

**TITLE: APPLICATION 2006/148
REVISED PLOT LAYOUT AND SUBSTITUTION OF HOUSE TYPES
& ASSOCIATED GARAGES ON PLOTS 62-116
LAND BETWEEN DOUGLAS ROAD & TONG LANE, BACUP**

TO/ON: DEVELOPMENT CONTROL COMMITTEE - 30 MAY 2006

BY: TEAM MANAGER DEVELOPMENT CONTROL

APPLICANT : Harron Homes (North West)

DETERMINATION EXPIRY DATE : 29 June 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.

Background

Development is proceeding on the largest site in Bacup allocated in the Rossendale District Local Plan for residential development, Reserved Matters Approval having been granted in May 2005 for the erection of 194 houses on a site approaching 9 hectares in area (2004/401).

Rather than complete the approved scheme in full a further Reserved Matters Approval was sought in October 2005 to vary the plot layout/house types on a part of the site having an area of approximately 1.5 hectares and bounding existing houses fronting Ronaldsway Close and Onchan Drive (2005/602). That application proposed no increase in the number of dwellings on the site, nor changed the previously approved highway layout or the play space/public open space to be provided. At its meeting in March 2006 Committee refused the application for the following reason :

“The proposed development would detract to an unacceptable extent from the amenities occupiers of 14-24 Ronaldsway Close could reasonably expect to enjoy, most particularly in terms of loss of privacy, as a consequence of the orientation and elevation of the proposed dwellings.”

In amplification, implementation of the Reserved Matters Approval of 2005 would have resulted in residents of 14-24 Ronaldsway Close looking towards the gables of a couple of houses and their front/rear gardens, whereas Application 2005/602 would have resulted in the existing houses facing/being faced by the backs of a line of houses.

Proposal

A further Reserved Matters Application has now been received which more closely reflects the 2005 Approval in terms of the layout proposed to the rear of 14-24 Ronaldsway Close.

The current proposal will result in no increase in the number of dwellings on the site, nor change the previously approved highway layout or the play space/public open space to be provided. It is now intended that this part of the site be occupied by 26 3-bedroomed houses, 24 4-bedroomed houses and 5 5-bedroomed houses, the latter to be of 3-storeys in height.

Consultation Responses

None.

Notification Responses

Letters have been received from the occupiers of 18 properties on Ronaldsway Close objecting to the application for the following reasons :

1. The Site Layout Plan submitted by the applicant fails to show two existing dwellings on Ronaldsway Close.
2. The applicant has misrepresented the number of smaller dwellings being proposed, indicating that there are to be 33 3-bedroomed dwellings when the true figure is 12. The social need is for 3-bedroomed houses, not the 4 and 5-bedroomed houses being proposed.
3. Two of the houses being proposed immediately to the rear of the dwellings fronting Ronaldsway Close are to be of 3-storeys in height, elevated above the level of the existing properties. That proposed behind the house at 22 Ronaldsway Close will have its gable approximately 6.5m from the boundary. That proposed behind the bungalow between No 28 and No 30 will be even more overbearing and have its rear windows overlooking the existing bungalow.
4. The house immediately behind No 16 will be nearer the boundary than would result from the 2005 Approval, causing no materially greater loss of privacy but will be more overbearing.

The objectors indicate that they have no fundamental opposition to this land being developed for housing but wish the applicant to : a) increase the proportion of 3-bedroomed units on the site; b) ensure houses proposed immediately to the rear of the existing properties fronting Ronaldsway Close are of no more than 2-storeys in height and have hipped-roofs. They note that the current application does propose a footpath-link from the end of Onchan Drive into the site but indicate that papers have been lodged with Lancashire County Council seeking its up-grade to a bridleway.

Development Plan Policies

Rossendale District Local Plan (Adopted 1995)

Most notably, the application site is located within the Urban Boundary of Bacup and is specifically allocated for residential development.

- DS1 - Urban Boundary
- E13 - Noise Sources
- DC1 - Development Control
- DC2 - Landscaping
- DC3 - Public Open Space
- DC4 - Materials
- T6 - Pedestrians

Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
- Policy 2 - Main Development Locations
- Policy 7 - Parking
- Policy 12 - Housing Provision
- Policy 20 - Lancashire's Landscapes

Other Material Planning Considerations

- PPS1 - Sustainable Development
- PPG3 - Housing
- PPG13 - Transport
- PPG17 - Sport & Recreation
- PPG 24 - Noise

LCC Parking Standards

Rossendale BC Housing Position Statement

Bacup, Stacksteads & Britannia Area Action Plan (Revised Preferred Options)

Planning Issues

Since permission exists for the erection of 55 houses on this part of the site, and the current application proposes no more than this, there is no objection to the proposal in terms of principle/housing policy.

This being the case, the main issues which need to be considered are : 1) Housing Mix; 2) Design and Appearance; 3) Neighbour Amenity; & 4) Access Arrangements.

Mix of Dwellings

In comparison with the scheme approved in 2005, the current proposal will somewhat increase the proportion of larger dwellings; implementation of the earlier permission would result in 36 houses with 3-bedrooms and 19 with 4-bedrooms on the site of the current application. Nevertheless, I am satisfied a suitable mix of dwelling sizes/types will be maintained across the development site as a whole, 56% of the dwellings on the site as a whole having no more than 3-bedrooms.

Design and Appearance

The proposed dwellings are of satisfactory design, and the use of brick and concrete roof-tiles for their construction will ensure that they are in-keeping with the adjacent houses (existing and proposed).

Neighbour Amenity

The proposed houses will provide their occupiers with the amenities they could reasonably expect to enjoy.

Accompanying this report are three Plans : Plan A shows the layout which would result from implementation of the 2005 Approval; Plan B shows the layout that would have resulted had Application 2005/602 been approved rather than refused; and Plan C shows the layout which the current application proposes. These plans show the two existing properties on Ronaldsway Close that objectors say have been omitted from the applicants submitted Site Layout.

It will be seen that the current proposal would result in the erection of houses with their backs facing towards the existing properties fronting Ronaldsway Close where beyond No 26, as would be the case if the 2005 Approval were to be implemented. It is now proposed that 2-24 Ronaldsway Close look towards the gables of four houses and their associated front/rear gardens. This more obviously follows the pattern of development which would result from implementation of the 2005 Approval and is in stark contrast to the layout proposed and refused in Application 2005/602.

With respect to the actual design of the house-types now proposed, objectors have expressed concern about the siting of two of the 3-storey dwellings being proposed on the site immediately behind properties fronting Ronaldsway Close. The Thornton house-type proposes living-accommodation on three levels, the two rooms proposed within the roof-void to be illuminated principally by means of a couple of dormers on the front elevation, although there will be 3 rooflights in the rear roof-plane. The building itself will have a width of 8.6m and a gable-length of 6.8m, with a gutter-height of 5.5m and ridge-height of 9m.

Accordingly, occupiers of 22 Ronaldsway Close would now look towards a gable which is sited the same distance away from the boundary as the comparable gable on the 2005 Approval, with a gutter-height which is 0.25m more, ridge-height which is 1m more and length that is 2m less. This being the case, I do not consider that the proposed dwelling will cause materially greater detriment than would implementation of the previously-approved scheme, although it would be necessary to condition any approval in respect of the level at which the proposed development proceeds.

The Thornton house-type proposed behind the bungalow between 28 and 30 Ronaldsway Close will have its rear elevation sited 17m from the site boundary rather than the 14 m for the comparable dwelling on the 2005 Approval, with a gutter-height 0.5m higher and a ridge-height 1.5m higher. Whilst there are 3 rooflights in the rear roof-plane they are at a height within the rooms they serve roof not to cause undue overlooking of the existing bungalow or its garden.

The dwelling now proposed behind 16 Ronaldsway Close would be no nearer the boundary than the comparable dwelling on the 2005 Approval.

To conclude, I do not consider that the current proposal will result in significantly greater detriment for neighbours than would implementation of the 2005 Approval. However, it is important that a condition is imposed in respect of the levels at which development will proceed and to secure suitable boundary planting.

Access Arrangements

As stated above, the applicant has not proposed any change to the previously-permitted road layout, but has now shown a footpath-link from Onchan Drive. I consider these access arrangements to be satisfactory.

Recommendation

That reserved matters approval be granted subject to the following conditions :

1. The development shall be carried out in accordance with the amended Site Layout Plan (Drwg No 3211/10 rev K), received on 2/5/06. *Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.*
2. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
3. Windows in the gables of the dwellings hereby approved shall be obscure-glazed, and thereafter remain as such, unless otherwise first agreed in writing with the Local Planning Authority. *Reason: In the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
4. 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 the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
5. No development shall not be commenced until full details, including representative samples, of the external construction to be used on the roof and walls of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. *Reason: In the interests of visual amenity in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
6. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped, together with details of walls/fences to be erected to bound gardens &/or the site; and detail any changes of ground level or landform. *Reason: In the interests of the amenity of the area, in*

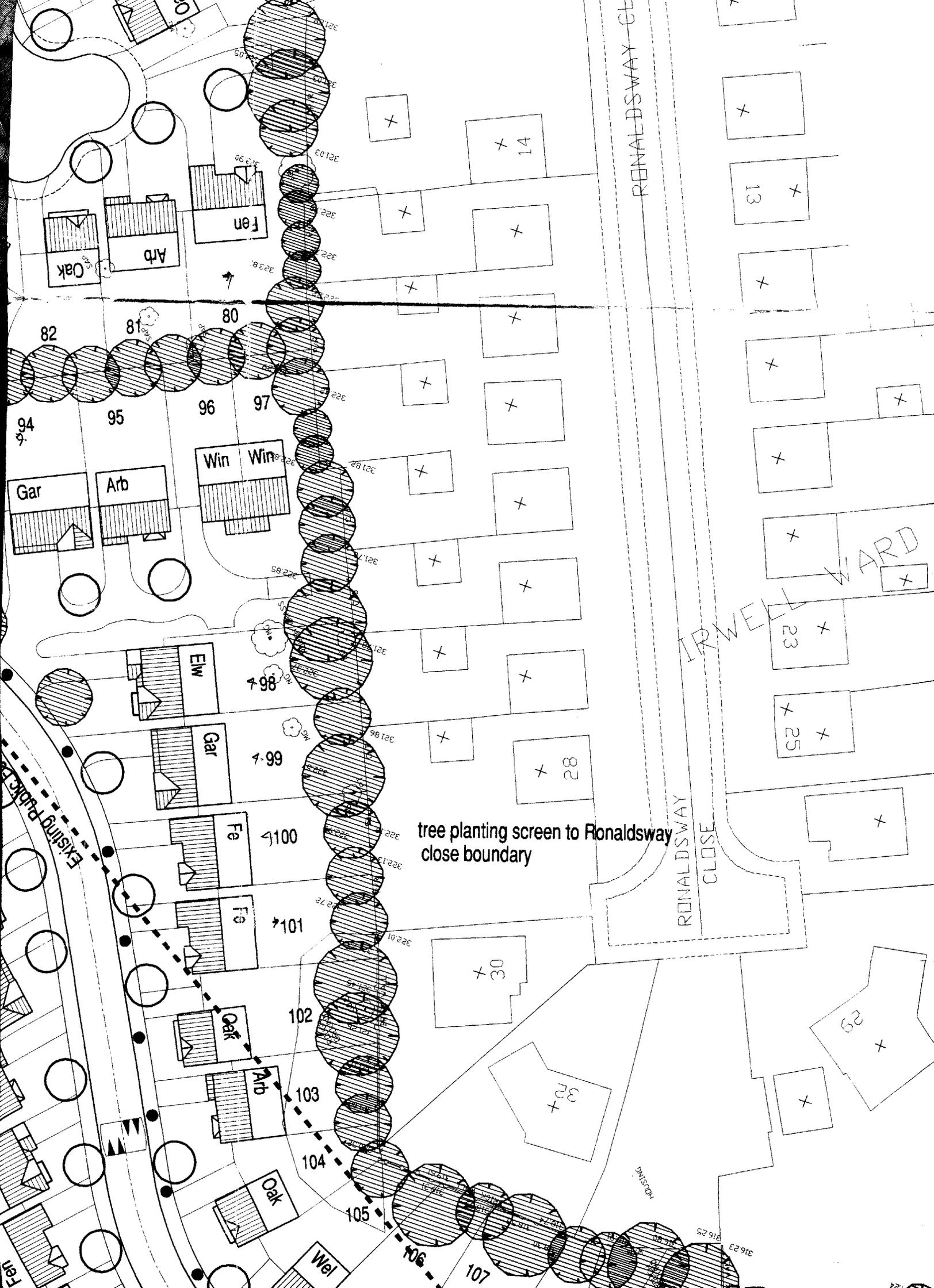
accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

7. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the dwelling to which they relate/are nearest, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building to which they relate/are nearest. Any trees or plants in the approved scheme of landscaping which within a period of 5 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 the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
8. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans. *Reason: To ensure a satisfactory means of drainage, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
9. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the local planning authority. The scheme shall be completed in accordance with approved plans. *Reason: To reduce the risk of flooding, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
10. The traffic calming features shown within the site shall be designed and implemented to be conducive to the implementation of a 20 mph zone covering the whole of the development site, with the developer funding all costs associated with the appropriate legal processes and signing. *Reason : In the interests of highway and pedestrian safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
11. None of the dwellings hereby approved shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans. *Reason: In the interests of highway safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local plan.*
12. That part of each drive extending from the kerb line/edge of carriageway for a minimum distance of 7.5 metres into the site shall be paved in permanent construction, in accordance with details to be first approved in writing by the Local Planning Authority, prior to first occupation of the dwelling to which it relates. *Reason: To prevent mud/loose surface material from being carried on to the public highway, and causing a potential source of danger to other highway users, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

13. Prior to first occupation of any of the dwellings on Plots 67-75 a footpath shall be provided between the accessway serving them and Onchan Drive, in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure a satisfactory means of pedestrian access, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

Notes for Applicant

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath No. 445 affects the site.
2. Under the Highways Act 1980 Section 184, the County Council as Highway Authority must specify the works to be carried out within the highway. Only the Highway Authority, or a contractor approved by the Highway Authority, can carry out these works. Therefore before any such works can start you must contact the LCC Environment Directorate, quoting the planning application number.



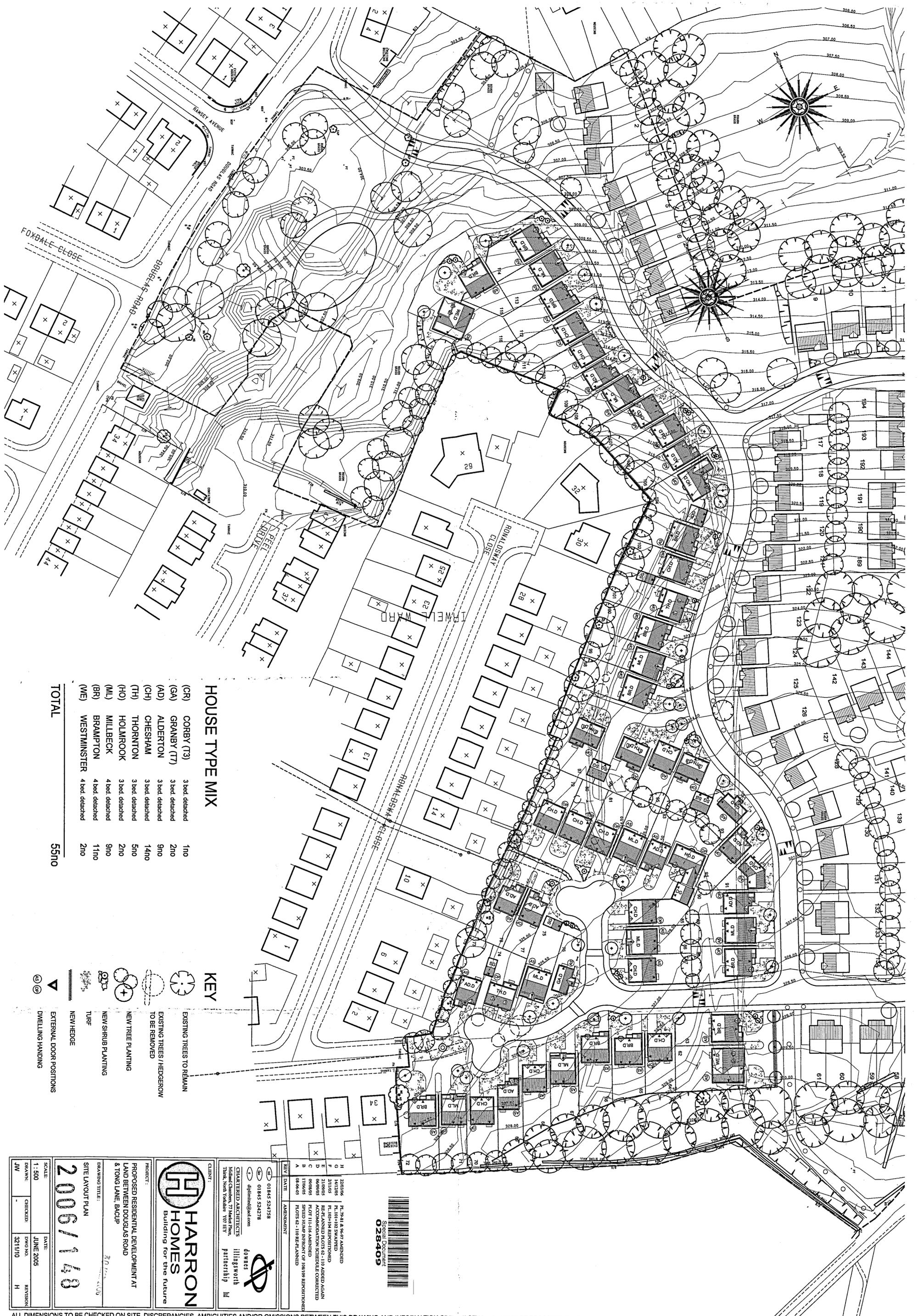
tree planting screen to Ronaldsway close boundary

RONALDSWAY CL

RONALDSWAY CLOSE

IRWELL WARD

EXISTING PAVED ROAD



HOUSE TYPE MIX

(CR)	CORBY (T3)	3 bed detached	1no
(GA)	GRANDY (T7)	3 bed detached	2no
(AD)	ALBERTON	3 bed detached	9no
(CH)	CESHAM	3 bed detached	14no
(TH)	THORNTON	3 bed detached	5no
(HO)	HOLMROOK	3 bed detached	2no
(ML)	MILLEBECK	4 bed detached	9no
(BR)	BRAMPTON	4 bed detached	11no
(WE)	WESTMINSTER	4 bed detached	2no
TOTAL			55no

KEY

- EXISTING TREES TO REMAIN
- EXISTING TREES / HEDGE/ROW TO BE REMOVED
- NEW TREE PLANTING
- NEW SHRUB PLANTING
- TURF
- NEW HEDGE
- EXTERNAL DOOR POSITIONS
- DWELLING HANDING

HARRON HOMES
Building for the future

PROPOSED RESIDENTIAL DEVELOPMENT AT
LAND BETWEEN DOUGLAS ROAD
& TONG LANE, BACUP

DATE: JUNE 2005

SCALE: 1:500

DRAWN: JW

CHECKED: H

DATE: JUNE 2005

DWG NO: 3211/10

REVISION: H

CLIENT: **HARRON HOMES**

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT AT LAND BETWEEN DOUGLAS ROAD & TONG LANE, BACUP

DRAWING TITLE: SITE LAYOUT PLAN

2006/143

DATE: JUNE 2005

SCALE: 1:500

DRAWN: JW

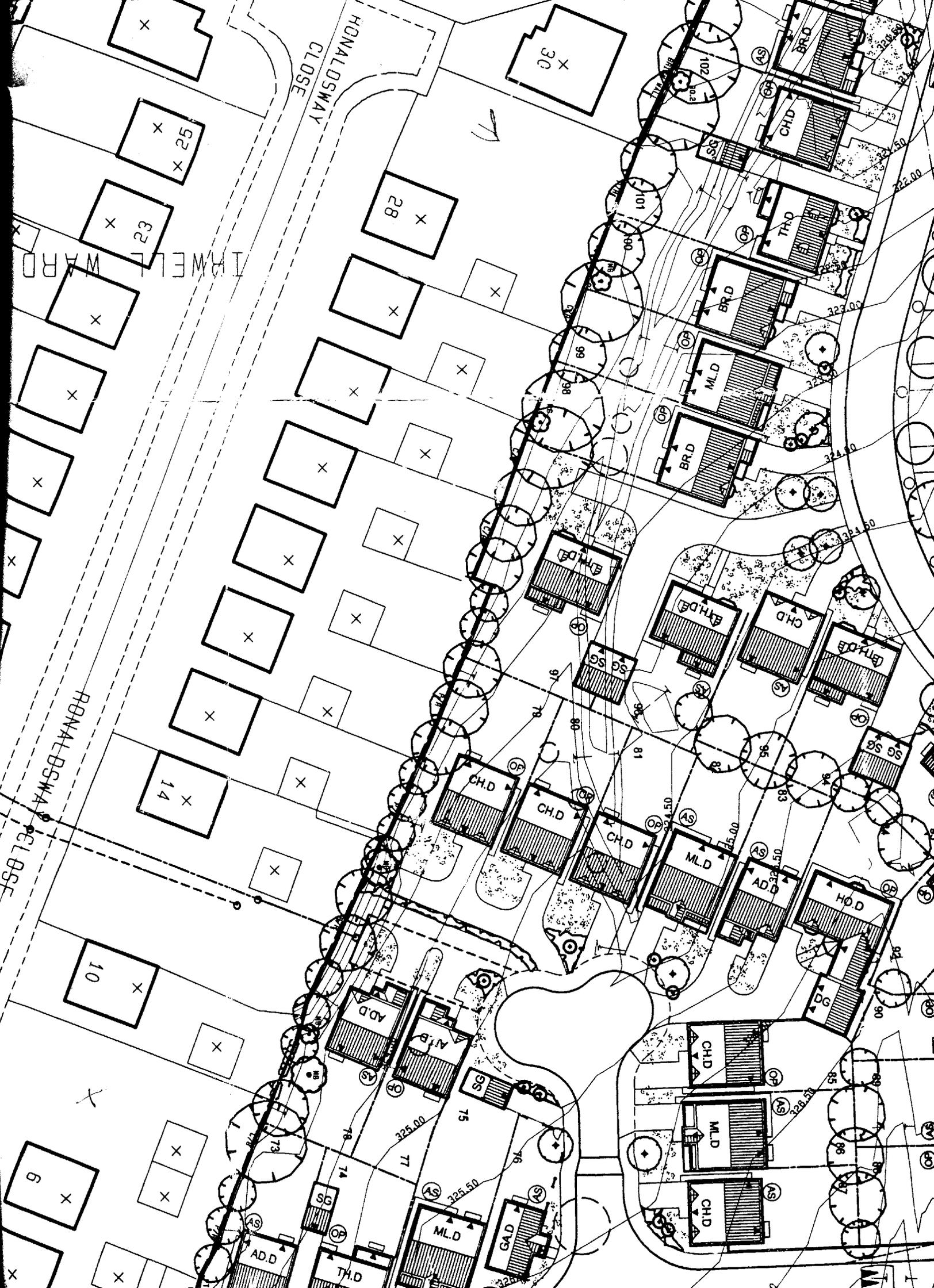
CHECKED: H

DATE: JUNE 2005

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REVISION: H

ALL DIMENSIONS TO BE CHECKED ON SITE. DISCREPANCIES, AMBIGUITIES AND/OR OMISSIONS BETWEEN THIS DRAWING AND INFORMATION GIVEN ELSEWHERE MUST BE REPORTED TO THIS OFFICE AND CLARIFICATION SOUGHT BEFORE PROCEEDING





30 MAR 2006

2 006 / 148

LOCATION PLAN
DOUGLAS ROAD / TONG LANE, BACUP

SCALE 1 : 2500