

TITLE: CONSTRUCTION OF AN INDOOR POOL FACILITY AT MICKLEDRE BARN, HASLINGDEN OLD ROAD, RAWTENSTALL, ROSSENDALE

APPLICATION NO: 2006/261

TO/ON: DEVELOPMENT CONTROL COMMITTEE

BY: TEAM MANAGER – DEVELOPMENT CONTROL

STATUS: FOR PUBLICATION

PORTFOLIO HOLDER: CABINET MEMBER FOR REGENERATION

APPLICANT: MR & MRS R HINDLE

DETERMINATION EXPIRY DATE: 12 JULY 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.

Site and Proposal

This proposal seeks consent for the construction of a single storey extension to provide a swimming pool with a link and associated pump room and sauna. The building would be accessed by a glazed link between the applicant's property and the extension. The proposal also involves the construction of a terraced area which would be situated to the front of the link and would overlook the applicant's garden area. The link would be 3.6m in length, the pool area would be 12.6m and the pump room 2.6m. The building would be constructed in stone and slate to match the existing building.

The site forms part of the applicant's garden area and slopes steeply from Haslingden Old Road. Currently the boundary is delineated by recent planting of new trees however, under planning permission reference 2005/141, the issue of

boundary treatment was raised and at that time, a stone wall was proposed which by virtue of its size would have been permitted development. Arising out of the topography of the site, the submitted drawings indicate that, at its highest point, 3.8m of the building would be visible from Haslingden Old Road, stretching for 13.3m.

Relevant Planning History

2005/141 - Demolition of garage and erection of a detached garage at Mickledore Barn, Haslingden Old Road, Rawtenstall, Rossendale - Approved 23.6.05

Notification Responses

Neighbours were notified by letter. Three letters of representation have been received which make the following summarised points:

- Low water pressure
- Steam emanating from the building
- Loss of view
- Devaluation of property
- Land use designation

Consultation Responses

United Utilities – No objection
Environmental Health – No objection

Development Plan Policies

Rossendale District Local Plan

Policy DS3 (Greenbelt)
Policy DC1 (Development Criteria)
Policy DC 4 (Materials)

Other Material Planning Considerations

PPG 2: Greenbelts

Planning Issues

The first issue to consider is land use. The proposed development is located within the Greenbelt but it is accepted that provided that the proposal does not result in disproportionate additions over and above the size of the **original** building, the extension or alteration of dwellings is not inappropriate development in Green Belts.

The extension would house a swimming pool and sauna together with plant to support the facility. The extension would be accessed by a glazed link between the applicant's property and the extension and involves the construction of a terraced area which would be situated to the front of the link. It would overlook the applicant's garden area. The link would be 3.6m in length, the pool area would be 12.6m and the pump room 2.6m. The building would be constructed in stone and slate to match the existing building.

The design is considered to be appropriate and is in scale with the existing building. Turning to the points raised arising out of the consultation;

- Low water pressure

United Utilities have been consulted on this proposal and raise no objections in relation to this issue. The company do, however raise the issue “...*could the applicants fill the pool slowly at off peak times (ie at night) to ensure that water pressures in the area are not affected*”.

- Steam emanating from the building

The Council’s Environmental Health Officer makes the following comment “*the amount of steam would not cause a nuisance or health hazard and that the issue of the water pressure is not something the department would be concerned about. The swimming pool can be filled at night when demand on the supply is at its lowest*” It is recommended that a copy of the response from United Utilities is attached as a note to any planning consent granted.

- Loss of view

Loss of view is not a material planning consideration and cannot therefore be taken into account.

- Devaluation of property

Similarly, this issue is not a material planning consideration and cannot therefore be taken into account.

- Land use designation

Development in the Greenbelt of this nature is judged against Planning Policy Guidance Note 2. The guidance accepts that provided that the proposal does not result in disproportionate additions over and above the size of the **original** building, the extension or alteration of dwellings is not inappropriate development in Green Belts. It is considered that this proposal accords with this criteria.

The building uses materials that complements the dwelling to which it is to be attached and it is considered that it would not look out of place in the immediate locality.

Summary of reasons for conditions to appear on the decision notice

The proposed development falls within the Greenbelt of the Rossendale District Local Plan. The design and scale of the proposal respects the immediate locality and due to the topography of the site would have minimal visual intrusion. It is considered arising out the foregoing that the proposal, subject to conditional control, accords with Policy DC1 of the Rossendale District Local Plan.

Recommendation

That planning permission should be granted.

Conditions and Reasons

01 The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

02 Notwithstanding any indication on the approved plans or application forms, all external elevations of the proposed garage shall be faced in natural stone samples of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The development shall thereafter not be carried out otherwise than in complete accordance with the approved details.

Reason: In order to safeguard the appearance of the building and the surrounding area, in accordance with policy DC.1 of the Rossendale District Local Plan.

03 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: For the avoidance of doubt and to accord with Policy DC1 of the Rossendale District Local Plan.

Development Plan Policies

DS3 - Greenbelts

DC1 – Development Criteria

