

**Application No:** 2006/487

**Application Type:** Full

**Proposal:**  
Erection of 2 no. detached houses and one pair of semi detached dwellings and manege.

**Location:** Carr Farm, Lomas Lane, Rawtenstall

**Report of:** Team Manager Development Control.

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 10<sup>th</sup> October 2006

**Applicant:** Mr S Scholes

**Determination Expiry Date:** 27<sup>th</sup> October

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

**X**

Name of Member:

**Cllr June Forshaw**

Reason for Call-In:

**Requires that members see the condition of the site at present.**

**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.

**APPLICATION DETAILS**

**1. The Proposal and the Site**

The proposal includes the erection of one pair of semi detached houses and two detached dwellings each with four bedrooms. The access to the site will be via Lomas Lane. The site is currently occupied by a haulage business which is also accessed via Lomas Lane. The access route is a narrow, single carriageway in some places and runs past Balladen Primary School. The road is currently used for Heavy Goods Vehicles. The applicant proposes to create two passing places on

Lomas Lane and to create a footpath to the side of Lomas Lane on the applicant's land. The site is adjacent to Carr Farmhouse which is a Grade II listed building. To the North of the site is the housing estate of Hall Carr, to the South is Balladen Primary School and open land to the East

The site lies partially within the Urban Boundary and partially within the Countryside and the Landscape character type in the area is a combination of Settled Valleys, Industrial Age and Moorland Fringe as identified in Policy 20 of The Joint Lancashire Structure Plan.

**2. Relevant Planning History**

**1990/237 - OUTLINE - ERECTION OF ONE DWELLING, WITHDRAWN.  
1990/518 - OUTLINE - ERECTION OF ONE TWO STOREY DWELLING,  
APPROVED**

**3. Policy Context**

Rossendale District Local Plan

Policy DS.1 (Urban Boundary)  
Policy DC.1 (Development Criteria)  
Policy DC.4 (Materials)

Joint Lancashire Structure Plan

Policy 1 (General Policy)  
Policy 12 (Housing Provision)  
Policy 20 (Lancashire's Landscapes)

Other Material Planning Considerations

Planning Policy Position Statement (August 2005)  
Joint Lancashire Maximum Car Parking Standards (Adopted 2005)  
PPS 1  
PPG 3

**4. CONSULTATIONS**

LCC Highways

Require site drawing showing sight lines at access onto Lomas Lane, Closure of existing Road into site and also the width of the carriageway to accommodate two traffic.

RBC Forward Planning

No Reply

RBC Drainage

Comments

Rossendale Civic Society

No reply

## 5. REPRESENTATIONS

Site Notices and neighbour letters were posted to which there were two letters of objection received and a petition with an additional four signatories. The following issues were raised:

- Loss of habitats to bats, foxes, squirrels and hedgehogs, and birds within trees on the site
- Loss of Privacy due to overlooking into habitable rooms
- Loss of daylight/ sunlight
- Increase in noise from traffic and increased activity on the site
- Impacts of the development upon the unspoilt landscape and in relation to old buildings, and one listed building in the area.
- Current issues of flooding and the likely increase in this should the development go ahead.
- Loss of visual amenity
- Loss of view

One letter commenting on the application was received, the following points were made:

- Creation of a precedent
- The lay-bys on Lomas Lane attracting unwanted traffic
- In general the scheme would tidy up the area which is currently unattractive

One letter of support was submitted by the acting Head Master of Balladen Primary School:

- The building of houses on the land which is currently used for haulage would reduce the level of Heavy Goods Traffic using Lomas Lane

## 6. ASSESSMENT

### Principle

The applicant seeks consent to erect 2 detached houses and one pair of semi detached dwellings on the site of the existing haulage yard. The site was given permission for smaller residential development in 1990. The site stands close to existing residential development. The proposed pair of semi-detached dwellings fall within the defined urban boundary. The two proposed detached dwellings are located outside the defined urban Boundary and would be contrary to Policy DS.1 which requires that development should primarily be located within the defined Urban Boundary. Additionally the proposal requires to be assessed against Policy 20 (Lancashire's Landscapes of The Joint Lancashire Structure Plan. Policy 20 requires that development must contribute to the landscape character type within which it is situated. It is considered that the development would improve the character of the local area as it is currently occupied by a haulage yard and is visually unattractive. For these reasons it is considered that the development would be in accordance with Policy 20 of the Joint Lancashire Structure Plan.

The proposal site is adjacent to the listed building of Carr Farmhouse and this should be taken into account in determining the application. It is considered that the proposed development would detract less from this building than that which already exists on the site.

The overall design and choice of building materials are considered to be in keeping with existing conditions in the area and would not look out of place within the locality and therefore are considered to be in accordance with Policy DC.4 of The Rossendale District Local Plan and Policy 1 of The Joint Lancashire Structure Plan.

#### Residential Amenity

It is considered that the development would have less of an effect on residential amenity than that which currently exists on the site. Nearby residents have raised the issue of loss of view, however this is not a material planning consideration. It is considered that the development would be in accordance with Policy DC.1 of The Rossendale District Local Plan.

#### Traffic/Parking

The site is currently occupied by a haulage yard and the Heavy Goods Vehicles which are associated with this business use Lomas Lane for access. This causes some hazard at present as this is a narrow and steep road which has poor visibility on its corners. This is a particular issue at present as school children are especially vulnerable. The application would seek to cease this operation and would also provide a footway making the road safer for pedestrians and other vehicles.

The applicant has met the Lancashire County Council Maximum Car Parking requirements and has made provision within the site to enter and leave in a forward gear.

The highways department commented that details of sight lines and access onto Lomas Lane should be submitted and also that the width of the carriageway must accommodate two way traffic. The applicant has not addressed this issue, however it is considered that this can be dealt with by condition.

#### Housing Provision

The major issue which relates to the application is that of housing oversupply

The level of housing 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 (i.e. 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).

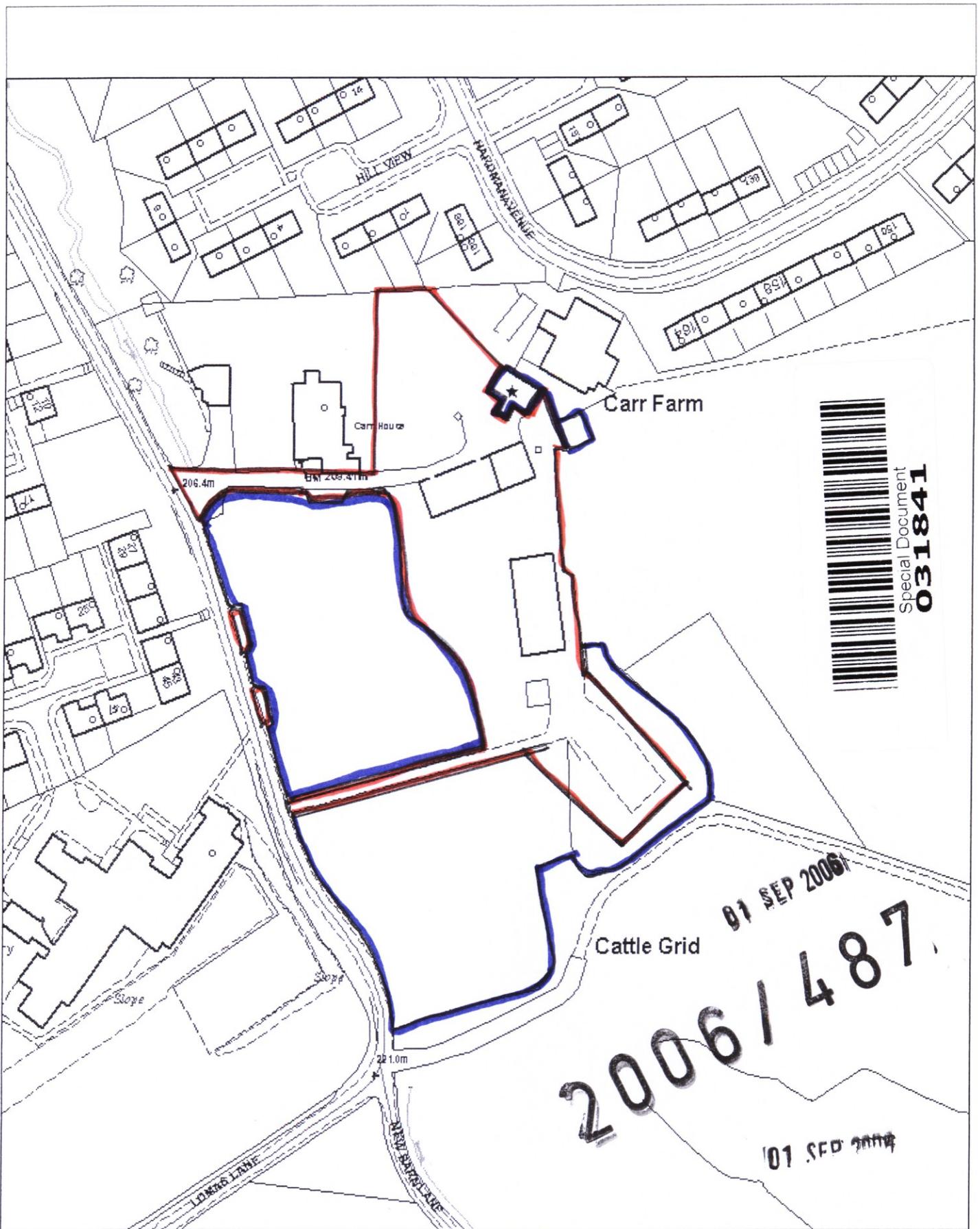
The Draft Regional Spatial Strategy for The North West requires that 80% of new homes be built on brownfield sites, in comparison the adopted Joint Lancashire Structure Plan requires that 58% of new houses be built on brownfield sites. Planning Policy Guidance Note 3 favours development to take place on previously developed sites which benefit from being accessible from public transport. In this respect the proposal would be in accordance with the criteria of Policy 12 of the Joint Lancashire Structure Plan, the Draft Regional Spatial Strategy and national planning guidance in the form of PPG 3. The site is also accessible by foot and bus from the key service centre of Rawtenstall and would therefore contribute to sustainability in accordance with Policy 1 of The Joint Lancashire Structure Plan and national Planning Policy Statement 1.

## **7. RECOMMENDATION**

**That the application is refused for the following reason:**

1. It is considered that the 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 12 of the Joint Lancashire Structure Plan 2001 – 2016 and the Housing Policy Position Statement.

<b>Contact Officer</b>	
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Scale 1:1250 Date: 01/09/2006

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