

Application Number:	2012/385	Application Type:	Full
Proposal:	Erection of 30 houses	Location:	Land adj New Line / Deansgreave Rd Bacup
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	20 November 2012
Applicant:	Harron Homes Ltd	Determination Expiry Date:	27 November 2012
Agent:			

Contact Officer:	Neil Birtles	Telephone:	01706-238645
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	Major Application

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

That Permission be Refused for the Reasons set out in Section 9.

2. SITE

This application relates to an irregularly-shaped site, of approximately 1.2 hectares in area, which has frontages to both New Line and Deansgreave Road and to the rear slopes down steeply to the long-distance recreational route occupying a former railway line (Britannia Greenway).

The site is occupied by a pair of split-level houses (137 & 139 New Line), but is otherwise un-used and of unkempt appearance. It is bounded by industrial premises located on the corner of New Line/Deansgreave Road (including those of Lancashire Sock Manufacturing Ltd) and by a handful of residential properties that front New Line, with residential properties opposite.

3. RELEVANT PLANNING HISTORY

Application 2004/555

In accordance with the allocation in the Rossendale District Local Plan for residential development of the site, this application sought Outline Permission for the erection of 50 dwelling units, to be accessed from New Line. In September 2004 Committee was minded to grant Outline Permission, subject to conditions and to the applicant first entering into a Legal Agreement.

As the Legal Agreement had not been entered into prior to Lancashire County Council adopting a new Structure Plan the application was reported back to Committee in July 2006. Having regard to prevailing planning policy, the Officer report again recommended that Outline Permission be granted subject to conditions and a S.106 Legal Agreement first being entered into to secure payment of £25,000 towards the enhancement and maintenance of the linear walkway to the rear.

The necessary Legal Agreement was duly completed and, in December 2006, the decision notice was issued granting Outline Permission for the residential redevelopment of the site, with the vehicular access to be at a point opposite 248 New Line.

Application 2007/330

In August 2007 I presented a report to Committee in respect of an application from Harron Homes. It sought approval for the reserved matters in respect of Outline Permission 2004/555, namely the layout, scale, appearance and landscaping of the development.

That scheme proposed the erection of 49 dwellings, to include 33 detached and terraced houses and, towards the south-eastern corner of the site, a 4-storey block containing 16 apartments. The apartments were to have 2 bedrooms and the houses 3, 4 or 5 bedrooms. The proposed buildings were to be constructed of artificial stone, with grey tiles roofs.

This application was refused for five reasons :

1. Food risk, most particularly for occupiers of 137/139 New Line.
2. Public health and pollution of ground/surface waters risks.
3. Loss/lack of the amenities occupiers of existing/proposed dwellings could reasonably expect to enjoy, and detriment to the visual amenity of the area.
4. Inadequate information in relation to bin-storage, cycle parking and renewable energy/energy efficiency measures.
5. Failure of the scheme to include a significant element of single-storey dwellings.

In amplification

The Environment Agency objected, having unresolved concerns about :

- The proposed culverting of the watercourse running through the site and the proposed site levels/potential increase in flood risk for occupiers of 139 New Line.

- 6 of the proposed houses and 4 garages being too near the culverted watercourse (a concern also expressed by United Utilities).
- The relationship of the proposed attenuation-pond to existing and proposed dwellings and the old railway cutting.
- The adequacy of the submitted Ground Condition Report to act as a basis on which to assess the risk of pollution to ground and surface waters and produce a remediation strategy.

The Council's Drainage Engineer and Environmental Health Officer similarly expressed concerns regarding flood risk and risk to human health.

LCC Highways raised no objection. Letters/emails of objection were received from 16 local residents and the occupier of commercial premises bounding the site.

Officers considered the proposed scheme would : a) fail to adequately protect the amenities existing neighbours could reasonably expect to enjoy, most particularly occupiers of 137/139 New Line; b) detract unacceptably from the visual amenity of the area, most particularly by reason of the siting/size/design of the apartment block. At the Committee meeting Members expressed a clear wish that the site provide a significant number of bungalows in order to respect/harmonise with dwellings on the opposite side of New Line and reflect the identified local housing need, in accordance with Condition 10 of the Outline Permission.

Application 2008/593

In November 2008 I presented a report to Committee in respect of an application from Newfield Jones Homes. It sought approval for the reserved matters in respect of Outline Permission 2004/555, proposing the erection on the site of 44 dwellings, comprising of 31 houses & 13 bungalows

As previously stated, the access-point was established at the outline stage.

The site layout then submitted would have resulted in the erection of two short terraces of houses fronting New Line between the existing pair of houses 137/139 New Line and the very much more substantial mill building on the corner of Deansgreave Road/New Line, where terraced houses stand on the opposite side of New Line. Immediately to the other side of 137/139 New Line were to stand two pairs of semi-detached houses, to the side of which were to be semi-detached bungalows flanking the access road, reflecting the more mixed house-types on the opposite side of New Line. Other bungalows were to be provided to the rear of 137/139 New Line, with houses backing on to Britannia Greenway and to Deansgreave Road.

The scheme provided a mix of 2, 3 and 4-bedroomed dwellings, to be constructed in artificial stone and with grey tiled roofs. Whilst the terraced houses were to have use of a communal car park, the other units were to have in-curtilage/allocated parking spaces. The layout also incorporated a footpath link to the Britannia Greenway.

The application was accompanied by a Flood Risk Assessment and Contaminated Land Report. The part of a large culvert which presently runs beneath the rear gardens of 137/139 New Line was to be de-commissioned and diverted so as to run through the application site. Surface water from the proposed development was to run to a wetland area to be formed towards the western end of the site, to attenuate the rate of run-off from the site to the existing drainage system. The Contaminated Land Report contained information upon intrusive and non-intrusive investigations to establish the nature and extent of contamination arising from previous uses of the site, remediation works that have been undertaken and suitability of the site for the intended use. It

indicates the site to be suitable for the proposed development but, at least in part, likely to require use of piled-foundations / incorporation of landfill gas prevention measures.

In accordance with the Officer recommendation, the application was approved, subject to conditions.

However, such is the time which has elapsed since the grant of the Outline Permission & Reserved Matters Approval that they have become time-expired.

4. PROPOSAL

Permission is now sought to erect upon the site 30 houses, comprising of detached dwellings except for one pair of semi-detached, 3 with 3 bedrooms and the others with 4+bedrooms.

The submitted scheme differs most particularly from those previously considered in the following ways :

- The application site has been extended to include 137/139 New Line, a pair of semi-detached houses, that are to be demolished.
- The vehicular access to serve the proposed development has been moved from opposite to 248 New Line, a detached house with off-street parking of its own, to opposite 260/262/264 New Line, mid-terraced houses reliant on on-street parking.

The proposed scheme would result in :

- 10 houses on the New Line frontage, all of 2-storey height and all but 2 of them facing towards this highway; they are to be constructed of brick with artstone details and tiled roofs, except for one adjacent to the site access which is to have rendered walls above a brick plinth; the 4 houses to the east of the site access are to have garages accessed from a private drive running to the rear, whilst 3 of the 6 houses to the west side of the access are to have garages accessed directly from New Line.
- 3 houses with their backs to Deansgreave Road, that in the SE corner have living accommodation on 3 floors (bedrooms in the roofspace served by rear-facing rooflights/forward-facing dormers) and the others of conventional 2-storey height/design; they are to be constructed of brick with artstone details and tiled roofs.
- The remaining dwellings all being of 2-storey height and to be constructed of brick with artstone details and tiled roofs, except for one midway along the southern boundary which is to have living accommodation on 3 floors (bedrooms in the roofspace served by rear-facing rooflights/forward-facing dormers) and another towards the SW corner which is to have rendered walls above a brick plinth.
- The need to relocate a bus stop westward along their site frontage.
- The provision of a footpath (with steps) down to the Britannia Greenway.
- The provision of a wetland area at the western tip of the site to help attenuate the rate of surface-water run-off from the site.

Besides the Design & Access Statement and a Planning Policy Statement, the application is accompanied by :

A Flood Risk Assessment which identifies a need to address the flood risk posed by a watercourse which runs through the site (part culverted/part in open channel) and attenuate the rate of surface-water run-off from the site. It considers the scheme to adequately address the first of these issues by culverting the small lengths of open channel, demolition of 137/139 and raising of the level of land forming their rear gardens. It considers the second of these matters to be adequately addressed by the provision of the wetland area at the western tip of the site.

Ground Condition Reports that explain the works which have been undertaken to date to clear and remediate the site and show that the site is capable of accommodating the proposed residential development with limited further works. It indicates piled foundations are likely to be required.

A Viability Appraisal that concludes that “*there are significant costs associated with the scheme which when combined with the current poor market conditions prohibits the provision of affordable housing and other S.106 contributions*”.

A Transport Assessment which concludes that : the site is in a highly sustainable location; the current scheme will generate less traffic movements than the previous permission for 50 dwellings; the local highway network has the capacity to accommodate that traffic; and the level and arrangement of proposed parking is satisfactory.

An Ecology Report which indicates the site to be of low conservation value and the proposed scheme able to provide enhancement (particularly by provision of the wetland).

A Statement of Community Involvement referring to a pre-submission public consultation exercise undertaken in July 2012, entailing :

- a) A notices and a leaflet-drop to approximately 150 residential and commercial properties in the vicinity of the site with details of the draft proposal and invitation to the intended exhibition.
- b) A public exhibition held one afternoon/evening at Bacup Hub, which approximately 40 people intended and included Ward Councillors and Community Project Real.
- c) Additionally, the proposal and a questionnaire were placed on the Community Consulting website.

The majority of those visiting the exhibition/commenting lived close to the site. Many positively welcomed the scheme, feeling previous applications had been at too high in density/lacked breaks in buildings on the New Line frontage and contained too many affordable homes. Concern was expressed about foundation design, previous demolition/remediation works having caused considerable vibration/possible damage/dust. Concerns about impact of the proposal on their ability to park on-street. Request that consideration be given to use of stone or Lancashire brick. There were mixed views regarding the footpath link to Britannia Greenway, many local residents as well as actual users advising a preference for a commuted sum to assist with improvements to it.

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 8 Promoting Healthy Communities
- Section 10 Meeting the challenge of climate change, flooding & coastal change
- Section 11 Conserving and Enhancing the Natural Environment

Development Plan Policies

Regional Spatial Strategy for the NW (2008)

DP1-9	Spatial Principles
RDF1	Spatial Priorities
W1	Strengthening the Regional Economy
L1	Health, Sport, Recreation, Cultural & Education Services Provision
L4	Regional Housing Provision
L5	Affordable Housing
RT2	Managing Travel Demand
RT4	Management of the Highway Network
RT9	Walking and Cycling
EM1	Environmental Assets
EM2	Remediating Contaminated Land
EM3	Green Infrastructure
EM5	Integrated Water Management
EM18	Decentralised Energy Supply

Rossendale Core Strategy DPD (2011)

AVP2	Bacup, Stacksteads, Britannia & Weir
Policy 1	General Development Locations and Principles
Policy 2	Meeting Rossendale's Housing Requirement
Policy 3	Distribution of Additional Housing
Policy 4	Affordable & Supported Housing
Policy 8	Transport
Policy 9	Accessibility
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity, Geodiversity and Landscape Conservation
Policy 19	Climate Change and Low & Zero Carbon Sources of Energy
Policy 22	Planning Contributions
Policy 23	Promoting High Quality Designed Spaces
Policy 24	Planning Application Requirements

Other Material Planning Considerations

LCC Landscape Strategy for Lancashire (2006)

LCC Planning Obligations in Lancashire (2008)

RBC Open Spaces & Play Equipment Contributions SPD (2008)

6. CONSULTATION RESPONSES

LCC (Highways)

Object to the above application on highway grounds unless there are amendments to the layout plan.

Access

Request :

- a) a central pedestrian refuge island on New Line to provide pedestrians with a safer and easier place to cross the road whilst walking to school and the main line bus stops on Rochdale Road.

- b) a working-day TRO be investigated for New Line along the frontage of the proposed properties to ensure that double parking does not occur, which would hinder traffic flows, driver sightlines and the safe crossing of pedestrians walking to school.

- c) the new access road junction is re-located from opposite a terraced block of properties on New Line that have no off street parking places further to the west of its proposed position where the properties have off street parking.

Its preference remains re-positioning of the new access road to the west but does not have objection in principle to the recently-submitted alternative proposed by the applicant, which is to white-line the carriageway of New Line in such a way that the running-lane in each direction is narrowed and a 2m wide parking-bay is formed in front of 258-274 New Line.

- d) The estate road be built to adoptable standards and the design of the culvert should be approved by Lancashire County Council (where it goes under the highway) at an early stage, a structural agreement will be necessary and a commuted sum will be payable for the future maintenance.
- e) The large area of block paving proposed for the carriageway be replaced with a bituminous material of either HRA or SMA and, if a coloured surface is required, a coloured chipping is rolled in.

Parking

LCC parking standards for 3 x 3 bedroom houses and 27 x 4 bedroom houses requires 81 off street parking spaces and 62 spaces have been proposed. At most plots there is the potential to extend the driveways to create additional spaces and this should be addressed.

Plot 11 requires an additional paved turning area to the front of the property to ensure a driver does not reverse approximately 30m or use the neighbour's driveway to turn, which is not desirable but would not alone warrant refusal of the application.

The driveways to plots 24, 25 and 29 require the drivers to reverse onto New Line and this should be re-designed to accommodate a turning area in front of the property. This would result in the properties being moved back from New Line. I accept that there are two existing properties on New Line without turning provision however if a new access was applied for at this current time, a turning provision would always be requested on an A classified road. Not only does the turning provision improve highway safety but it allows the resident to park a second car without blocking in the first car, this is beneficial practically for residents and reduces the amount of vehicles parking on New Line.

The internal dimensions of the garages should be 6m x 3m and the plots that do not have garages should have a secure, covered cycle store located within the outside area.

Accessibility

The stepped access from the proposed development to the Britannia Greenway should be ramped, for cyclists and wheelchair users. The difference in levels are such that the cost of providing a ramped access onto the Greenway to the south west of the development would outweigh the benefit to users, providing that a link is provided onto the Greenway from the south east near plots 9-11 via Deansgreave Road. This is necessary as there is no footway along the southern side of New line along the frontage of Lancashire Sock.

I would request that a 106 contribution is made to the value of £60,000 to address accessibility of the site. The total cost is based upon the accessibility score for the development and I have detailed the costs below:-

- The relocation of the bus stop is acceptable and will require an upgrade to the current standards and to include a bus shelter for the convenience of the passengers. The estimated at cost is £5,000.
- The Britannia Greenway requires upgraded access points and surfacing/landscaping along the whole route and a contribution of £55,000 is requested.

LCC Education

This consultation response seeks to draw the Council's attention to impacts associated with the above development and proposes mitigation for these impacts through a planning obligation. Failure to secure the contributions sought would mean that the County Council cannot guarantee that children living on this development would be able to access a school place within a reasonable distance from their homes.

Latest projections for the local primary schools (within 2 miles of the application site) show there to be a 221-place shortfall in 5 years' time having regard to existing school capacity and existing housing and implementation of other residential schemes already permitted. The 30 houses proposed can be expected to have a primary school age population of 11. Therefore, a contribution to add to primary school capacity in the local area is sought of £127,992.

Latest projections for the local secondary schools (within 3 miles of the application site) show there to be 247 places available in 5 years' time. The 30 houses proposed can be expected to have a secondary school age population of 8. Therefore, no contribution towards secondary school capacity in the local area is sought.

LCC Archaeology

The application site contains the site of the former Park Bottom Mill, built in 1853. The 1850s and 1860s were two decades in which there were significant changes in the means of power transmission in mills, evidence of which can be determined archaeologically. Therefore recommend a Condition to secure a detailed archaeological investigation of the Park Mill Site.

Coal Authority

No objection. Its records indicate that the area just outside the eastern part of the application site has been the subject of past coal mining activities. However, the zone of influence of these recorded mine entries does not extend to within the specific part of the site where new development is proposed.

RBC Environmental Health

Having reviewed the supporting information for 2008/0593, and that now submitted with the current application, it is concluded that :

The supporting information makes reference to Plan C4575-02 Site Features and Exploratory Hole Location Points that makes references to a number of boreholes, trial holes and window sampling points. The information on the planning application website does make reference to limited soil and water test samples (3No.) which would be inadequate for a site this size.

There is also a Preliminary Concept Site Model with a Revised Concept Site Model which must be based on more detailed analysis than is currently presented as part of the lab results shown.

I would expect to see a Site Inspection Report detailing the works undertaken as part of the intrusive investigation; chemical and geotechnical findings linked to at least a Generic Quantitative Risk Assessment and ideally a Detailed Quantitative Risk Assessment followed by recommendations for remediating the site. None of which is presented with this application (I think this is an oversight as the work has obviously been done but this summary report pulling the appendices together is missing).

Therefore I would ask that the following condition is considered as part of the Planning Application:-

- Phase 1 Report and Phase 2 Investigation Reports are submitted to and approved in writing by the LPA.
- That if the Phase 2 investigation indicates that remediation is necessary then a Remediation Statement shall be submitted to and approved in writing by the LPA. The remedial scheme in the approved Remediation Statement shall then be carried out in accordance with approved details.
- Should remediation be required a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including variation works, shall be submitted to and approved in writing by the LPA prior to the first use or occupation of that part of the development hereby approved.

Environment Agency

No objection to the proposed development. Recommend that any permission is conditioned as follows.

Flood Risk

With reference to the FRA 11182/W01D and proposed layout (drg no. 12/286/01) we note that it is now proposed to demolish the existing two dwellings 137 & 139 New Line and replace the existing culverted section. We welcome this proposal as it would remove the existing properties which would be at risk should culvert problems downstream occur. Risk to these properties was increased as a result of the previous land raising that has taken place on the site.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s), as detailed in the Flood Risk Assessment ref: 11182/W01D submitted with this application, are implemented and secured :

1. Limiting the surface water run-off generated by the development to 16 litres/sec so that it will not increase the risk of flooding off-site.
2. Provision of a surface water attenuation pond capable of retaining volumes for the 1in 100yr event including 30% allowance for climate change. The attenuation pond must have a bank overflow that directs flows to the watercourse in the railway cutting to ensure adjoining properties are not put at risk.
3. Demonstration that maintenance arrangements will be in place in relation to the any unadopted surface water attenuation pond.
4. Removal of 137 & 139 New Line properties and replacement of the culverted section of watercourse.

Land Quality

The reports that we have reviewed do not appear to be complete. We therefore would request that a complete set of reports are submitted to us for review in respect of land contamination that may be present at this site. We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included to this effect.

Biodiversity

The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect the ecological value of the site including the new wetland.

Whilst the site has been partially remediated for invasive Japanese knotweed in 2008, it has yet to be fully eradicated. As noted in ecological assessment BE Brooks Ecological Ltd, Sept 2011, some small stands of invasive Japanese knotweed are still resident on site and need to be dealt with.

United Utilities

No objection to the proposal provided that the following conditions are met :

- This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a SUDS system, as stated in the application, and not either directly or indirectly to the combined sewer network.
- No building over the public sewer which crosses this site or within an access strip 3 metres either side of the centre line of the sewer in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

A domestic water supply can be made available to the proposed development.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

The existing 63mm water main in New Line, adjacent to the development is not of sufficient size to supply the existing properties in addition to the development. The main will have to be upsized to 90mm in diameter between the existing 90mm main in Cobden Street and the proposed access road between plots 4 and 28 in New Line for which the applicant may be required to pay a capital contribution.

Rosendale Ramblers

No objection. The Developer is to be applauded for providing access from the site to the Britannia Greenway.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order the application has been publicised by way of a newspaper notice on 28/9/12, site notices were posted on 11/10/12 and letters were sent to the relevant neighbours on 23/9/12.

A petition has been received from 17 local residents of 13 properties on New Line and Cobden Street objecting to the submitted scheme for the following reasons :

- a) The proposed estate road is to join New Line directly opposite 258-262 New Line and, assuming yellow lines will be needed to avoid obstruction of the junction, will prevent existing residents parking on-street as they do now.

- b) The Applicant has indicated that building work would take approximately 18 months to complete and will involve lorries and plant/equipment that is unacceptable to them.
- c) Afterwards there will be at least another 40+cars using New Line, which is already a busy and fast road, used as a cut-through for traffic from Rochdale.

Additionally, the petition sets out individuals particular concerns :

- disturbance would be problematic as they work nights/sleep during the day;
- these houses have no off-street parking of their own and as a disabled driver have need to park outside the door;
- some of the proposed houses have drives that will require cars to back out on to New Line, adding to highway danger;
- previous groundworks on the site caused damage to their house requiring re-pointing of the gable and scratched cars due to the thick dust;
- loss of privacy/outlook from their house; &
- impact on wildlife.

Two further emails have been received. One objects to the application for the reasons set out above. The other objects as the connecting link proposed from the site to the Britannia Greenway is unsuitable for cyclists as it contains steps, seeks assurance that all the houses will have secure cycle stores and indicates that to maintain the character of the area the houses should be of reconstituted stone.

8. ASSESSMENT

The main considerations of the application are :

- 1) Principle; 2) Flood Risk/Contaminated Land; 3) Design/Visual Amenity; 4) Neighbour Amenity.

Principle

The site was allocated in the Rossendale District Local Plan for residential development, and planning permission has previously been granted for re-development of this previously developed site with more houses than now proposed.

Having regard to the constraints of the site, including the sewers that cross it and need for a pond to attenuate the rate of surface-water run-off the proposed density of development is considered appropriate.

Accordingly, there is no objection in principle to the proposal.

Flood Risk/Contamination

The Environment Agency and the Council's Environmental Health Officer have raised no objection to the proposal for reasons of risk of flooding and risk to public health, subject to Conditions.

Housing Policy / Contributions

The submitted scheme proposes the construction of all of the dwellings with 3 or more bedrooms, which is considered appropriate having regard to the mix of dwellings existing in Britannia and Bacup.

Policy 4 of the Core Strategy indicates that on brownfield sites for which more than 15 dwellings are proposed 20% of the units should be provided as Affordable Housing and *"a relaxation to the above requirements will only be considered if it is demonstrated that this would result in the*

development being financially unviable based on the findings of an economic viability assessment submitted to and approved by the Council”.

In this instance a Viability Appraisal has been submitted which concludes that “*there are significant costs associated with the scheme which when combined with the current poor market conditions prohibits the provision of affordable housing and other S.106 contributions”.*

The site was not built-out in the more buoyant housing market following the grant of Outline Permission 2004/555 with no requirement for Affordable Housing and a S.106 Obligation securing payment of only £25,000 towards enhancement of the linear walkway to the rear. Having regard also to the costs that have been/will be incurred in remediating the site, dealing with drainage/ sewer constraints and purchase of 137/139 New Line in order to demolish them, I had little expectation that the scheme now proposed would be viable if required to provide 20% of the proposed units (ie 6) as Affordable Housing and the other contributions likely to be sought. In the event requests for contributions are as follows :

- £ 60,000 - LCC Highways (for a bus shelter and enhancement of Britannia Greenway)
- £127,992 - LCC Education (for provision of primary school capacity)
- £ 40,980 - RBC Open Spaces & Play Equipment Contributions SPD

The Council’s Regeneration Manager has worked through the viability appraisal provided by Harron Homes using the HCA’s Development Appraisal Tool. As a result of this they advise that :

- It is difficult to slot all the figures in as the HCA Development Appraisal tool suggests that foundation, sewer, and road development forms part of the Build Cost as per the BCIS - clarity on this point is required it represents over £460,000 of construction costs which may not be applicable.
- Assuming that the costs for foundation work have been double counted, and discounting them for the HCA appraisal, based on a developers profit of 18.5% or 20% and the Open Market Values supplied by the applicant the scheme would be operating at a deficit and not be able to provide affordable housing (or other contributions).
- However, the additional cost of £156,162 that has been included for additional remediation can be queried as the submitted Ground Condition reports states that the site has been remediated and only limited further works are required.
- Likewise, we need to see a more comprehensive Phase 2 Geotechnical Report as this will highlight the geotechnical issues with the site and hence the foundation designs and construction costs.
- It could also be argued that the OMV figures that are being used are below where they should be and if these were increased then this may increase the net realisation.
- Nevertheless, I’m not sure that this would be enough to warrant affordable housing on the site.

Accordingly, I am of the view that the Applicant has not yet demonstrated the scheme to be unviable if any Affordable Housing or other contributions are sought, although the scope for contributions is limited.

Design/Visual Amenity

The submitted layout proposes that the main vehicular access to serve the development be formed midway along the New Line frontage, houses grouped around a T-shaped road. Whilst a

T-shaped road layout is considered appropriate, the Highway Authority and I do not consider the point selected for the junction of the estate road with the main road to be optimal. As currently proposed it is positioned opposite terraced houses that are reliant on on-street-parking, rather than further to the west where it would be opposite houses with off-street parking (as previous schemes have proposed). The layout also proposes 3 private drives to New Line in a manner that will require vehicles to either reverse in or out of them. I concur with the view expressed by the Highway Authority that this is unsatisfactory in highway safety terms as New Line is a classified A-road and unnecessary. Furthermore, it would be preferable for the layout to be modified to incorporate a pedestrian/cycle link that runs from the site to Deansgreave Road between Plot 9 and the adjacent commercial premises, rather than have the stepped access from the SW corner of the site directly to the Britannia Greenway.

With respect to the house themselves, most of those that front to New Line will face towards it. Whilst I am not averse to the use of detached and semi-detached units along this frontage and elsewhere on the site, I do not consider the use of natural local stone (or a good substitute) for those houses that front to New Line important in street-scene terms having regard to the neighbouring properties, rather than brick or the render-finish proposed in one case.

Two of the proposed houses on the New Line frontage possess habitable room windows that are 15m and 16m from the front windows of the terraced houses opposite. However, they are slightly further from the terraced houses than the two houses to be demolished and the sewer position to their rear means they cannot be pushed back in order to attain a 20m separation. Accordingly, I do not consider this matter to alone warrant refusal of the application.

Neighbour Amenity

Above I have addressed issues raised by neighbours in relation to the impact of the finished scheme, principally related to traffic/parking. Besides these concerns, they have expressed concern about the impact of the construction phase.

Redevelopment of this or any other site of this size for residential purposes will take time and is likely to cause a degree of disturbance/inconvenience. Having regard to the traffic on New Line and the nearby commercial premises, background noise levels are reasonably high during the normal working day. If permission is to be granted to the proposal I would recommend that conditions are imposed to limit the hours of remediation/construction works, the method of foundation construction and siting of the site construction compound.

9. RECOMMENDATION

That Permission be Refused for the following Reasons.

REASONS FOR REFUSAL

- 1) The submitted scheme proposes a layout and design/facing materials that fail to take the opportunities presented by the site to produce a scheme that is safe and satisfactory in terms of its vehicular access/parking arrangements, inclusive in terms of providing links that are suitable for wheelchair users and cyclists and in-keeping with the character and appearance of the area. The vehicular access/parking arrangements are considered to detract from highway safety to an unacceptable and unnecessary extent most particularly by reason of the positioning of the junction of the main access road and provision of private drives likely to result in the reversing of vehicles to New Line, a busy classified A road. The direct link proposed from the site to the Britannia Greenway will require steps, unlike a link from the site to

Deansgreave Road, from where there is a ramped access to the Britannia Greenway. The proposal is not considered to be in-keeping with the character and appearance of the area most particularly by reason of the intended facing materials (brick and in one case render) of the properties fronting New Line. Accordingly, the proposal is not considered to be of 'good design', contrary to Section 7 of the National Planning Policy Framework and Policies RT2/RT4/RT/RT9/EM1 of the Regional Spatial Strategy for the NW of England (2008) and Policies 1 / 8 / 9 / 23 / 24 of the Council's adopted Core Strategy DPD (2011).

- 2) The Applicant has not demonstrated to the satisfaction of the Council that the scheme would be unviable if any Affordable Housing units or any part of the other contributions sought by LCC Education, LCC Highways or required to accord with the Council's approved Open Spaces & Play Equipment Contributions SPD (2008) were provided. Accordingly, the proposal is contrary to Sections 6 & 8 of the National Planning Policy Framework and Policies DP1 / L1 / L5 / RT2 / RT9 / EM1 of the Regional Spatial Strategy for the NW of England (2008), Lancashire County Council's Planning Obligations Policy (2008) and Policies 1 / 9 / 22 / 24 of the Council's adopted Core Strategy DPD (2011).