

Application Number:	2018/0126	Application Type:	Outline
Proposal:	Outline application (including access only) for the development of up to 9 no. dwellings on the site.	Location:	Hawthorne House, Rochdale Road, Edenfield, BL0 0JX
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	23 rd May 2018
Applicant:	Mrs Marlene Walters	Determination Expiry Date:	30 th May 2018
Agent:	Mr William Holt		

Contact Officer:	James Dalglish	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 planning permission subject to the conditions set out in section 10 of the report.

APPLICATION DETAILS

2. SITE

The site relates to the land and garden associated with Hawthorn House, a substantial detached dwelling of brick and render construction located off the A680 (Rochdale Road) in Edenfield. The site covers approximately 0.5 ha, and is accessed directly from Rochdale Road.

The site is adjoined to the south east by Edenfield Methodist Church, and to the north, west and south of the site are residential properties of various designs and facing materials. The north and east edges of the site are covered in trees which are subject to a Tree Preservation Order (TPO). Other individual trees on the western boundary of the site are also covered by TPOs.

The site is within the defined urban boundary and is considered to be a greenfield site (not previously developed land) in accordance with the definition of previously developed land contained within Annex 2 of the Framework.

3. RELEVANT PLANNING HISTORY

Adjacent Site - 2017/0237 - Conversion of former Methodist Church into 8 no. apartments (6 no. 2-bedroom and 2 no. 1-bedroom), with associated landscaping and access works including the creation of a new access from Rochdale Road. (Approved)

4. PROPOSAL

Outline planning permission (including access only) is sought for the proposed demolition of the existing dwelling (Hawthorn House) and the erection of nine detached dwellings on the site.

The only matter for which approval is sought in this application is access. However, an indicative proposed site plan has been submitted, showing the dwellings arranged in a staggered pattern along an approximately north-south line across the site.

A new access road (with vehicular turning heads) would be constructed to serve the dwellings leading from Rochdale Road. The indicative site layout plan shows that each dwelling would be provided with two off-street parking spaces.

Initially it was proposed that another access (leading off Hawthorn Avenue) would also be created to serve one of the dwellings, however following objections received from local residents and comments from the Local Highway Authority that access has now been omitted – the site would now be served solely via the main access off Rochdale Road.

The submitted site plan indicates that all of the existing TPO trees on site would be retained, and that new trees / shrubs would be planted around the new dwellings and access road.

No details of the development's proposed appearance, scale or landscaping have been provided.

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

Rossendale Core Strategy DPD (2011)

AVP5 – South West Rossendale

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 Considerations

National Planning Practice Guidance

Alterations and Extensions to Residential Properties SPD

6. CONSULTATION RESPONSES

Consultee	Comment
LCC Highways	No objection subject to conditions
United Utilities	No objection subject to conditions
Ecology	No comments have been received
Contaminated Land	No objection subject to conditions
Tree Consultant	No objection, provided advice
LCC Lead Local Flood Authority	No comments to make on the application
LCC Public Rights of Way	No comments have been received
Fire Brigade	No objection, provided advice
Lancashire Archaeological Advisory Service	No objection subject to condition
RBC Conservation Officer	No objection subject to condition

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 13/03/2018 and 51 neighbour letters were sent out on 12/03/2018.

6 letters of objection have been received, raising the following concerns:

- Harm to neighbour amenity

- Noise disturbance
- Traffic and highway safety issues
- Inappropriate access
- Exacerbate parking problems on Rochdale Road
- Concerns over surface water drainage from the development

8. ASSESSMENT

Principle

The Framework contains a presumption in favour of sustainable development, and as such a consideration in this case is whether the proposed scheme represents sustainable development or not. The sustainability of the site's location is a key part of such a consideration.

The site is immediately adjacent to the A680, and is within 200m of its junction with the B6527 (Market Street). The site is located within walking distance of bus stops which are served by local bus services and express services to various town centres.

The site is located within the defined urban boundary, where Policy 1 of the Core Strategy seeks to locate the majority of new development.

The Council cannot currently demonstrate a five-year supply of deliverable housing sites, and therefore certain Core Strategy policies concerned with the supply of housing cannot be considered up-to-date (in line with paragraph 49 of the Framework).

In light of the above, the requirements contained within Policy 2 of the Core Strategy relating to residential developments on unallocated greenfield land are not considered up-to-date and at the time of writing can only be afforded very limited weight in the decision-making process.

Given the above, it is considered that the proposed development is appropriate in principle.

Visual Amenity

Approval is not sought for the appearance, scale, layout or landscaping of the development at this stage. Such matters will be considered in detail at reserved matters stage.

Section 7 of the Framework and Policy 23 of the Core Strategy require that new development proposals are of the highest standard of design. The proposed development would be relatively prominent when viewed from Rochdale Road and it is particularly important that any scheme is of high quality appearance.

It is considered that dwellings on the site should have a maximum of two storeys in order to remain visually compatible with the scale of surrounding dwellings. It would be expected that any proposed dwellings would be constructed of natural coursed stone, and would utilise natural slate roofs.

As such, it is considered appropriate to include conditions restricting the height of the proposed dwellings to two storeys, and to require the use of natural stone and slate in the construction of their elevations.

A high quality scheme of landscaping (utilising native species) and boundary treatment would be required at reserved matters stage, and should aim to improve the visual appearance of the wider site as well as helping any proposed dwellings to blend into the landscape and softening the appearance of the development.

The Council's Conservation Officer has no objection to the proposed scheme subject to the inclusion of a condition suggested by Lancashire Archaeological Advisory Service, which would require the submission of a historic building record in relation to Hawthorn House prior to any development / demolition taking place.

Subject to the above conditions, the outline scheme is considered acceptable in terms of visual amenity.

Neighbour Amenity

Outline planning permission (including access) is sought at this stage, and no details of the proposed development's scale, layout or landscaping has been provided. It is considered that it is possible for the site to accommodate nine new dwellings without having a significant adverse impact on neighbouring residential properties.

However, any proposed dwellings would need to be provided with adequate levels of garden space, to ensure that future occupants have levels of private outdoor amenity space that could be reasonably be expected for family dwellings. Suitable boundary treatment would be expected around the proposed gardens to ensure adequate levels of privacy for residents.

The applicant's attention is drawn to Section 2.1 of the Council's Alterations and Extensions to Residential Properties SPD, which sets out the minimum separation distances (window to window, and window to blank wall) required between adjacent properties. Any reserved matters application would need to demonstrate compliance with such separation distances both in relation to the existing dwellings surrounding the site, and in relation to each new dwelling on the site.

No windows should be included which would overlook the private gardens of adjacent dwellings.

The proposed outline scheme is considered acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

In response to objections received from local residents, the applicant has submitted amended plans which omit the originally proposed access from Hawthorn Avenue. The sole access to the site would now be from Rochdale Road.

The Local Highway Authority has no objection to the scheme subject to the inclusion of the conditions requiring the following:

- No development shall take place until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority.
- No development shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority.

In addition, the Local Highway Authority has provided some advice to the applicant to inform any future reserved matters application. This advice can be provided as an informative.

Subject to the above, the scheme is considered acceptable in terms of access, parking and highway safety.

9. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle within the urban boundary. It is considered that the development would not unduly affect the visual amenity, neighbour amenity or highway safety. Accordingly, the scheme is considered to accord with the National Planning Policy Framework and Policies AVP5, 1, 9, 16, 18, 23 and 24 of the Council's Core Strategy DPD (2011).

10. CONDITIONS

1. An application for approval of the reserved matters (namely the appearance, landscaping, layout and scale of the development) must be made to the Council before the expiration of three years from the date of this permission, and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The outline planning permission hereby approved relates to the erection of up to nine residential units which shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

- Application form date stamped 5th March 2018 by the Local Planning Authority.
- Site Location Plan (drawing number 17-462-SLP) date stamped 9th May 2018 by the Local Planning Authority.
- Proposed Site Plan (Drawing Number 17/462.10 Revision C) date stamped 5th April 2018 by the Local Planning Authority (only insofar as the site boundary and proposed access are shown)

Reason: For the avoidance of doubt.

3. As part of the first reserved matters application full details of the alignment, height and appearance of all fences and walls and gates to be erected on site (notwithstanding any such detail shown on the submitted plans) shall be submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the above there shall be 1.8m high close boarded timber fencing between the rear gardens of each individual dwelling, and natural coursed stone walling shall be used around the perimeter of the site.

No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: The required details are not provided as part of this outline application and are required at an early stage in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

4. As part of the reserved matters 'appearance' application full details the following details shall be submitted to and approved by the Local Planning Authority in writing:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwellings
- b) Details of the colour, form and texture of all hard ground surfacing materials.

Notwithstanding the above, the dwellings hereby approved shall be constructed in natural coursed stone, with natural blue slate roofs.

The development thereafter shall be constructed utilising the approved materials

Reason: The application is in outline only and is not accompanied by detailed plans, and to ensure that the development is appropriate in terms of visual amenity and to ensure that it responds to the local context of the site.

5. Notwithstanding the details shown on the submitted plans the new dwellings shall be no greater than two storeys in height.

Reason: To ensure that the development is appropriate in terms of visual amenity and to protect the neighbours' amenities.

6. Prior to first occupation of any of the dwellings hereby permitted all proposed parking and manoeuvring areas shall be constructed, drained, and provided with a hard bound permeable surface. 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 and to reduce the potential for surface water flooding.

7. 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
- ix) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety and neighbour amenity.

8. Prior to the occupation of any of the dwellings hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety.

9. Prior to the construction of any of the streets referred to in the previous condition full engineering, drainage, street lighting and constructional details of the streets shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

10. Prior to first occupation of any of the dwellings hereby approved full details of the proposed arrangements for future management and maintenance of the communal areas and areas of landscaping within the development shall be submitted to and approved by the local planning authority. The communal areas shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and Maintenance Company has been established.

Reason: To ensure that the communal areas serving the development and landscaped areas are maintained to an acceptable standard in the interest of residential / highway safety.

11. As part of the first reserved matters application an investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall comprise:

- i) a Preliminary Risk Assessment report, including a conceptual model and a site walk over survey.
- ii) where potential risks are identified by the Preliminary Risk Assessment, a site investigation survey of the extent, scale and nature of contamination and;
- iii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

- archaeological sites and ancient monuments;

iv) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy.

Reason: To safeguard future occupants of the site from hazards associated with land contamination.

12. Pursuant to condition 11 and prior to first occupation of any of the dwellings hereby approved a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard future occupants of the site from hazards associated with land contamination.

13. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

14. As part of the first reserved matters application, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards 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 in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

15. As part of the reserved matters 'landscaping' application, full details of the tree protection measures to be implemented (including a plan identifying the proposed location of tree protection fencing to be installed during construction works), having regard to the Arboricultural Constraints Appraisal produced by Bowland Tree Consultancy (February 2018) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be thereafter be implemented throughout the course of development.

Reason: In the interests of visual amenity.

16. The first reserved matters application shall include full details of proposed finished floor levels and external ground levels (including levels adjacent to the site) of the development hereby approved.

Reason: In the interests of visual and neighbour amenity.

17. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of archaeological work should comprise the following:

i) The creation of a record of the building to level 2-3 as set out in Understanding Historic Buildings (Historic England 2016). This work should be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists.

ii) A formal watching brief during lifting of ground slabs, removal of foundations and any intrusive works in the cellar etc., followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological and historical importance associated with the site.

11. 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_adopted

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.

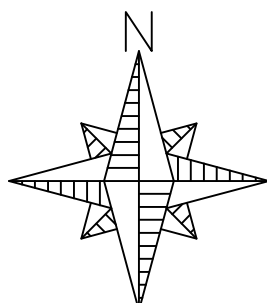
2. If, during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the Local Planning Authority. The applicant is advised that they have a duty to adhere to Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building

Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

3. The applicant's attention is drawn to the comments and advice provided by Lancashire Fire and Rescue Service, which may have implications for the final layout and design of the development.

4. The applicant's attention is drawn to the comments and advice provided by the Council's tree consultant, in regard to arboricultural constraints on the site. The comments may have implications for the acceptability of the final layout and design of the development.

5. The applicant's attention is drawn to the comments and advice provided by Lancashire County Council Highways Department. The comments may have implications for the acceptability of the final layout and design of the development.



JOHN HOLT ARCHITECTS LTD

SITE LOCATION PLAN

Hawthorn House, Edenfield

SCALE: 1:1250


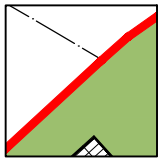
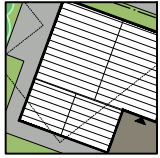
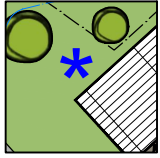
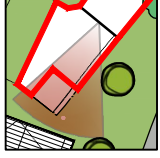
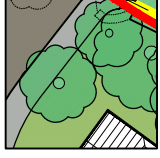

17/462.SLP

CLIENT: Mrs M Walters

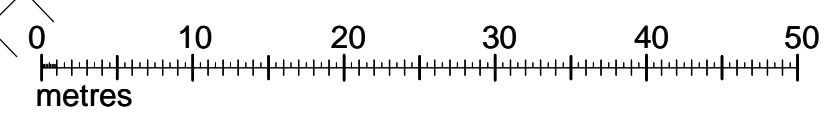
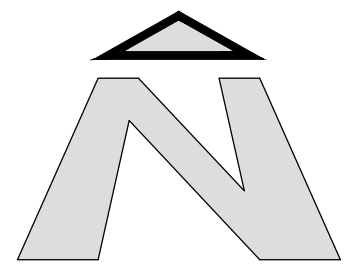
3 MANCHESTER ROAD BURY LANCASHIRE BL9 0DR
TELEPHONE: 0161 764 8314 E-MAIL: mail@holtarchitects.co.uk

DO NOT SCALE DRAWING

KEY

- Site Entrance 
- Site Boundary 
- Existing house to be demolished 
- Secondary Elevation 
- Aspect distance 
- Existing TPO trees 
- New planting 

Project	HAWTHORN HOUSE, EDENFIELD
Drawing	PROPOSED SITE PLAN
Client	Mr & Mrs G WALTERS
Dwn. By	CMc
Scale	1:500
Drg. No.	17/462.10 C
Drg. Size	A3
Date	FEBRUARY 2018



JOHN HOLT ARCHITECTS LTD.