer to successfully pass between the gate pillars on their way to/from Higher Stack Farm. Although the flag-on-edge wall is not complete, the Agent has indicated that they will seek to retain it rather than erect the 1.8m close-boarded fence initially intended. I am satisfied that removal of the self-seeded trees/bushes that have established themselves on the site in order to accommodate the development will not result in significant harm to the character and appearance of the area and can be replaced by others of more appropriate species.

The submitted Site Layout Plan shows the intended slab levels for the terraces being proposed. The levels proposed for them are not very different from existing ground levels. However, I do not consider it appropriate to approve them at this stage as, when combined with the details of hard-landscaping/levels proposed for external areas, will mean that the 4 houses in the terrace nearest to Rochdale Road cannot be accessed without use of steps. The National Planning Policy Framework and Core Strategy policies make much of the need for developments to be of 'good' and inclusive design, thereby 'access for all' and able to respond to changing needs of their occupiers. Conditions are recommended to ensure that full details levels and hard & soft landscaping/boundary treatments are submitted and the agreed scheme implemented.

#### Neighbour Amenity

I am satisfied that the proposed layout / house types will not cause any neighbour an unacceptable loss of light/outlook/privacy. The rear terraces now being proposed are to be sited approximately 4m further from the rear boundary of the site than the previously-permitted schemes have proposed. For occupiers of the proposed houses this will mean they get rear gardens of greater length. For existing residents of 368/370 Rochdale Road no significant harm arises from this change as their rear windows will be 26m from the front windows of proposed houses. This change will be more discernible for occupiers of Meadow View, the bungalow which has its front elevation facing towards the western boundary of the site. Whereas previously-permitted schemes have avoided any part of the gable of a rear terrace projecting in front of the neighbouring bungalow a small part will now do so. However, the proposed gable is to stand a further 3m from

the western boundary of the site and is to have a lower eaves and ridge height as serving a conventional 2-storey house rather than one possessing living accommodation over 3 floors. For existing residents of Meadow View I do not consider unacceptable harm to arise from this change as the front elevation of the bungalow will be 15m from the a small part of the gable to project forward of it.

#### Access / Parking)

The means by which the proposed development will be accessed is little changed from that previously permitted. LCC Highways has no objection to it, or to the proposed off-street parking facilities to be provided, subject to a S.106 Obligation to secure payment by the Developer of the £1,500 to pursue a TRO that precludes parking on Rochdale Road which will obstruct the site access or its sightlines.

#### Contributions

The Applicant has not proposed any financial contribution beyond £100 per dwelling for refuse bins.

I do not consider that it would be appropriate for permission to be granted for the proposed houses in the absence of the £1,500 requested by LCC Highways for a TRO to address highway safety issues.

To accord with the Council's Open Spaces & Play Equipment Contributions SPD would require a contribution of £1,366 per dwelling (£16,392 in total) be paid so the Council can make available facilities in the local area to meet the needs of residents of the development. The Applicant has submitted an Open Space Assessment & Financial Viability Assessment setting out their case for not being required to make this payment. In this instance I consider it appropriate to waive the contribution because of :

- The regeneration/housing benefit of securing the residential development of a site occupying a prominent main road frontage which has for many years been of unkempt appearance, despite a succession of permissions for its development;
- The standard of the nearby MUGA/play space (by Britannia Community Primary School, 100m to the east of the site);
- The un-anticipated cost which will be incurred by the developer in diversion of a UU pipe and revenue implications of reducing the number of houses on the site to 12 from the previously permitted 13.

### **9. SUMMARY REASON FOR APPROVAL**

The proposed development is appropriate in principle for a site for the most part within the Urban Boundary of Britannia and, subject to the conditions and accompanying S.106 Obligation, the scheme will not detract to an unacceptable extent from visual and neighbour amenity or in terms of ecology, pollution, flood risk or highway safety. The development has been considered most particularly in light of the National Planning Policy Framework (2012), and Policies AVP2/1/2/3/4/8/9/18/19/22/23/24 of the Rossendale Core Strategy DPD (2011).

### **10. RECOMMENDATION**

That Committee be minded to grant Permission subject to :

- A S.106 Obligation to secure payment of :
  - a) £1,500 to enable LCC Highways to pursue a TRO that precludes parking on Rochdale Road which will obstruct the site access or its sightlines; &
  - b) £1,200 for the provision of refuse bins.



- The Conditions below.

## **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 the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be undertaken in accordance with Drwg No 05-(90)-7719 rev G, Drwg No 01-(07)-7719 rev B, Drwg No 09-(0)-7719 rev A, Drwg No 03-(07)-7719 rev B and Drwg No 10-(0)-7719 rev A, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.  
Reason : For the avoidance of doubt.
3. Due to road traffic noise Environmental Health request a condition that basic glazing and are installed in the properties on The windows in the front façade of the houses proposed on Plots 1-4 shall incorporate high performance acoustic trickle vents. as detailed in the,  
Reason : To ensure occupiers of the houses concerned are not unduly affected by road traffic noise, in accordance with the submitted ADC Acoustics report (dated 15th January 2015) and Policies 1 & 24 of the Council's adopted Core Strategy.
4. Prior to commencement of development samples of facing materials shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be undertaken in full accordance with the agreed scheme.  
Reason : In the interests of visual amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.
5. Notwithstanding the details of slab levels shown on the submitted drawings, prior to the commencement of development full details of proposed building slab levels and proposed levels for the adjacent land shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.  
Reason : In the interests of visual amenity and ensure the 4 houses in the terrace nearest to Rochdale Road can be accessed without use of steps, in accordance with the principles of good and inclusive design of the National Planning Policy Framework and Policies 1 / 23 / 24 of the Council's adopted Core Strategy
6. Prior to commencement of development a scheme of hard & soft landscaping and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority, including details of intended ground levels. Walls/fences/gates/hard-landscaping forming part of the approved scheme shall be completed prior to first occupation of any dwelling, unless otherwise first agreed in writing by the Local Planning Authority. Any planting forming part of the approved scheme shall be undertaken in the planting season thereafter, unless otherwise first agreed in writing by the Local Planning Authority. Any shrubs/trees removed, dying or becoming seriously damaged or diseased within 5 years of planting shall be replaced by plants of a similar size or species, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason : In the interests of visual and neighbour amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

7. Prior to first occupation of any of the dwellings hereby permitted the access road shall built to standards and specifications enabling its adoption by the Highway Authority (Lancashire County Council), unless otherwise first agreed in writing by the Local Planning Authority. Furthermore, prior to first occupation of any of the dwellings hereby permitted the vehicle parking/manouevring areas to serve them shall be constructed with a hard permeable surface avoiding surface water run-off to the highway and secure covered cycle stores provided at each property, and these facilities shall thereafter be kept available for use as such, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : In the interests of highway safety and to promote sustainable means of travel, in accordance with the advice of the Highway Authority and Policies 1 / 8 / 9 / 24 of the Council's adopted Core Strategy.

8. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system to surface water. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed, maintained and managed in accordance with the approved details.

Reason : To ensure proper drainage of the site, in accordance with the advice of United Utilities & the Lead Local Flood Authority and Policies 1 & 24 of the Council's adopted Core Strategy.

9. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and, unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details

Reason : To ensure proper drainage of the site, in accordance with the advice of United Utilities & the Lead Local Flood Authority and Policies 1 & 24 of the Council's adopted Core Strategy.

10. 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 works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason : To safeguard the amenities of nearby residential properties, in accordance with the Policy 1 / 24 of the Council's Core Strategy DPD (2011).

11. No development shall take place, including any demolition/ground works, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during the works
- vii) A scheme for recycling/disposing of waste resulting from the works
- viii) Detail the hours at which HGVs associated with the works will arrive/depart.

Reason : In the interests of pedestrian/highway safety and to safeguard the amenities of neighbours, in accordance with the advice of the Highway Authority and Policy 1 / 24 of the Council's Core Strategy DPD (2011).

12. The shell-&-auger method shall be used to form any piled-foundations, unless a variation is first agreed in writing by the Local Planning Authority.

Reason : To protect the amenities of neighbours, in accordance with Policies 1 / 24 of the Council's Core Strategy DPD (2011).