

Application Number:	2021/0117	Application Type:	Full
Proposal:	Provision of timber cabin for use as outdoor clothing store and changing room (associated with the approved nursery development).	Location:	Plot 1 Futures Park Bacup
Report of:	Planning Manager	Status:	For publication
Report to:	Development Control Committee	Date:	25/05/2021
Applicant:	Mr Martin Kirk	Determination Expiry Date:	31/05/2021
Agent:	N/A		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	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

Approval subject to the conditions set out in this report.

2. **SITE**

The site extends to 0.29 hectares and is located immediately to the south of (and at lower level than) Newchurch Road. The site is accessed via a road that serves Futures Park. The access to the site is already in place and features a turning head.

The site is around 40m west of the Council's Futures Park offices, a prominent three storey building which lies adjacent to Newchurch Road and its junction with New Line. Properties along Newchurch Road to the north of the site are of varied design and construction, and are in a combination of commercial and residential use.

The southern boundary of the site is defined by the River Irwell, which flows in an east-west direction at a lower level. Glen Street is located to the west of the site, and Lee Road is further to the south.

The site is currently undergoing groundworks as part of the implementation of planning permission 2020/0137 for the construction of a new nursery building.

The topography of the site is generally flat but there is a significant difference in levels between the site and Futures Park/Newchurch Road.

The site is shown on the Adopted Proposals Map (1995) as an 'Employment Site' although this policy was not saved by the adopted Core Strategy (2011). However, the Core Strategy (Policy 10) does identify Futures Park as a key employment location which the Council will seek to protect and make best use of.

The site is entirely within the urban boundary.

The Council's emerging Local Plan proposes to include the land in question within a wider mixed use site allocation. The emerging Local Plan has not however yet been through Examination in Public nor has it been adopted by the Council.

3. **PLANNING HISTORY**

2006/0256 - Erection of a Building for Class B1/B2 Business/General Industrial Use – Approved (relates to a nearby plot)

2013/0450 - Construction of Trail Centre Building Associated with Lee Quarry Bike Trails, Comprising Shop, Cafe, Showers, Workshop, Classroom/Function Space and Associated Parking – Approved (relates to a nearby plot)

2019/0102 - Full: Erection of industrial/manufacturing building (Use Class B2) incorporating ancillary office and storage space. Development also includes creation of service yards (with associated gates / fencing, sprinkler tank and cooling towers), parking facilities, hard and soft landscaping, access and associated works – Approved (relates to a nearby plot)

2020/0137 - Construction of nursery building, with associated works, parking and access - Approved

4. **PROPOSAL**

Planning permission is sought for the construction of a timber cabin to act as a changing room for children and staff of the approved nursery on site when using the outdoor forest school facilities at the rear of the nursery building.

The cabin would have a footprint of 3m x 5m and would be of relatively lightweight timber construction, with a total height of 2.5m to the top of its pitched roof. The cabin would be sited immediately adjacent to the west elevation of the nursery building at a similar level.

Internally, the cabin would have a sink, toilet and some benches / coat hooks.

5. **POLICY CONTEXT**

National

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 6 Building a Strong, Competitive Economy
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 14 Meeting the Challenges of Climate Change, Flooding, etc
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy DPD (2011)

- AVP 2 Bacup, Stacksteads, Britannia and Weir
- Policy 1 General Development Locations and Principles
- Policy 7 Social Infrastructure
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 10 Employment
- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

6. **CONSULTATION RESPONSES**

Consultee	Summary of Comments received
LCC Highways	No objection

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a site notice was posted on 24/02/2021 and 7 letters were sent to neighbours on 22/02/2021.

No objections or representations have been received.

8. ASSESSMENT

The main considerations of the application are:

- 1) Principle
- 2) Visual Amenity
- 3) Neighbour Amenity
- 4) Access, Parking and Highway Safety

Principle

The proposed cabin would be entirely ancillary to the main use of the site as a nursery, which has already been approved under 2020/0137. The cabin would not introduce any new considerations as to the acceptability in principle of the wider nursery development. The site is located within the urban boundary.

For the reasons above, the proposed development is acceptable in principle.

Visual Amenity

The proposed cabin would not be of significant size, and would be tucked away behind the rear elevation of the main nursery building, largely out of view from the access on Futures Park. Given the lower level of the site in comparison to Newchurch Road, and the relatively low height of the proposed cabin (2.5m), it would not be unduly prominent from Newchurch Road.

In any case, the lightweight timber construction of the cabin would be visually akin to a regular large garden shed, and would not appear out of place in the nursery / forest school setting.

Having regard to the above, the scheme is considered acceptable in terms of visual amenity.

Neighbour Amenity

Core Strategy Policy 24 requires new developments to be designed to protect the amenity of the area, including residential amenity in terms of light, outlook, landscaping, and mitigating noise and light pollution.

One of the 12 core planning principles within the Framework states that planning should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”*

In this case the site is a considerable distance away from residential properties, and screened to an extent by local topography and tree cover.

The proposed cabin has no significant implications for the amenities of nearby residential properties.

The proposal is compliant with the Framework and Policy 24 of the Core Strategy with regards to neighbour amenity.

Access, Parking and Highway Safety

The Local Highway Authority (LCC Highways) has raised no objection to the proposed cabin, and it is not considered that the development will raise any parking, access or highway safety concerns given the nature of the proposed cabin and its siting away from the main access to the nursery.

9. SUMMARY REASON FOR APPROVAL

The proposed development is acceptable in principle and will not unduly affect visual amenity, neighbour amenity or highway safety. The development accords with the National Planning Policy Framework and Policies AVP2, 1, 7, 8, 9, 10, 16, 18, 23 and 24 of the Council's Core Strategy Development Plan Document.

10. CONDITIONS

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

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Title
Application Form
Site Location Plan
Indicative Relationship of Cabin to Nursery Building
Cabin Dimensions
Cabin Placement 2
Changing Room

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

3. No external lighting shall be attached to the building hereby approved which allows direct illumination of the adjacent river.

Reason: In the interests of protecting nocturnal wildlife which may be adversely affected by such lighting.

11. **INFORMATIVES**

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.