

**TITLE: 2006/121  
ERECTION OF ONE DETACHED DWELLING (OUTLINE)  
LAND ADJ TO LANE END FARM, EDEN LANE, EDENFIELD**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE - 5<sup>TH</sup> APRIL 2006**

**BY: TEAM MANAGER DEVELOPMENT CONTROL**

**APPLICANT: MR S PRESTON  
DETERMINATION EXPIRY DATE: 3<sup>RD</sup> MAY 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, 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 outline permission to construct a detached dwelling on a site located within the Green Belt, immediately to the south-east of a housing estate in the settlement of Edenfield. At this stage permission is sought for the siting of the dwelling; the matters of design, external appearance, access and landscaping are reserved for later consideration.

The application site has a 30m frontage to Eden Lane and a depth of approximately 20m. Until 2000 it formed part of a field. At some point in time part of the application site has been surfaced and, when recently visited, was being used for the storage of heavy plant and machinery; there is no record of planning permission having been sought for either this work or this use of the land.

#### **Notification Responses**

None

## **Consultation Responses**

### **Lancashire County Council Highways**

No Comments

### **RBC Forward Plans**

Comments that the site is within the area identified as Green Belt in the adopted Local Plan, wherein the erection of new dwellings is inappropriate except in very special circumstances. Whilst the Council is currently engaged in preparing the Local Development Framework (to replace the Local Plan) it is unlikely changes will be made to the existing Green Belt boundary.

It further advises that although Government guidance does enable small sites within or adjoining existing small rural communities (which may be the subject of restraint policies) to be released solely for affordable housing in perpetuity to meet a recognised local need such sites should result from a 'rural exceptions site policy' developed by the Council through the LDF-preparation process .

## **Development Plan Policies**

### **Rossendale District Local Plan (Adopted 1995)**

#### **Policy DS.1 (Urban Boundary)**

*"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."*

#### **Policy DS.3 (Green Belt)**

*"Within the green belts planning permission will not be given except in very special circumstances, for the erection of new buildings and for the change of use of other buildings other than for the purpose of agriculture, forestry, outdoor sport and recreation, cemeteries, institutions standing in extensive grounds, or other uses appropriate to a rural area. the change of use of a redundant building may be permitted within the terms of national green belt policy."*

#### **Policy DC1 (Development Criteria)**

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.

### **Joint Lancashire Structure Plan (Adopted 2005)**

Policy 1 (General Policy) states that:

*"Development will be located primarily in the principal urban areas, main towns, key service centres (market towns) and strategic locations for development and will contribute to achieving:*

*a) the efficient use of buildings, land and other resources;*

- b) high accessibility for all by walking, cycling and public transport, with trip intensive uses focussed on town centres;*
- c) a balance of land uses that helps achieve sustainable development;*
- d) accelerated rates of business development in the regeneration priority areas;*
- e) appropriate development at Blackpool airport, ports and regional investment sites;*
- f) urban regeneration, including priority re-use or conversion of existing buildings, and then use of brownfield sites;*
- g) enhanced roles for town centres as development locations and public transport hubs;*
- h) rural regeneration;*
- i) a high quality built environment.*

*Other development to meet an identified local need or support rural regeneration outside principal urban areas, main towns, key service centres (market towns) and strategic locations for development will be acceptable in principle.”*

#### Policy 5 (Development outside of Principal Urban Areas)

*“Development outside of the principal urban areas, main towns and key service centres (market towns) will be of a scale and nature appropriate to its location and will mostly take place in villages and other settlements identified in local plans/local development frameworks.*

*Development will support rural and urban regeneration by meeting an identified local need for housing or community services or by providing for local employment opportunities that maintain, or strengthen and diversify the local economy, including farm diversification and sustainable tourism development.*

*Development resulting in the loss of local shopping, leisure, service and employment provision to other uses will not be permitted unless it can be demonstrated that the use is no longer needed by the community.*

*In the countryside outside villages and other settlements, building conversions and redevelopment of existing groups of buildings for employment generating uses will be supported in principle. Limited development of new buildings to meet identified local employment needs will be acceptable in principle outside green belt areas.”*

#### Policy 6 (Green Belts)

*“The general extent of green belts in Lancashire will be maintained.”*

#### Policy 12(Housing Provision)

Policy 12 (Housing Provision) of the Joint Lancashire Structure Plan states that within Rossendale Borough provision will be made for the construction of 1920 dwellings in the plan period (2001-2016), with 220 per year between 2001 and 2006 and with 80 per year between 2006 and 2016.

#### Other Material Planning Considerations

PPS 1

PPG 2

PPG 3

RBC Housing Policy Position Statement

## **Planning Issues**

### **Settlement Policy**

The proposed development is sited adjacent to the settlement of Edenfield, which is outside of the main development locations identified in the Structure Plan and is also contrary to policy DS1 of the Local Plan.

### **Green Belt Policy**

Government guidance, contained in PPG 2, seeks to ensure that Green Belt land retains its essentially open character. To that end it states that the construction of new buildings within the Green Belt will be inappropriate unless for the purposes of agriculture, forestry, outdoor sport and recreation, cemeteries, institutions standing in extensive grounds, or other uses appropriate to a rural area. Policy DS.3 of the adopted Local Plan is consistent with this.

The erection of a dwelling on the application site would be contrary to both national and local policy in respect of the Green Belt. Nor has the applicant demonstrated that the very special circumstances exist to warrant a permission being granted. Whilst the applicant has submitted information as to how the development would benefit himself and his extended family, these personal circumstances are not considered to outweigh the importance of retaining the open character of the Green Belt.

### **Housing Policy**

I am satisfied that the application site is of adequate size to accommodate a dwelling which can provide its occupiers with the amenities they could reasonably expect to enjoy without causing undue detriment for any neighbours.

However, a further issue associated with this application is whether there is a requirement for new housing in the borough based on the figures in the Joint Lancashire Structure Plan (2001-2016). The Joint Lancashire Structure Plan specifies an annual average dwelling provision in the period 2001 to 2006 equivalent to 1,090 dwellings. Total housing completions, as identified in the Housing Land Position Report, amounted to 992 dwellings. At the 31 December 2005 there were existing planning permissions for 1268 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). With this in mind it is contended that the additional dwelling proposed by this application is not currently required to meet the housing land provision of the Borough.

As per the policy, contained within the Housing Policy Position Statement (as approved at Executive Committee on 17<sup>th</sup> August 2005), the proposed development will result in a net gain in the number of dwellings within the borough and is not located within the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area. Therefore the proposed development is not in accordance with the Housing Policy Position Statement.

For the above reasons the proposal is recommended for refusal.

## **Recommendation**

That the application is refused.

## **Reasons**

1. The proposed development would result in the provision of a dwelling outside of the main development locations, which will not support rural regeneration or has no identified local need, contrary to Policies 1 and 5 of the adopted Joint Lancashire Structure Plan and Policy DS1 of the adopted Rossendale District Local Plan .
2. The proposed development would be located within the Green Belt as defined by the adopted Joint Lancashire Structure Plan and the adopted Rossendale District Local Plan, wherein planning permission will not be given for erection of a new dwelling except in very special circumstances. In this instance the case has not been advanced to warrant an exception to PPG2 and Policy DS3 of the Local Plan. Furthermore, the proposed development would erode unacceptably the essentially open and rural character of the area and undermine the purposes for having included this and the neighbouring land in Green Belt
3. The proposed development would contribute towards an inappropriate excess in housing-supply provision, contrary to Policy 12 of the adopted Joint Lancashire Structure Plan and the Rossendale BC Housing Position Statement (August 2005). In this instance the case has not been advanced to warrant an exception to policy being made.

## **Local Plan Policies**

DS1  
DS3  
DC1

## **Joint Lancashire Structure Plan Policies**

Policy 1  
Policy 5  
Policy 6  
Policy 12



**BURY ROAD**

Sinks

Lane End

**MOORCROFT**

88

103

134

6

94

101

32

34

22

31

18

21

16

10

8



11

35

7

Sinks