

Application Number:	2023/0383	Application Type:	Full Planning Permission
Proposal:	Installation of a secure shipping container for storage of tools and gardening equipment for the use of Friends of Whitaker Park who operate as part of Civic Pride Rossendale.	Location:	Whitaker Museum Haslingden Road Rawtenstall Rossendale Lancashire BB4 6RE
Report of:	Head of Planning and Building Control	Status:	For publication
Report to:	Development Control Committee	Date:	10.10.2023
Applicant:	Rosendale Borough Council	Determination Expiry Date:	01.11.2023

Contact Officer:	Claire Bradley	Telephone:	01706 238636
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	No
Member Call-In Name of Member: Reason for Call-In:	No
3 or more objections received	No
Other (please state):	Yes – 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 conditions

2. APPLICATION SITE

The Whitaker Museum is a former mid C19 dwelling, which is now a museum. The building has a modern extension to the rear and side elevation.

There is a range of outbuildings/barns on the eastern side.

The property is set well back from Haslingden Road and has substantial landscaped gardens.

The container will be located to the rear of the rear enclosed area behind the Whitaker Museum, to the west of the route running north from the Whitaker Museum to the Sports Court.

The site is close to the end of Willow Tree Close, which is separated by fencing and mature landscaping.

3. RELEVANT PLANNING APPLICATION HISTORY

2018/0602: Redevelopment of site including conversion and change of use of barn / stables, alterations to existing buildings, construction of a new link building, plus associated landscaping and access works – Approved with Conditions

2020/0086: Approval of details reserved by condition 7 (site access details) pursuant to planning approval 2018/0602 - Approved

2020/0354: Discharge of condition 5 (bat method statement) pursuant to planning approval 2018/0602 – Approved

2020/0425: Discharge of Condition 6 (specification of plaster and mortar) pursuant to planning permission 2018/0602 - Approved

2020/0490: S.73 Application: variation of Condition 2 (approved plans) pursuant to Planning Approval 2018/0602, to enable installation of a ventilation system including vents, cowls, ducts and louvres on the building elevations and roof, and to include new stonework – Approved with Conditions

2021/0119: Approval of details reserved by condition 3 (planting and landscaping) pursuant to planning application 2018/0602 – Approved

2022/0370: Erection of garden room - Withdrawn

2023/0339: Erection of a timber chalet-type building at the Whitaker - Pending

4. PROPOSAL

This application is for the installation of a secure shipping container for use by the Friends of Whitaker for storage of tools and gardening equipment.

The Whitaker is identified as being a non-designated heritage asset.

The container will be 2.44 metres x 3.05 metres with a height of 2.95 metres, and will be coloured green.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 4 Decision Making
Section 12 Achieving Well Designed Places
Section 16 Conserving and Enhancing the Historic Environment

Development Plan

Local Plan Policies

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
Strategic Policy SD2: Urban Boundary and Green Belt
Policy ENV1 High quality Development in the Borough
Policy ENV2 Historic Environment

Other material considerations

National Planning Practice Guidance
Bacup Conservation Area Appraisal

6. CONSULTATION RESPONSES

Consultee	Summary of response
Growth Lancashire (Conservation)	See Heritage Section below
LCC Highways	No objections

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on the corner of Willow Tree Avenue and Parkwood Drive, on 13.09.2023 and neighbouring properties notified by letter sent out on 11.09.2023.

At the time of writing no comments have been received

The consultation period expires on 4th October 2023 – if any representations are received following publication of this report, they will be reported to Members in an update report.

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Heritage/Visual Amenity;
- 3) Residential Amenity;

4) Access, Parking and Highway Safety

Principle

The application site is located within Whitaker Park, to the rear of the Whitaker Museum which is identified as a non-designated heritage asset.

The proposed scheme is for the installation of a secure shipping container for the storage of tools and gardening implements.

The site is within the Urban Boundary.

Consequently it is considered that in principle the proposal meets the requirements of Sections 2 and 16 of the NPPF and Policies SD1 and SD2 of the Local Plan.

Heritage/Visual Amenity

The site is located to the rear of the Whitaker.

Section 12 of the Framework refers to the importance which Government attaches to the design of the built environment:

- *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” (Para 127)*
- *“Planning policies and decisions should ensure that developments...will function well and add to the overall quality of the area...are sympathetic to local character and history, including the surrounding built environment and landscape setting.” (Para 130).*

Section 16 of the Framework states local planning authorities should take account the desirability of new development making a positive contribution to local character and distinctiveness and the desirability of sustaining and enhancing the significance of heritage assets.

Paragraph 197 of the National Planning Policy Framework requires that when *determining applications affecting heritage assets local planning authorities should take account of:-*

- a) *the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 203 states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement

will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policies ENV1 and ENV2 of the Local Plan seek to ensure that the built and historic environment is safeguarded and enhanced and proposals take into account design, lighting and materials.

Growth Lancashire have been consulted and have commented as follows:

The Whitaker Park Masterplan notes that the community storage units will be potentially timber clad. I feel that a timber clad storage unit would appear more sympathetic in the rear garden area of the NDHA. However, overall, I feel that the proposed metal container painted green will only have a minor impact on the setting (and significance) of the museum.

The container will be set back to the rear of the museum, obscured from view of the former C19 dwelling and existing extension, on the approach off Haslingden Road. As such, there will be limited views of the storage container from the museum's principal elevation. Whilst the container will be appreciated in the same context of the museum from the rear gardens, because of its limited height and scale of the building this will have a minor impact on the wider setting and overall significance of the NDHA. In heritage terms, given the building's low significance, any impact will be negligible in scale.

It is considered that the shipping container will only have a limited impact on the setting of The Whitaker Museum and will cause no discernible loss of significance. As such, I feel the scheme would meet with the objectives of Chapter 16 of the NPPF and accord with policy ENV 2 of the Local Plan.

Residential 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”

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

- “c) Being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the area*
- “d) 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 shipping container will not impact on the residential amenity of neighbouring dwellings, and it will only be used for the storage of tools and gardening implements.

It is considered that the proposed use of the building for storage by the Friends of Whitaker Park will not impact on the residential amenity of the surrounding area.

The proposed development will be in accordance with Policy ENV1 of the Local Plan and the NPPF.

Access, Parking and Highway Safety

There will be no impact on access, parking or highway safety from the proposed development.

The Highway Authority have advised that there are no objections to the proposed development and it will not have an impact on highway safety in the surrounding area.

9. CONCLUSION

The proposal has been assessed to cause minimal harm to the significance of the non-designated heritage asset, and it will facilitate work by a community group involved in the upkeep and improvement of the park grounds.

The proposals have also been assessed as having no adverse impacts on visual amenity residential amenity, or highway safety

On this basis it is considered that the proposal is in accordance with the Rossendale Local Plan and the NPPF.

10 RECOMMENDATION

That planning permission is granted subject to the following conditions:

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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following:

Application form received 09.08.2023
Location Plan received 09.08.2023
Plans and Elevations received 06.09.2023
Container Photograph received 09.08.2023

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

3. The container shall be coloured green as detailed in the submitted supporting information.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.

4. The use of the container will be for storage of tools and gardening equipment and for no other use.

Reason: To protect the amenity of the adjoining land users/occupiers.

5. Should the use of the container for storage of tools and gardening equipment cease, the container shall be removed from the site.

Reason: In the interests of visual amenity of the area.

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.

Location Plan

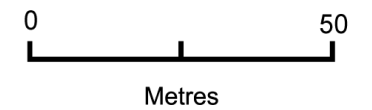
Site Address: **Rossendale Museum Whitaker Park, Haslingden Road, Rawtenstall, Rossendale, BB4 6RE**

Date Produced: **08-Aug-2023**

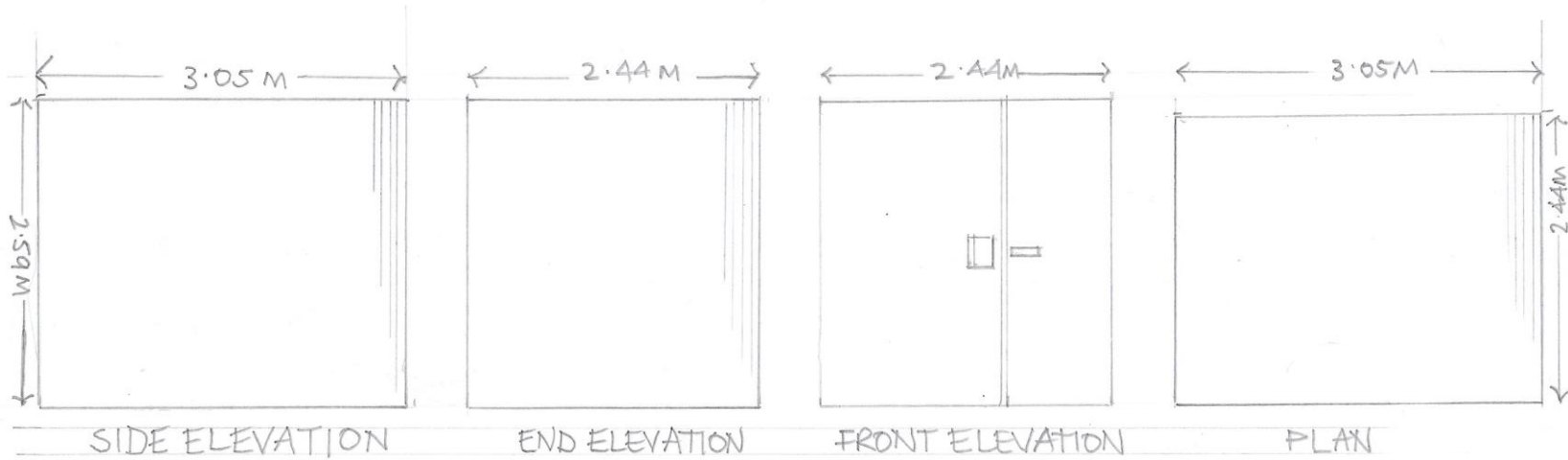
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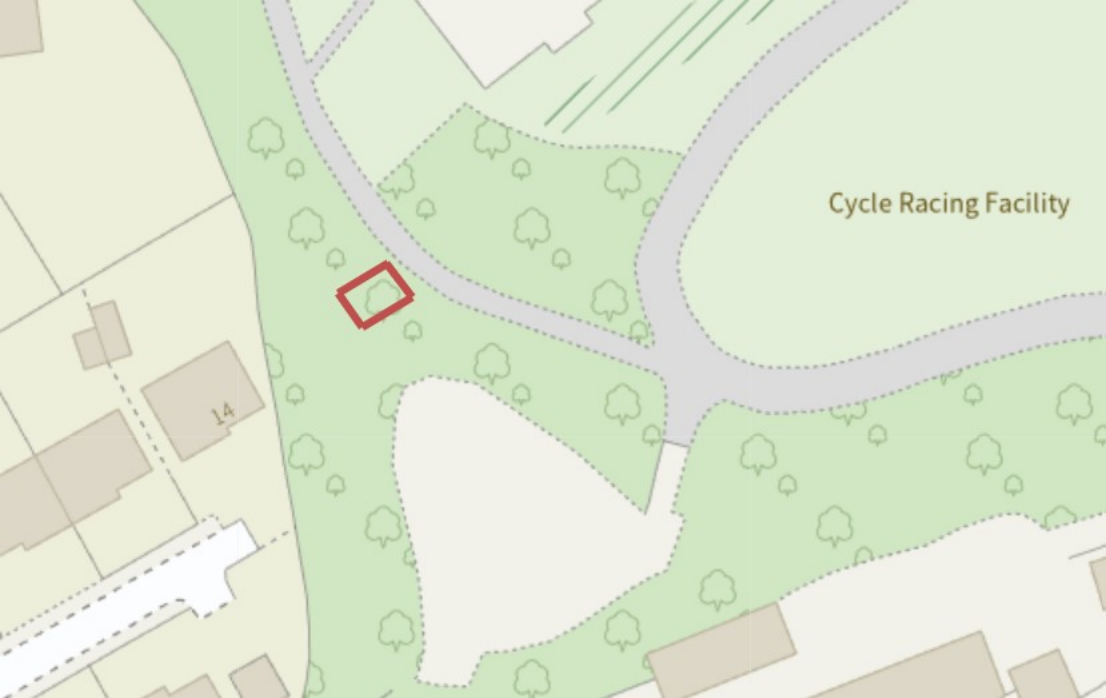


Planning Portal Reference: **PP-12158755v1**



PROPOSED SHIPPING CONTAINER. WHITTAKER PARK RAWTENSTALL
SCALE 1:50 DATE: SEPTEMBER 2023





Cycle Racing Facility

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