

<b>TITLE:</b>	<b>2004/651 OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT LAND OFF LANESIDE ROAD, HASLINGDEN</b>
<b>TO/ON:</b>	<b>DEVELOPMENT CONTROL COMMITTEE - THURSDAY 3 FEBRUARY 2004</b>
<b>BY:</b>	<b>DEVELOPMENT CONTROL MANAGER</b>

**APPLICANT: MR G STABLES & MRS SWEENEY**

**DETERMINATION EXPIRY DATE: 22 OCTOBER 2004**

### **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.

This application was deferred from the 4 November 2004 Development Control Committee to allow consideration of a recent appeal decision in respect of the Holmefield House site in Helmshore.

### **Site and Proposal**

This application relates to land off Laneside Road, Haslingden which has been used as a garage colony. A site visit revealed that only one garage in a poor condition exists and the site benefits from an abundance of tree cover. The area is within the urban boundary and is overlooked by properties on Laneside Road and backs onto properties on Manchester Road. This is a brownfield site having regard to Government guidance in the form of PPG 3. All matters are reserved for subsequent approval.

### **Relevant Planning History**

1989/727 – Outline – Erection of 8-10 dwellings. Withdrawn 12 February 1990.

## **Consultation Responses**

### **RBC Highways**

Raises objection to the proposal on the grounds of unsatisfactory access.

### **RBC Forward Planning**

The site is within the Urban Boundary and accords with Policy DS1 in the Local Plan. As the site is on previously developed land it would not be contrary to guidance given in PPG3, which seeks to ensure that land is used efficiently. It also accords with Policy 12 of the Proposed Changes to the Deposit Edition of the Joint Lancashire Structure Plan which notes that “priority will be given to the re-use or conversion of existing buildings, and then the use of previously developed land” in the main development locations and market towns (identified in Policies 2 and 3 of the Deposit Structure Plan). We would, therefore, not object to residential development at this location.

### **County Planning Officer**

Raises objection to the proposal on policy grounds.

### **County Highways Officer**

Refers to a previous application 1989/727 for the same site for a residential development of 8-10 houses in which it was commented that the vehicular access should be from Laneside Road only as the access onto Manchester Road was substandard and could not be constructed to adoptable standards. It is recommended that access to the development should be via Laneside Road only, with a pedestrian route being provided through the site linking Laneside Road with Manchester Road. Additionally, he comments that the scale of the development should remain as a low density development due to off site highway constraints (principally the alignment and width of Laneside Road).

### **Environment Agency**

No objection

## **Notification Responses**

The application was advertised by site notices and a notice in the Rossendale Free Press. Four letters of objection have been received which make the following points :-

- Loss of privacy
- Density of the development
- Loss of light
- Poor access
- Noise and disturbance
- Additional traffic & noise & parking problems
- Loss of trees
- Loss of view

## **Development Plan Policies**

Policy DS1 (Urban Boundary) of the Rossendale District Local Plan states that *“the Council will seek to locate most new development within a defined boundary – the Urban Boundary – and will resist development beyond it unless it complies with policies DS3 and DS5. The urban boundary is indicated on the proposals map”*

Policy DC1 (Development Criteria) of the Rossendale District Local Plan

The policy states that all applications for planning permission will be considered on the basis of a) location and nature of proposed development, b) size and intensity of proposed development; c) relationship to existing services and community facilities, d) relationship to road and public transport network, e) likely scale and type of traffic generation, f) pollution, g) impact upon trees and other natural features, h) arrangements for servicing and access, i) car parking provision j) sun lighting, and day lighting and privacy provided k) density layout and relationship between buildings and l) visual appearance and relation to surroundings, m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance..

Policy DC 4 (Materials) of the Rossendale District Local Plan states that *“local natural stone (or an alternative acceptable natural substitute which matches as closely as possible the colour, texture, general appearance and weathering characteristics of local natural stone) will normally be required for all new development in selected areas. Within those areas roofs shall normally be clad in natural stone slab or welsh blue slate, or in appropriate cases, with good quality substitute slates”*.

## **Adopted Lancashire Structure Plan (1991-2016)**

Policy 43 (General Housing Provision) states that Rossendale requires about 2,500 dwellings for the period 1991-2006.

Draft Joint Lancashire Structure Plan (2001-2016)

Policy 12 (Housing Provision) states that Rossendale requires about 1,920 dwellings for the period 1991-2006 of which an annual average provision of 220 should be provided between 2001-2006 and 80 between 2001-2016.

## **Other Material Planning Considerations**

### **PPG 3: Housing**

Government guidance in the form of PPG 3: Housing (March 2000) sets out the Government's aims and objectives relating to housing. Paragraph 32 states that *“the presumption will be that previously developed sites (or buildings for re-use or conversion) should be developed before greenfield sites”*.

## **Planning Issues**

The first issue for consideration is the land use designation. The site falls within the Urban Boundary, and as a former garage colony, could be considered to be a brownfield site. As such the proposal accords with PPG3 (Housing). It is therefore acceptable in policy terms as it meets the requirements of Annexe E of PPG3 and

paragraph 22 of the PPG which states that previously developed sites are to be developed before greenfield sites. The application is only seeking to establish the principle and therefore access considerations are not part of this application

Whilst the concerns of adjacent residents are acknowledged, the issues raised must be dealt with in considering the detailed submission.

The County Planning Officer's response indicates that the Borough Council has sufficient housing permissions to meet its requirement until 2006. By granting approval to this application, it would lead to an exacerbation of the situation on an incremental basis. However, the site is identified as performing well from a sustainable point of view and accords with Policy 1b of the Pre Adoption Composition Edition of the aforementioned plan.

The County Planning Officer has recommended refusal in accordance with Policy 43 of the Adopted Lancashire Structure Plan and Policy 12 of the Pre-Adoption Composite Edition.

Policy 43 of the adopted Structure Plan states that 2500 dwellings are required to be built within the Borough between mid 1991 and mid 2006 in order to adequately house the Borough's population. 1,983 had been constructed by September 2003. Policy 12 of the Draft Deposit Structure Plan states that, for the same reason, 1920 dwellings need to be constructed between the period 2001 and 2016 at the rate of 200 properties per year until 2006 and 80 per year thereafter. 431 were constructed between 2001 and September 2003. On the basis of these figures alone it would seem reasonable to assume that there is currently a shortfall of dwellings in the Borough, 517 based on the adopted Structure Plan figures and 669 based on those contained within the Draft Deposit Structure Plan (assuming a construction rate of 1100 properties by 2006). However, at 1 April 2003 there were 1606 planning permissions that were, and still are, capable of implementation. In view of this it is contended that the Council's current housing targets for 2006 can reasonably be met.

With regard to this, the proposal is considered to be acceptable in all other respects or could be rendered so through the imposition of suitable conditions. Nevertheless it is considered that the concerns outlined above outweigh all other considerations in this instance. Accordingly refusal of this application is recommended.

### **Recommendation**

That outline planning permission be refused for the following reason:

1. The proposed development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of policy 43 of the Lancashire Structure Plan 1991 - 2006 and policy 12 of the Proposed Changes (Deposit Edition) Joint Lancashire Structure Plan 2001 – 2016.

### **Background Documents**

Rossendale District Local Plan (Adopted April 1995)  
Lancashire Structure Plan 1991-2006