

TITLE: ERECTION OF TWO BEDROOM BUNGALOW ON LAND TO REAR OF 288 – 294 NEWCHURCH ROAD, STACKSTEADS

APPLICATION NO: 2006/257

TO/ON: DEVELOPMENT CONTROL COMMITTEE 27TH JUNE 2006

BY: TEAM MANAGER DEVELOPMENT CONTROL

STATUS: FOR PUBLICATION

PORTFOLIO HOLDER: CABINET MEMBER FOR REGENERATION

APPLICANT: KERMAC CONSTRUCTION

DETERMINATION EXPIRY DATE: 10TH JULY 2006

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.

Site and Proposal

The applicant seeks permission for the erection of a two bedroom bungalow on land to the rear of 288 – 294 Newchurch Road, Stacksteads. The site lies within the urban boundary and is immediately adjacent to two pairs of semi-detached dwellings, which were constructed in accordance with planning permission granted in 2004. Access to the dwellings shall be in the form of a one way road, with access and egress from two points on Newchurch Road.

A Councillor has requested that this application be heard by Committee.

Relevant Planning History

2004/360 - Outline - site for the erection of a terrace of four two-storey dwellings with separate ingress and egress on Newchurch Road on land to the rear of 278 – 300 Newchurch Road, Stacksteads. APPROVED

Notification Responses

Site notices were posted and to date no responses have been received.

Consultation Responses

County Highways

The recommendations for the development to the rear of 278 – 300 Newchurch Road, Stacksteads were for refusal on several grounds. With regard to this application I would again recommend refusal on the same grounds, as I am unaware of any changes from the previous application. There should be off-road parking for two vehicles.

RBC Forward Planning

The overall position within the Stacksteads area is that demand equals supply and that demand is satisfied by the existing stock within the market (Housing Pressure Model). In the Stacksteads area alone there will be an additional 121 dwellings built through the extant planning permissions allocation. The current property type mix is heavily weighted to the terraced housing market, and this could be why the Housing Pressure Model of the Housing Need Market Assessment (HNMA) is suggesting there is an oversupply of houses. The current property type mix would suggest that flats or detached houses may help re-balance the market in this area. However bearing in mind that there are no Bungalows in this area and that the Housing Pressure model suggests that there is a strong demand for them, I would recommend that this application be granted.

No affordable housing has been identified within this ward apart from 2 units of additional affordable accommodation, of which one is for general needs 3 or 4 bed dwelling and the other is for older person use 1/2 bed. This 1 property for older people that is needed could be satisfied with this application, but it would have to depend on how much the developer is going to price the property at (look at the affordability data above and house price to income ratios).

Development Plan Policies

Rossendale District Local Plan

Policy DS1
Policy DC1
Policy DC4

Joint Lancashire Structure Plan

Policy 1
Policy 2
Policy 12
Parking standards

Other Material Planning Considerations

Planning Issues

The main issues to consider when determining the application relate to the principle of the development, highway issues, housing supply, residential amenity and whether circumstances exist to warrant an exception to housing policy.

Principle

The location for the proposed development is within the urban boundary and therefore, the proposal is in accordance with Policy DS1 of the Rossendale District Local Plan. The proposed development is located within the main development locations as identified within Policy 2 of the Joint Lancashire Structure Plan. The proposed development will take place on a former garage colony and therefore is in accordance with government guidance, in the form of PPG3, which states that the government is committed to maximising the re-use of previously developed land and the proposal to provide 60% of new housing on brownfield sites or conversion of existing buildings.

Highway Issues

The proposed development will not have an adverse impact upon the existing parking arrangements within the locality. The highways authority have requested two off-road spaces to be allocated to the proposed dwelling, which will be dealt with via condition. Whilst it is acknowledged that the highways authority have objected to the proposed development, it is considered that as no new accesses are to be formed and the proposed development will utilise the existing access, which was approved as part of a previous permission, the proposed access is acceptable. Therefore, the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

Housing Supply

One major issue associated with this application, is one of housing supply. The level of supply is calculated by deducting the total number of completions (992 identified in Housing Land Position Report) from the number of dwellings identified in the Structure Plan (ie of 1920), equating to a remaining provision of 928. The number of dwellings with planning permission equates to 1268. Therefore, the number of dwellings with planning permission, in addition to the number of dwellings lost, equates to an oversupply of 255 dwellings. Therefore, it is considered that there are sufficient residential planning permissions to meet Rossendale Borough Council's housing requirement to 2016 and that the proposed development would be contrary to Policy 12 of the Joint Lancashire Structure Plan (2001-2016).

Residential Amenity

It is considered that the proposed development will not have a significantly adverse impact upon the amenity of the neighbouring residents. The proposed dwelling will not adversely affect the level of sunlight or daylight currently received by, or

unacceptably overlook, the surrounding residential properties. The proposed development will not impact upon the trees to the rear of the site, which will screen the properties from view. It is considered that the proposed development in its current position will not prejudice the future development of the land to the south of the site. Therefore, it is considered that the proposed development will not impact adversely upon the amenity of the neighbouring residents and is in accordance with Policies DC1 and DC4 of the Rossendale District Local Plan.

Exceptional Circumstances

Consideration has been given as to whether or not the circumstances, put forward by the applicant's agent, justify approving this proposal. It is contended that they do for the following reasons.

The proposed development is located within the Bacup, Stacksteads and Britannia Housing Market Renewal area. The recent planning history shows that the adjacent site, land adjacent to 368 Rochdale Road, has been the subject of planning approval for residential development in the past. The proposed development will meet an identified local housing need, as there is a demand for bungalows within the area, as detailed within the Housing Need and Market Assessment 2005 for the Stacksteads ward. It is considered that the regenerative impact of the proposed development will outweigh the concerns relating to housing supply and therefore, a recommendation of approval is given.

Conclusion

The proposed development is located within the urban boundary as identified by Policy DS1 of the Rossendale District Local Plan and the main development locations as identified by Policy 2 of the Joint Lancashire Structure Plan. The proposed development will not have an adverse impact upon the amenity of the neighbouring residents and will not look out of place within the locality, subject to conditional control. The proposed development will meet an identified local housing need and it is considered that the regenerative impacts outweigh the concerns relating to housing supply. Therefore, the proposed development is in accordance with Policies DS1, DC1 and DC4 of the Rossendale District Local Plan and Policies 1, 2 and 12 of the Joint Lancashire Structure Plan.

Recommendation

That planning permission should be granted, subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: *Required by Section 51 of the Planning and Compulsory Purchase 2004 Act*

2. 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 nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.*

3. No development shall be commenced until a scheme detailing two off-road parking spaces within the curtilage of the dwelling has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in full and be available for use before the dwelling is occupied. The parking area shall thereafter be retained in perpetuity for the purpose of parking.
REASON: *In the interests of highway safety and to accord with Policy DC1 of the Rossendale District Local Plan*

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
REASON: *In the interests of residential amenity.*

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: *In the interests of visual amenity.*

6. Notwithstanding any indication on the approved plans or application forms, no development shall be commenced until full details of the external materials to be used on the roof and the walls of the development have been submitted to and first approved in writing by the Local Planning Authority. The development shall thereafter not be carried out otherwise than in complete accordance with the approved details.
REASON: *To ensure a satisfactory appearance to the development and to accord with Policy DC4 of the Rossendale District Local Plan*

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order with or without modification) no development shall be carried out on the site within the terms of Classes A, B, C, D and E, part 1 of Schedule 2 of the Order, without the prior consent of the Local Planning Authority.
REASON: *To ensure that any development of the site has due regard to the amenities of the surrounding area.*

Development Plan Policies

Local Plan

Policy DS1
Policy DC1
Policy DC4

Structure Plan

Policy 1
Policy 2
Policy 12

