

<b>Application Number:</b>	2020/0270	<b>Application Type:</b>	Full
<b>Proposal:</b>	Full: Construction of a natural stone memorial (2.4m high), replicating the image of person	<b>Location:</b>	Public Amenity Land Next To Public Bridleway And River Irwell Bacup Road Waterfoot Rossendale Lancashire
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	16th September 2020
<b>Applicant:</b>	Stacksteads Countryside Park Group	<b>Determination Expiry Date:</b>	8 <sup>th</sup> October 2020
<b>Agent:</b>	Mr B Edmondson		

<b>Contact Officer:</b>	<b>Sophie Anderson</b>	<b>Telephone:</b>	<b>01706 238625</b>
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	
<b>Other (please state):</b>	Council owned land

## 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

Approve subject to the conditions set out in Section 10 of the report.

## 2. SITE

The application relates to an amenity area owned by the Council that is to the south side of Bacup Road (A681), approximately 25m west of its junction with the access road leading to Hugh Business Park.

The amenity area is grassed, bounded with timber posts and rail fencing bordering Bacup Road and is partially wooded to its north eastern edge. Access to the amenity area is gained from the newly created public bridleway which leads to a bridge over the River Irwell and the Railway Tunnels (Grade II Listed).

The amenity land is bound by Bacup Road to the north and the access road to Hugh Business Park to the East, the public bridleway and the River Irwell lie to the South and east. To the opposite side of the main road is a row of terraced properties and open land that rises up from the level of the main road.

The amenity area is situated in Countryside designated as Green Belt, whilst the land to the west of the access road is within the Urban Boundary of Waterfoot. Public Right of Way 14-4-BW-391-14-4 runs to the west of the site.

### **3. RELEVANT PLANNING HISTORY**

None.

### **4. PROPOSAL**

Permission is sought to erect a memorial in the form of a stone man, to stand approximately 2.2m tall and with an arm-span of 1.45m, the front elevation would be facing in a north west direction to be seen from Bacup Road and the new public bridleway.

Permission was previously granted for a similar statue to be erected on the amenity area on Newchurch Road, opposite Beehive Cottages (Planning Ref: 2019/0037).

### **5. POLICY CONTEXT**

#### **National**

##### National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 13 Protecting Green Belt Land
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and enhancing the historic environment

#### **Development Plan Policies**

##### Rossendale Core Strategy (2011)

- AVP3 Area Vision for Waterfoot, Lumb, Cowpe and Water
- Policy 1 General Development Locations and Principles
- Policy 16 Preserving & Enhancing the Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity, Geodiversity and Landscape Conservation
- Policy 23 Promoting High Quality Designed Spaces

**Other Material Considerations**

National Planning Practice Guidance

National Design Guide

**6. CONSULTATION RESPONSES**

RBC Economic Development

No objection

RBC Property Services

No comments

**7. REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice was displayed and an advertisement was posted in the Rossendale Free Press. Letters were sent to neighbours.

No comments have been received.

**8. ASSESSMENT**

The main considerations in determining the application are:

- a) Principle; b) Visual Amenity and Countryside Impact; c) Neighbour Amenity; & d) Highway Safety.

Principle

The site is within Countryside designated as Green Belt, wherein National guidance and Core Strategy policies seek to limit development to that which maintains the essentially open and rural character of the area.

This application is not seeking permission for any new building. The proposed 'stone man' is consistent with continued use of the site as an ornamental amenity area and would not unduly erode its openness. Accordingly, there is no objection in principle to the proposal.

Visual Amenity, Heritage Impact and Countryside Impact

Subject to use of natural stone to construct the 'stone man' it would not form an unduly prominent or intrusive feature in the street-scene, nor would it harm the setting of the adjacent listed railway arches

Neighbour Amenity

The 'stone man' would not unduly detract from the amenities any neighbour currently enjoys or could expect to enjoy and would stand more than 30m from the nearest occupied building.

Access/Parking

The 'stone man' would stand approximately 15m from Bacup Road and it is considered that this piece of public art would not detract from highway safety, noting that it is not illuminated and does not contain advertisements.

## 9. SUMMARY REASON FOR APPROVAL

The development for which permission is sought would not detract to an unacceptable extent from essentially open and rural character of the Countryside designated as Green Belt and, subject to the conditions, would not unduly detract from the street-scene, neighbour amenity or highway safety. The proposal is considered to accord with the National Planning Policy Framework and Policies AVP3 / 1 / 16 / 17 / 18 / 23 / 24 of the Council's Core Strategy (2011).

## 10. RECOMMENDATION

Approve

### CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The 'stone man' hereby permitted shall be constructed with pieces of natural stone in accordance with the following:

<u>Title</u>	<u>Drwg No</u>	<u>Date Recd</u>
Location Plan	Proposed Site Plan	16 / 09 / 2020
Stacksteads Memorial	01 Rev 0	23 / 06 / 2020
Stacksteads Memorial	B01 Rev 0	23 / 06 /2020

Reason: To define the permission and in the interests of the proper development of the site.