

Application Number:	2017/0511	Application Type:	Full
Proposal:	Erection of 2 no. 2-bedroom semi-detached bungalows, with associated access and landscaping works.	Location:	Land Adj 22 Whittle Street, Rawtenstall, BB4 8SB
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	16 th January 2018
Applicant(s):	Mr Chris Gore	Determination Expiry Date:	19 th January 2018
Agent:	N/A		

Contact Officer:	James Dagleish	Telephone:	01706 238643
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	✓
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

Approve full planning permission subject to the conditions set out in section 10.

APPLICATION DETAILS

2. SITE

The site relates to a roughly rectangular parcel of land, which measures approximately 25m x 25m, located in a predominately residential area to the south of Whittle Street. The land (which is currently overgrown with vegetation), is slightly elevated at its north western side and has a detached single garage at its western side fronting an unadopted back street to the rear of a terrace of houses fronting Greenfield Street.

The land falls steeply away to a wooded area to the south that is afforded the protection of a Tree Preservation Order. To the east, at a slightly lower level, is a detached bungalow. To the north (on the opposite side of Whittle Street) is a row of two storey terraced properties. High conifer hedges abut a concrete post and timber panel fence bounding the site frontage with Whittle Street.

The site lies within the defined urban boundary, and is located around 70m outside of the boundary of the Rawtenstall Town Centre Conservation Area.

3. RELEVANT PLANNING HISTORY

1999/294 - Erection of 1 no. 2 bedroom bungalow with garage at basement level (Withdrawn)

2013/0261 - Erection of Detached Dormer Bungalow with Double Garage (Outline) (Approved)

2016/0107 - Erection of two semi-detached dwelling houses, parking and landscaping (Withdrawn)

2017/0036/PREAPP – Pre-application advice on the proposed construction of two semi-detached bungalows

4. PROPOSAL

Planning permission is sought for the proposed construction of a pair of semi-detached bungalows on the site.

The proposed bungalows would be adjoined, and located at the North West corner of the site with their long elevation along Whittle Street. Each bungalow would have a footprint of around 8m x 6m, and would feature a small porch.

The bungalows would have pitched roofs with room within the roof space, allowing them each to have two bedrooms located upstairs. The total height of the dwellings would be around 5.5m, and they would measure around 3m to the eaves.

The dwellings would be faced in white render above a natural stone plinth. A natural slate roof is proposed.

A proposed site plan and scheme of landscaping has been provided, which indicates that the dwellings would each have a permeable paved parking area for two cars (one with access off Whittle Street, and the other with access off Back Greenfield Street). It is proposed to use cellular grass paving to form part of the turning area for cars off Back Greenfield Street to enable the

space to be used as part of the dwelling's private garden area as well as a vehicle manoeuvring area.

Gravel paths would run around the perimeter of the dwellings. New hedging would be provided around the boundaries of the site, along with boundary fencing in parts. An area of decking was initially proposed to the rear of the dwellings; however this has now been omitted by the applicant.

The existing conifers would be removed from the Whittle Street elevation of the site.

5. POLICY CONTEXT

National

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 11 – Conserving & Enhancing the Natural Environment

Section 12 – Conserving & Enhancing the Historic Environment

Development Plan Policies

AVP4 – Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

Policy 1 – General Development Locations and Principles

Policy 9 – Accessibility

Policy 16 – Protecting and Enhancing the Built Environment

Policy 18 – Biodiversity, Geodiversity and Landscape Conservation

Policy 23 – Promoting High Quality Designed Spaces

Policy 24 – Planning Application Requirements

Other Material Planning Considerations

Planning Practice Guidance

RBC Alterations and Extensions to Residential Properties SPD

6. CONSULTATION RESPONSES

Ecology

No comments have been received.

Contaminated Land

No objection subject to conditions.

LCC Highways

No objection subject to conditions.

United Utilities

No objection.

Tree Officer

No objection.

7. REPRESENTATIONS

To accord with the General Development Procedure Order 29 neighbours were sent letters on 06/11/2017 and a site notice was posted on 06/11/2017.

Four letters of objection have been received, raising the following points:

- Development will add to traffic congestion and parking problems
- Residents of Back Greenfield Street store their bins on the street, and the development may cause access issues.
- Noise impacts on neighbouring residents.
- Impacts on the privacy and daylight enjoyed by neighbouring residents.
- Site is inaccessible.

8. ASSESSMENT

Principle

1. The site is located within the defined urban boundary, where Policy 1 of the Core Strategy seeks to locate the majority of new development. In addition, the principle of residential development on the site has been established previously by outline planning permission 2013/0261.
2. As such the proposed development is appropriate in principle.

Visual Amenity

3. Paragraph 17 of the Framework includes 12 core planning principles including [planning should]:
 - *“Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and*
 - *Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.”*
4. Paragraph 58 of the Framework aims to ensure that developments:
 - *“Will function well and add to the overall quality of the area;*
 - *Respond to local character and history, and reflect the identity of local surroundings and materials;*
 - *Are visually attractive as a result of good architecture and appropriate landscaping.”*
5. Policy 24 of the Core Strategy seeks to ensure that new development is *“compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing”*.
6. It is considered that the proposed bungalows would be of a high quality design, and would not appear incongruous or unduly dominant in the wider street scene. The proposed

finishing materials (render and natural stone, with natural slate roofs) would be appropriate in the context of the site.

7. The proposed scheme would involve the removal of three individual trees which are covered by a Tree Preservation Order, and the removal of a conifer hedge around the front of the site. The Council's tree consultant has no objection to the proposed works, stating:

“Three trees (T4, T7 and T8) and one group (G1) is to be removed due to condition. G1 is a conifer hedge of no merit, T4 is an apple which is of poor form, T7 Beech is a dead monolith and T8 Ash is of poor form and has grown around a gatepost and the removal of these three is acceptable.”

8. New lower evergreen hedging would be planted along the Whittle Street elevation of the site, and it is considered that such planting will be visually appropriate and will assist in softening the appearance of the development in the street scene.
9. As such, the scheme is considered acceptable in terms of visual amenity.

Neighbour Amenity

10. Advice on the fenestration of the proposed bungalows given at pre-application stage has been incorporated into the proposed design. Specifically, window openings on the Whittle Street elevations have been minimised and positioned to avoid causing undue loss of privacy to occupants of the terraced properties on the opposite side of Whittle Street, whose habitable room windows directly face the application site.
11. In addition, the windows on the front elevation have been reduced in width from those proposed at pre-application stage so that they have a narrow profile and do not act as the main aspect for the habitable rooms in question.
12. Given the proposed fenestration, and the siting and orientation of the proposed dwellings, it is considered that the scheme would avoid causing undue harm to the privacy of any nearby residential properties.
13. Objectors' comments are noted. However, in terms of daylight or outlook, it is not considered that the proposed bungalows would cause undue harm to the occupants of any neighbouring properties given the proposed scale and massing of the proposed scheme and the siting and orientation relevant to nearby properties.
14. Given the proximity to nearby residential properties, it is considered necessary to include a condition restricting the hours of construction to avoid undue nuisance to the occupants of those properties.
15. Subject to the above, the scheme is considered acceptable in terms of neighbour amenity.

Accessibility / Parking and Highway Safety

16. The Local Highway Authority has no objection to the proposed scheme subject to the inclusion of conditions requiring the following:
 - The surface for the parking spaces and any new surfacing required for the back lane to Greenfield Street shall be carried out using a bound and porous material
 - 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.

17. It is considered appropriate to include the two conditions above.
18. The Local Highway Authority has also requested the inclusion of other conditions relating to the provision of a dropped kerb to serve the development. However, it is not considered that it would be appropriate to include such conditions as Whittle Street is not a classified road and as such the provision of a dropped kerb would not require planning permission. It is considered that an informative can be included to remind the applicant of the need to contact the Local Highway Authority in relation to carrying out works to provide a dropped kerb to serve the site.
19. The Local Highway Authority has also requested a condition requiring that a pre and post-development condition survey of Whittle Street is carried out, and any damage is repaired by the developer. However, Whittle Street serves a large number of other properties and it is not considered that it would be appropriate to include a condition which operates on the assumption that any damage to the road surface has necessarily been caused by the development in question. In addition, Whittle Street is an adopted highway and in order to carry out any repair works to its surface the developer would need to enter an appropriate agreement with the Local Highway Authority to do so. As such, it is not considered that the suggested condition is reasonable or practical in this case.
20. Subject to the two conditions mentioned above, the scheme is considered acceptable in terms of access, parking and highway safety.

9. CONCLUSION

The proposed development is appropriate in principle within the urban boundary and would be acceptable in terms of visual amenity, neighbour amenity and highway safety. It is considered that the proposed development accords with Core Strategy Policies AVP4, 1, 9, 16, 18, 23 and 24, and the National Planning Policy Framework.

10. CONDITIONS

1. The development hereby permitted shall begin no later than 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 following:
 - Application Form date stamped 1st November 2017 by the Local Planning Authority.
 - Site Location Plan date stamped 1st November 2017 by the Local Planning Authority.
 - Proposed Floor Plans date stamped 1st November 2017 by the Local Planning Authority.
 - Proposed Front Elevations date stamped 1st November 2017 by the Local Planning Authority.
 - Proposed Front and Rear Elevations date stamped 1st November 2017 by the Local Planning Authority.
 - Tree Protection Plan (Drawing Number 1031/TPP/001) date stamped 1st November 2017 by the Local Planning Authority.

- Proposed Site Plan and Landscaping date stamped 22nd December 2017 by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. 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.

4. Notwithstanding what is shown on the approved plans, the roofs of the dwellings hereby approved shall be constructed of natural slate.

Reason: In the interests of visual amenity.

5. No development shall take place until a plan showing the proposed delineation of the ownership boundary between the two dwellings (including the ownership of the woodland to the south of the site) and a statement setting out the proposed maintenance arrangements for the woodland have been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be maintained in accordance with the approved details.

Reason: To ensure appropriate arrangements are in place for the management and maintenance of the area of woodland to the south of the approved dwellings.

6. Prior to first occupation of either of the dwellings hereby approved, the surface for the parking spaces and any new surfacing required for the back lane to Greenfield Street shall be constructed using a bound porous material.

Reason: To prevent debris entering the highway, in the interests of highway safety.

7. No development shall take place 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
- ix) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety.

8. No development shall take place until tree protection fencing (in accordance with BS 5837:2012) has been erected in the location shown on the approved Tree Protection Plan (Drawing Number 1031/TPP/001). The tree protection fencing shall be retained and maintained for the duration of construction works on site.

Reason: To protect the area of woodland to the south of the site from damage during construction works.

INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_ad_opted

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. United Utilities have stated the following, which is brought to the attention of the applicant:

“A public sewer crosses this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.”

3. The developer should be aware that the any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.

4. The developer should be aware of the requirement to enter a section 184 agreement with the Local Highway Authority under the Highways Act 1980 for the provision of a dropped crossing within the adopted highway.

Whittle Street, Rawtenstall, Rossendale, Lancashire, BB4 8SB



Site Plan shows area bounded by: 381039.29, 423106.29 381180.71, 423247.71 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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LAND OFF WHITTLE STREET RAWTENSTALL BB4 8SB
PROPOSED SITE PLAN AND LANDSCAPEING

WHITTLE STREET

EVERGREEN HEDGING

GRAVEL PATHS

PERMEABLE SURFACE
PARKING 2 CARS

NO.
22

BACK GREENFIELD ST.

GRASSED AREA

1.8mtr close boarded timber
boundary fence

CELLULAR GRASSED
TURNING AREA

T3

T2

T6

T5

RETAINED TREES

PERMEABLE SURFACE
PARKING 2 CARS

SCALE 1:200



PROPOSED SEMI DETACHED BUNGALOWS WHITTLE ST. RAWTENSTALL



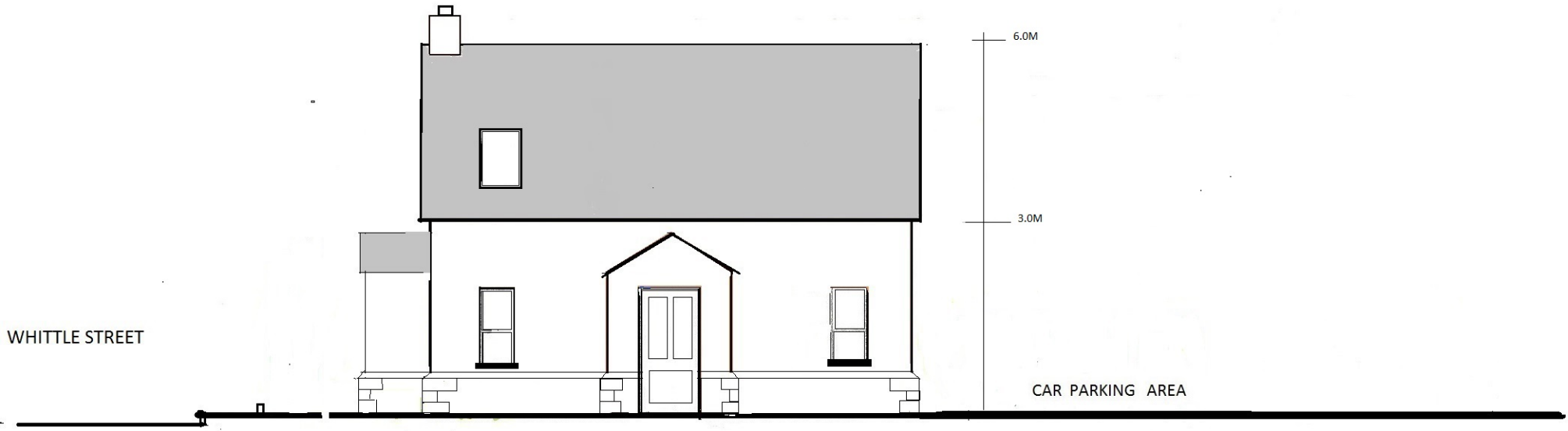
REAR ELEVATION



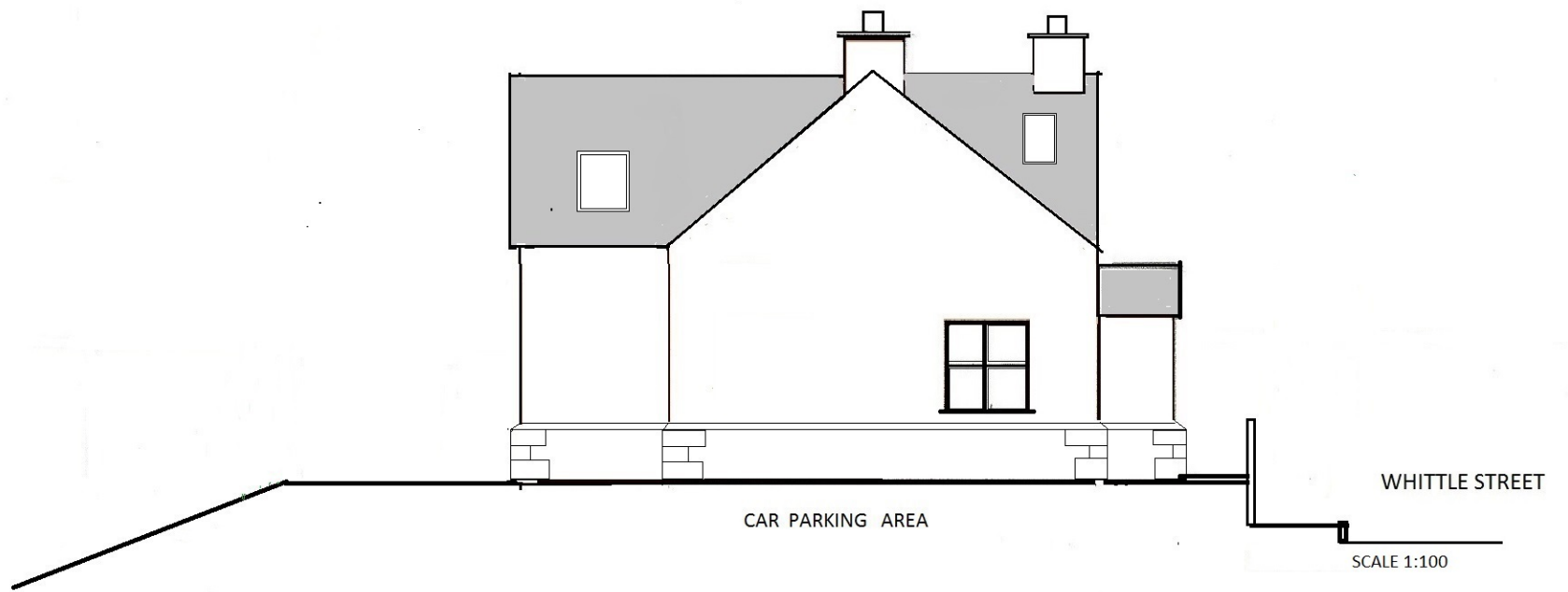
PERMEABLE SURFACE
PARKING 2 CARS

FRONT ELEVATION WHITTLE STREET

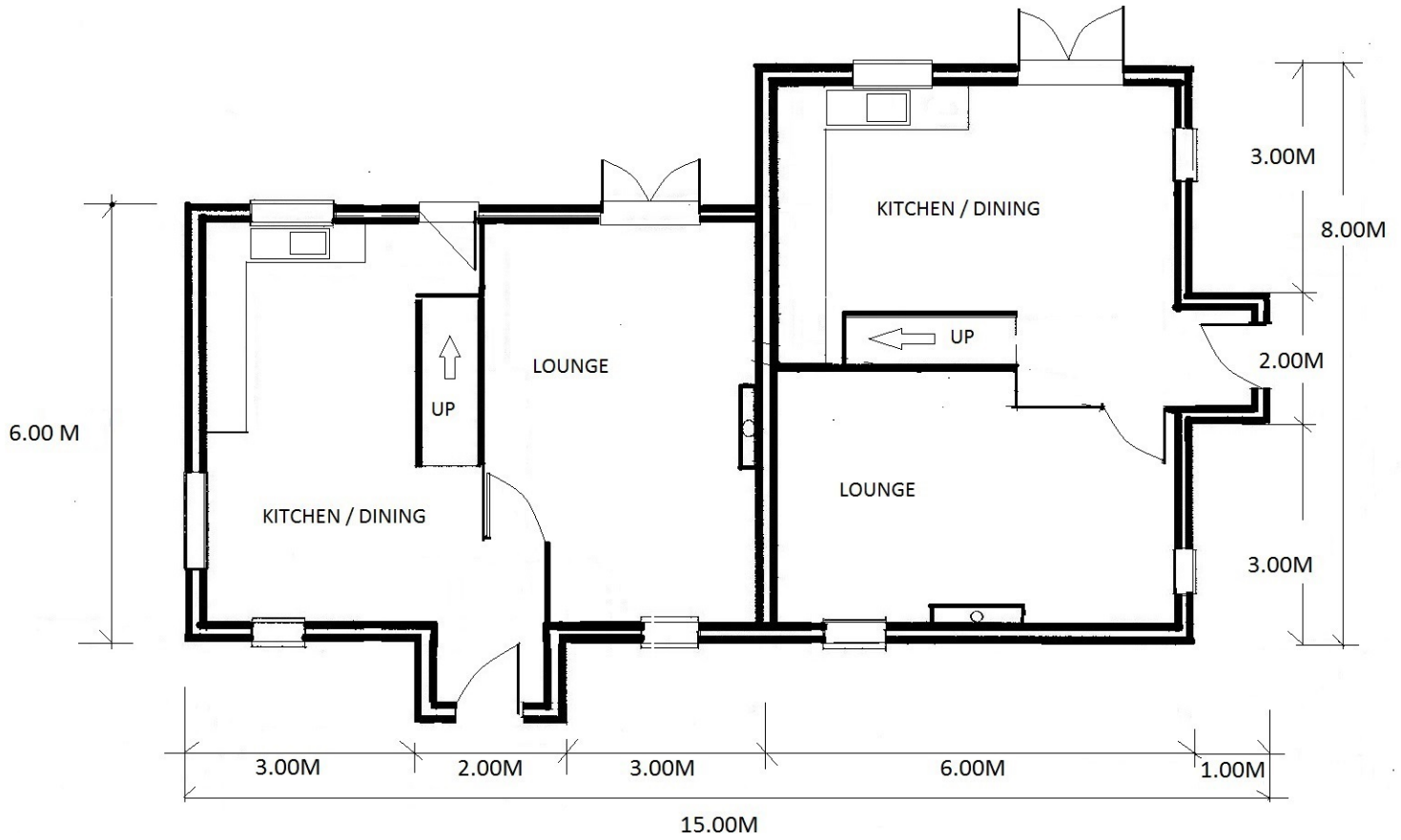
PROPOSED SEMI DETACHED BUNGALOWS WHITTLE ST. RAWTENSTALL



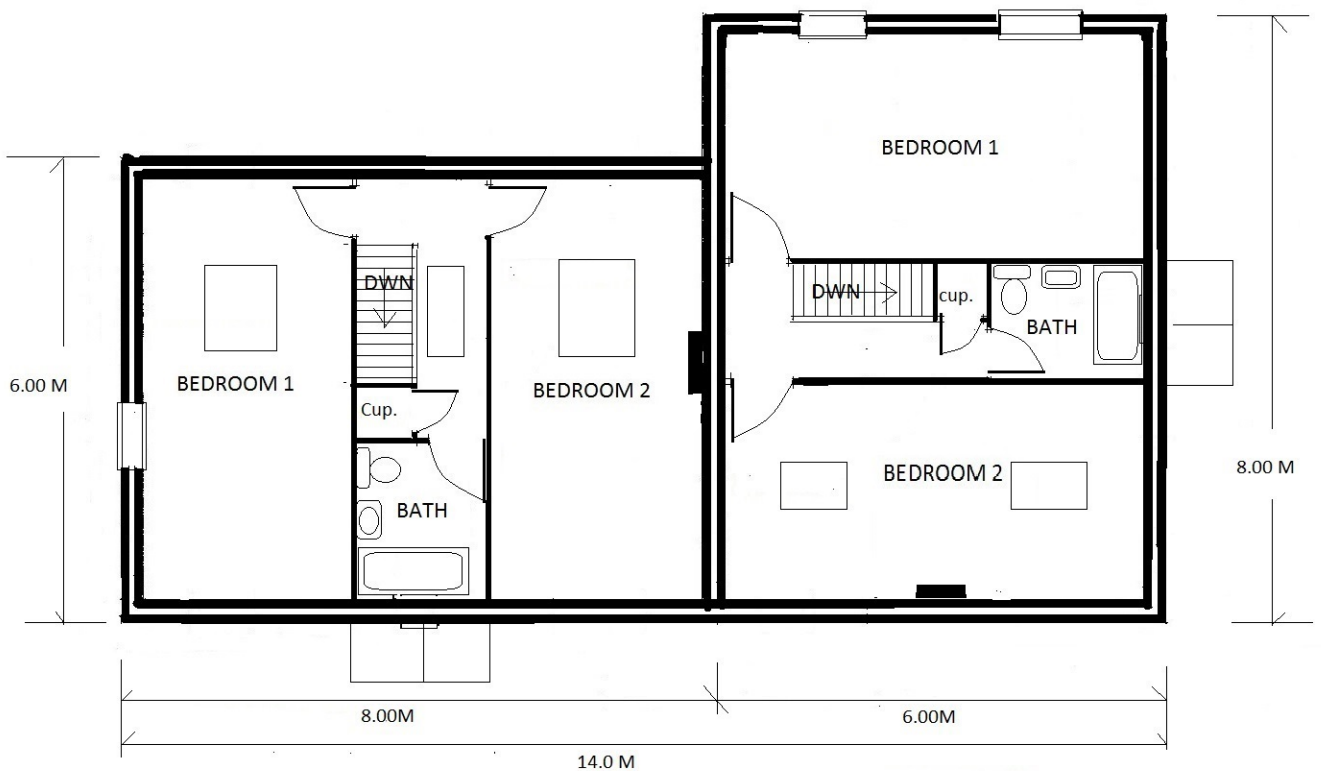
PROPOSED ELEVATION FROM BACK GREENFIELD ST.



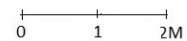
PROPOSED FLOOR PLANS FOR 2NO. SEMI DETACHED BUNGALOWS
 AT WHITTLE STREET RAWTENSTALL BB4 8SB



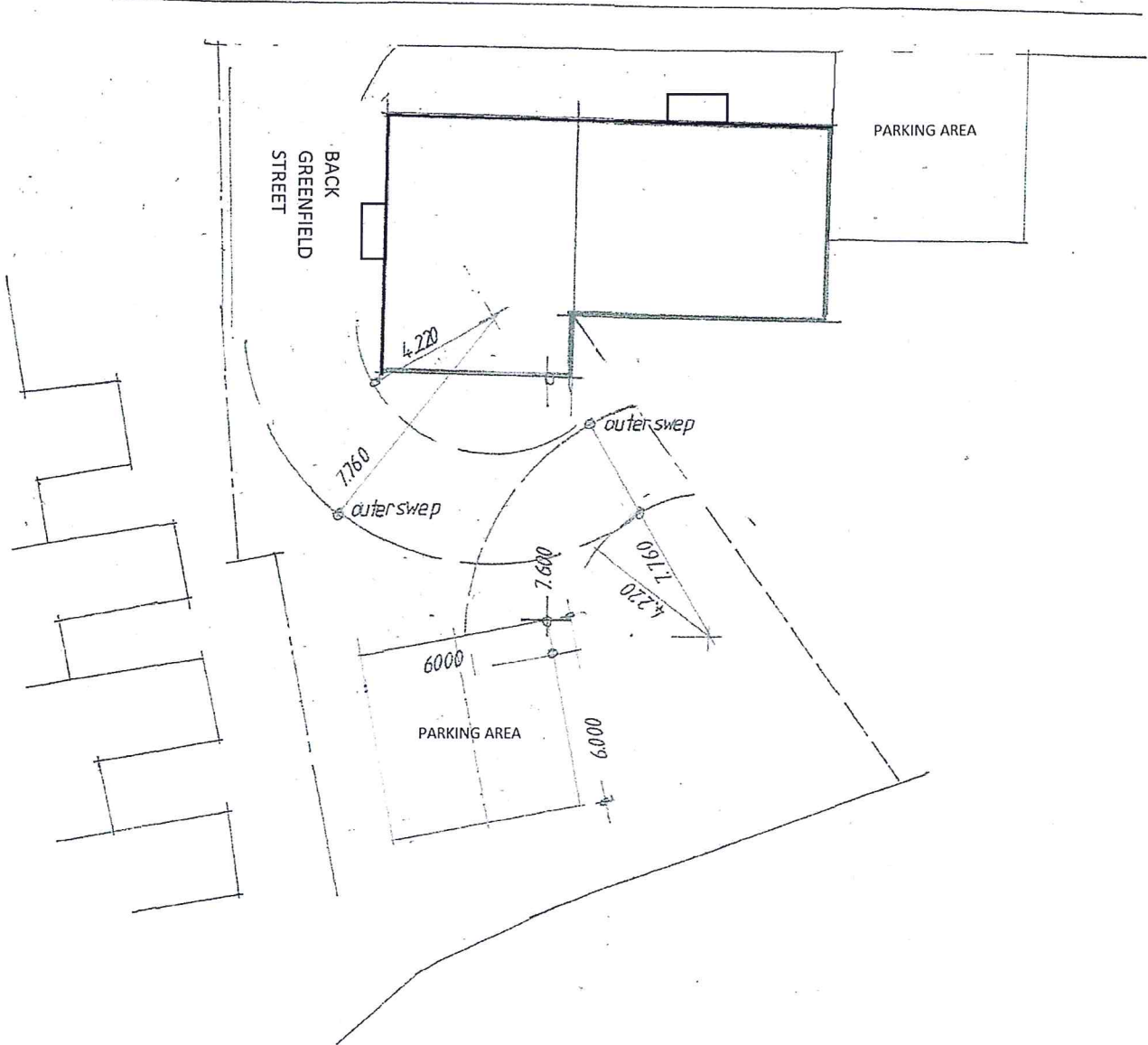
GROUND FLOOR PLAN SCALE 1:100



FIRST FLOOR PLAN SCALE 1:100



WHITTLE STREET



LAND OFF WHITTLE STREET, RAWTENSTALL BB4 8SB

PRIVATE VEHICAL PARKING

SCALE 1:200

