

27 May 2021

Rossendale Borough Council  
Planning & Building Control  
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Dear Sirs

**Re: Erection of Two Dwellings (Use Class C3) – Land to the Rear of The Boars Head Public House, Newchurch, Rossendale**

On behalf of Hurstwood Holdings we are pleased to submit a revised planning application for the erection of two detached dwellings to the rear of The Boars Head public house in Newchurch, Rossendale.

The applicant has previously submitted plans for residential development at this site – application Ref: 2017/0597 was refused by Rossendale Borough Council on 31 August 2018 for the following reasons:

- 1. The proposal would result in the loss of a sports facility in the form of a bowling green and it has not been adequately demonstrated that the bowling green is clearly surplus to requirements. In the absence of replacement or better provision or alternative sports and recreational provision, the proposal is contrary to Section 8 of the Framework and Policy 7 of the Council's Core Strategy DPD.*
- 2. The proposed scheme would not plan positively for the provision of community facilities and would result in the loss of a significant area of open space, contrary to Sections 6 and 8 of the Framework and Policies 7 and 23 of the Council's Core Strategy DPD.*
- 3. The proposed scheme would cause significant harm to the setting of nearby listed buildings and to the historic development pattern of Newchurch, and is considered unacceptable in terms of visual amenity and heritage impact, contrary to Sections 11, 12 and 16 of the Framework and Policies 16 and 23 of the Council's Core Strategy DPD.*
- 4. It has not been adequately demonstrated that the proposed scheme will avoid harmful impacts on the daylight, outlook and privacy of neighbouring residents at Brandwood. As such, the scheme is considered to be contrary to the guidance contained within the Framework and Policy 24 of the Council's Core Strategy DPD.*
- 5. The application has not addressed concerns raised by the Local Highway Authority relating to access for vehicles and pedestrians, bin storage and parking provision. As such, the scheme is considered to be contrary to the guidance contained within the Framework and Policies 8, 9 and 24 of the Council's Core Strategy DPD.*

The application was also subject to an appeal (Ref: PP/B2355/W/19/3223116) which was dismissed on 5 July 2019. The Inspector reached the following conclusions in reaching their decision:

- **Loss of open space** – the appeal site consists of a disused bowling green and car park that were formerly connected with The Boars Head public house. The submitted Open Space Assessment does not provide an analysis of the quality of, or the capacity at, the nearest bowling greens, and Sport England also objected to the application. As such the proposal would result in an unjustified loss of open space.
- **Settings of listed buildings** – the appeal site is directly opposite to the Church of St Nicholas with St John and has a close visual relationship with it. The proposal would harmfully encroach

into the historic townscape in which the church is situated. However, there is no harm to the setting of Nos 63-65 Church Street, the listed structures situated within the churchyard, Nos 2-6 Old Street or No 5 Bolton Street.

- **Living conditions of Brandwood** residential care home – a number of rear windows in Brandwood face towards the appeal site and are in close proximity to it. The new dwellings would tower over the rear windows in Brandwood and would dominate views from them, and this would introduce an overbearing presence close to the boundary.
- **Highway safety** – the proposal would not prejudice highway safety.

The applicant has reflected on the previous scheme and now seeks to address the previous concerns raised by the Council and Planning Inspector by significantly revising the scheme in terms of its scale, design and layout. The main changes in terms of the design response can be summarised as follows:

- Unit numbers have been reduced to 2no. detached units to avoid overdevelopment of the site.
- The design and materials have taken influence from the surrounding vernacular.
- The proposed dwellings now face onto Church Lane, providing a unified street scene.
- Consideration has been given to the proximity of the adjacent Brandwood Retirement Home habitable windows facing onto the site, ensuring that no windows look directly onto the new units.
- The development is accessed from Church Lane, avoiding the two TPO trees adjacent to the carriageway, respecting their Root Protection Areas and canopy coverage.
- Materials proposed are sensitive to the surrounding vernacular.
- Additional Public Open Space has been provided by providing a landscaped buffer from Church Lane.
- The proposed dwellings are oriented to face onto the adjacent church with a buffered area facing Church Lane.

The Design & Access Statement (D&AS) produced by BDC provides further details in terms of the site context and analysis, together with a description of the design evolution and response to the various constraints and previous reasons for refusal. It is considered that the revised scheme that is the subject of this new application has addressed the various concerns raised and should be looked upon favourably by the Council. The planning application is also supported by a Heritage Impact Assessment (Garry Miller Historic Building Consultancy) and an Open Space Assessment (KKP), which cover issues relating to conservation/heritage and perceived loss of open space/recreational facilities. These documents demonstrate that the proposal is acceptable in heritage terms and that the loss of the former bowling green is justified. For these reasons we consider that the revised scheme now responds positively to the site and its immediate context and constraints, and accords with relevant national guidance and development plan policies.

We trust that the information submitted with this application is sufficient, but we would of course be happy to discuss the proposals with the Council should the need arise. We look forward to hearing from you and working together towards a positive outcome.

Yours sincerely,

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