

<b>Application Number:</b>	2022/0506	<b>Application Type:</b>	Full
<b>Proposal:</b>	Full: erection of a single-story garage for the purpose of parking 1 x vehicle.	<b>Location:</b>	Garage Site, off Todmorden Road, Sharneyford, Rossendale.
<b>Report of:</b>	Head of Planning and Building Control	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	17/01/2023
<b>Applicant:</b>	Mr Rohan Sudderick	<b>Determination Expiry Date:</b>	13/02/2023
<b>Agent:</b>	None		

<b>Contact Officer:</b>	James Dalgleish
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REASON FOR REPORTING	
<b>Outside Officer Scheme of Delegation</b>	<b>Yes.</b> The applicant has declared that the land forming the application site is owned by the Council.
<b>Member Call-In</b> Name of Member: Reason for Call-In:	No
<b>3 or more objections received</b>	No
<b>Other (please state):</b>	No

### 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 this report.

## 2. **SITE**

The application site comprises a plot of land within an existing garage colony, understood to be within the ownership of Rossendale Borough Council.

The land is located immediately to the south of Todmorden Road in Sharneyford, accessed via a lane leading off the main road. There are several existing garages on the wider garage colony, of various designs and construction materials.

Public footpath No. 405 runs along the land adjacent to the site. The land is designated as countryside.

## 3. **PROPOSAL**

Planning permission is sought to erect a freestanding single concrete garage which will measure 2.2m in height, with a width of 2.5m and length of 4.9m.

The garage would have a gently sloping mono-pitched roof, constructed of profiled plastic-coated steel, with timber fascias. The garage door would be of white powder-coated metal construction.

The garage would be located adjacent to an existing garage on the site.

## 4. **RELEVANT PLANNING HISTORY**

None

## 5. **POLICY CONTEXT**

### **National**

#### **National Planning Policy Framework**

Section 9 – Promoting Sustainable Transport  
Section 12 – Achieving Well Designed Places  
Section 15 – Protecting and Enhancing the Natural Environment

### **Development Plan Policies**

#### **Local Plan**

Policy SD2: Urban Boundary and Green Belt  
Policy ENV1: High Quality Development in the Borough  
Policy TR4: Parking

### **Other**

National Planning Practice Guidance

## 6. CONSULTATION RESPONSES

### LCC Highways

No objection.

### RBC Property Services

No objection.

## 7. NOTIFICATION RESPONSES

Letters were sent to nearby properties notifying occupiers of the application, and a site notice was posted.

One comment has been received from a local resident, raising the following points in summary:

- Don't object in principle to the garage.
- However, it would take up space used by a resident to park their van, which would otherwise need to be parked elsewhere.
- Perhaps other areas on the site could be considered for the garage instead.

The public consultation period does not expire until 12/01/2023, and if any further comments are received after this report is published they will be presented to Members in an update report prior to the Committee meeting.

## 8. ASSESSMENT

### Principle

Although the site is located outside the defined urban boundary, within an area of countryside, it is within a long-established garage colony used for the parking of vehicles. Policy SD2 of the Local Plan requires the majority of development to be carried out within the urban boundary except where it needs to be located in the countryside and would enhance the rural character of the area.

In this case, there is a specific need for the applicant to park their vehicle near to their home – within the established garage colony. Whilst the proposed garage in this case would not specifically enhance the rural character of the area it is considered that it would have a neutral impact – having regard to the existing character and context of the garage colony. It is not considered that refusal of the application in this case could reasonably be substantiated given that the site lies within an existing garage colony where the garage would not be out of the ordinary or affect the site's wider character.

### Visual Amenity

The garage would be visible from Todmorden Road, but set within the context of an existing garage colony where it would not appear out of keeping. The site is reasonably well screened by trees and vegetation and is set back from the main road.

The proposed finish of the garage is not dissimilar to that found on other garages within the colony.

As such, the proposal is considered acceptable in terms of visual amenity.

### Neighbour Amenity

The proposed garage will not significantly affect the level of light, outlook or privacy currently received by residents of any of the surrounding properties.

### Highway Safety

It is not envisaged that the proposals will give rise to any undue highway safety concerns. There is adequate maneuverability on the site the local highway authority has raised no objection.

A local resident has raised concern that the garage would take up space currently used to park their van. However, it is understood that the land is owned by the Council so there would be no 'right' for the van in question to be parked on the land as such. In any case, this would be a private matter, rather than a planning matter, which the resident would need to address with the Council's property services team if they seek formal permission from the landowner to park their vehicle on Council-owned land.

## **SUMMARY REASON FOR APPROVAL**

The proposal is considered to be acceptable in principle given that the site lies within an established garage colony. The scheme would reasonably safeguard the character and appearance of the area, the amenities of nearby local residents, and highway safety. The proposal is therefore considered to be in accordance with the requirements of the National Planning Policy Framework and the Council's adopted Local Plan.

## **9. 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 the following drawings, unless otherwise required by the conditions below:

1. Plan, Elevations (K16x08-8)
2. Proposed Site Plan
3. Site Location Plan

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

3. The garage hereby permitted shall only be used for domestic purposes and the garage shall not be used for any trade or business purposes.

*Reason: In order to safeguard the residential amenity and character of the area*

### **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.