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| Application Number: | 2022/0047 | Application Type: | Full |
| Proposal: | To place a shipping container adjacent to the building 6 Milner Street, Whitworth to be used for storage for materials and tools, to facilitate works at the Community Men's Health Project, Whitworth Men's Shed. | Location: | 6 Milner Street Whitworth Rochdale Lancashire OL12 8RQ |
| Report of: | Planning Manager | Status: | For Publication |
| Report to: | Development Control Committee | Date: | June 2022 |
| Applicant: | Tony Sheppard | Determination Expiry Date: | 21/04/22 Extension of Time 08/06/22 |
| Agent: | | | |

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|-------------------------|-------------------------------------|-------------------|---------------------|
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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 | Yes |
| Other (please state): | |

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

That planning permission be granted subject to the conditions set out in the report.

APPLICATION DETAILS

2. SITE AND SURROUNDING AREA

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The application site is located on the west side of Milner Street. It adjoins a small industrial unit used as a Men's shed. To the north is a carpark with parking bays adjoining the site. Behind the area is a sloping bank rising to Market Street. Opposite is an industrial unit and No. 5 Milner Street which is in use as 2 flats.

3. RELEVANT PLANNING HISTORY

None

4. PROPOSAL

The proposal is to place a shipping container measuring 6.06m in length, 2.43m wide and 2.59m high adjacent to the single storey building known as 6 Milner Street. The primary function of the container is for the storage of small hand tools, small machines, steel stock and consumables such as nuts, bolts and screws etc. In-process wood stock (soft wood and hard wood) will also be accommodated.

This is a community project aimed at engaging men in the locality in social activities. Men's sheds are social spaces "where men can come and talk, tinker, and drink tea. Men's sheds help reduce loneliness and isolation".

Following discussions, the applicant has revised the proposal to encase the shipping container with timber cladding.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 6 Building a Strong, Competitive Economy
Section 12 Achieving Well-Designed Places

Development Plan

Rossendale Local Plan 2019-2036

SS Spatial Strategy
SD2 Urban Boundary and Green Belt
ENV1 High quality Development in the Borough
LT2 Community Facilities

Other Material Considerations

National Planning Practice Guidance

6. REPRESENTATIONS

The application was advertised by sending individual letters to surrounding properties on 25th February and by posting a site notice near to the building on 1st March 2022.

Whitworth Town Council support the proposal as Whitworth Men's shed provides a valuable resource in the Local Community.

5 objections have been received raising the following issues.

- Intrusive and visible on 3 sides and from main road/footpath above
- Whilst vague comments about using a trellis and hedging to disguise the appearance no consideration for the front and how and when ongoing maintenance would be carried out.
- Directly opposite private parking area for 5 Milner Street. Proposal will cause further obstruction and restrict access particularly when loading and unloading the container.
- The car park is full much of the time, inadequate parking provision
- Noise and disturbance from opening metal doors and loading and unloading of equipment and supplies. This will not be addressed by the hours condition recommended by Environmental Health which only relates to the development phase.
- Possible loss of privacy from front doors opposite the bedrooms of the apartment at 5 Milner Street.
- There is already a lot of criminal activity and damage to vehicles in car park. The storage of tools could make the situation worse.
- Council neglects this car park with detritus of drug and drink mixed in with the undergrowth.
- Fire risk from storage of paints, wood treatments and dry wood close to residential flats (6.5m away). If the shipping container is a dark colour it will quickly reach flash point temperatures of the preservatives.
- No mention of ventilation to stop the build - up of noxious volatile vapours and possibly carcinogens.
- The flat roof of a container needs to be covered to stop ingress leakage from rain, this ingress on to treated wood would leach preservative chemicals out of the container into the ground and residential area. Rust and ferric poisons will contaminate the Councils land.
- Needs full fire risk and ecological assessment.

7. CONSULTATION RESPONSES

Lancashire County Council Highways - No objections

Environmental Health - No comments

United Utilities - Need to consider sustainable drainage and location of water mains and sewers.

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle
- 2) Visual Amenity
- 3) Residential Amenity
- 4) Highways issues
- 5) Drainage

Principle

The local Plan paragraph 297 advises that:

“Facilities that serve local communities throughout Rossendale have an important social function and enhance the quality of life for residents as well as visitors. The provision and retention of

community facilities is considered to be integral for ensuring that communities are sustainable in the long term. The Council will therefore support appropriate proposals which seek to enhance the range of community facilities especially in areas where these are currently limited such as in parts of the east of the Borough.”

This proposal would support a community facility in the east of the Borough and within the Urban Area and the Principle of the proposal would therefore be acceptable.

Visual Amenity

Section 12 of the NPPF states that

1) *“Planning policies and decisions should ensure that developments:*

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.”

Policy ENV1 of the Local Plan advises that all proposals for new development will be expected to take account of the character and appearance of the local area and:

siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping.

The proposed container is located in a car park adjoining an industrial style unit. The applicant has amended the proposal to timber clad the shipping container. It is considered that the shipping container will appear as a timber clad building and this will appear acceptable in the location. It is suggested that a condition be applied to any planning permission requiring it to be clad within 3 months of the date of arrival of the shipping container on the site to ensure that this is carried out. Without the cladding, the shipping container would not result in an attractive, well designed feature in the street scene and would be contrary to Policy in the NPPF and the Local Plan.

Neighbour Amenity

Paragraph 130 of the NPPF advises that Planning policies and decisions should ensure that developments

“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”

- *Does not significantly harm the outlook of neighbouring properties;*
- *Does not significantly reduce the amount of daylight and sunlight enjoyed by neighbouring properties;*

Policy ENV1 of the Local Plan states that all proposals should take account of the following:

“The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being overbearing or oppressive, overlooking or resulting in an unacceptable loss of light:- nor should it be adversely affected by neighbouring uses and vice versa.”

The use of the shipping container for storage will not increase the impact on Local Residents opposite in respect of its use and any resulting noise and disturbance.

The possibility of the container being used to store flammable materials was raised in the representations received. The applicant has advised that the primary function of the container is for the storage of small hand tools, small machines, steel stock and consumables such as nuts, bolts and screws etc. In-process wood stock (soft wood and hard wood) will also be accommodated and whilst combustible, it has an auto ignition temperature, depending upon species, in the order of 250+ degrees centigrade, well above any likely internal temperatures resulting from solar gain. It is possible that emulsion and/or water-based fence paints, e.g. Ronseal Fence Life, could be stored but there is no intention to store any low flashpoint, flammable materials such as petroleum spirit, solvents, solvent/oil-based paints or flammable gases. Environmental Health have no comments to make regarding this. It is therefore considered that the proposal would not result in an undue hazard to residential properties.

Access, Parking and Highway Safety

Lancashire County Council Highways raises no objections to the planning application and is of the opinion that as the storage container is located outside of the parking bays within a grass verge, the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

There are therefore no objections on highways grounds to the proposal.

Drainage

United Utilities have advised that they will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable. The applicant has indicated that they intend to accommodate run-off water, principally from the pitched roof, by fitting troughing to the lower edge of the roof pitch and to direct the flow, via a downpipe, to the loose earth surrounding the rear aspect of the container. They could if necessary construct a shallow soakaway lined with 50mm loose gravel to assist infiltration.

United Utilities have also advised that they will not allow building over or in close proximity to a water main or public sewer. The advice from United Utilities has been forwarded to the applicant.

9. CONCLUSION

The proposal will have a satisfactory visual appearance for its location adjoining an industrial style unit and within a car park. The proposal will support a worthwhile community use, which is welcome. Over time the shipping container may corrode and the timber deteriorate such that the structure becomes detrimental to the street scene. Taking into account the weight that is given in this report to the community benefit of the proposal it is recommended that if planning permission is granted that it should have a condition requiring the removal of the container should the use of 6 Milner Street as a Men's shed cease.

10. RECOMMENDATION

That planning permission be granted subject to:

- a) The Conditions set out below.

11. 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 the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with application form received on the 22nd February 2022 and the following drawings, unless otherwise required by the conditions below:

| <u>Drawing Title</u> | <u>Date Rec'd</u> |
|--------------------------|-------------------|
| Location Plan | 24/02/22 |
| Floor Plan | 22/02/22 |
| Shipping container Model | 30/05/22 |

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. Within 3 months of the placement of the shipping container on the site it shall be clad in timber in line with the drawing submitted on 30/05/22.

Reason: To ensure a satisfactory appearance to the development.

4. Within 2 months of the cessation of the use by the Men's shed the shipping container shall be removed from the site and the land reinstated to grass or to a material to be approved in writing by the Local Planning Authority.

Reason: The installation of a shipping container on this site is only considered acceptable for the community purpose for which it is sought.

5. Prior to the first use of the container, the applicant shall provide drainage to a soakaway located within the site boundary.

Reason: To ensure the sustainable drainage of the site.

12. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.