

<b>Application No:</b> 2007/490	<b>Application Type:</b> Full
<b>Proposal:</b> Laying of hardcore track and provision of a container for use as changing room	<b>Location:</b> Land off St Peter's Avenue, Haslingden
<b>Report of:</b> Head of Planning, Legal and Democratic Services	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 21 August 2007
<b>Applicant:</b> Rossendale Borough Council	<b>Determination Expiry Date:</b> 18 September 2007

**REASON FOR REPORTING** **Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:  
Reason for Call-In:

**3 or more objections received**

Other (please state) ..... Council's own development

**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.

**APPLICATION DETAILS**

**1. THE SITE**

- 1.1 The site forms part of the Playing Fields owned by the Council's land and currently is partly used by a community group for recreational purposes.
- 1.2 The site is located within the Urban Boundary, and is allocated as a Recreation Area and Greenlands in the Rossendale District Local Plan.

### **1.3 Relevant Development Control History**

2006/367 - Siting of a container for use as changing facilities – Approved 27 July 2007.

In accordance with this permission, a metal container (measuring 2.4m x 6.2m x 2.7m in height) has been positioned adjacent to the car park, where it is visible from St Peter's Avenue.

## **2. THE PROPOSAL**

2.1 Permission is now sought to relocate the steel container permitted by 2006/367 to a position behind 4 St Peter's Avenue and for construction of a track from the car park to it.

2.2 The Council's Property Services Manager advises that the container is presently in a position visible from St Peter's Avenue and a number of complaints have been received in respect of it. The siting now proposed for the container follows discussion with the local residents. Its siting behind trees running to the rear of 2 and 4 St Peter's Avenue will diminish its impact on the views of residents/from the highway.

## **3. CONSULTATIONS**

### **3.1 Consultation Responses**

None.

### **3.2 Notification Responses**

Site notices were posted on the 31 July 2007, and local residents notified by way of letters.

A resident of Hall Street has objected to the application on the following grounds: A steel container is suitable for an industrial area, not a residential area - it will be no less of an eyesore in the new position.

It will provide something (besides the trees) for youths to hide behind when drinking/drug-taking.

A better option would be to erect a more aesthetically-pleasing building in the position of the present container.

## **4. DEVELOPMENT PLAN POLICIES**

### **Rossendale District Local Plan (Adopted April 1995)**

Policy DS1 (Urban Boundary) of the Rossendale District Local Plan states that "*The Council will seek to locate most new development within a defined urban boundary - the urban boundary - and will resist development beyond it unless it complies with policies DS.3 and DS.5. The urban boundary is indicated on the proposals map*".

Policy DC1 (Development Criteria) of the Rossendale District Local Plan states that all applications for planning permission will be considered on the basis of : a) location and nature of proposed development; b) size and intensity of proposed

development; c) relationship to existing services and community facilities; d) relationship to road and public transport network; e) likely scale and type of traffic generation; f) pollution; g) impact upon trees and other natural features; h) arrangements for servicing and access; i) car parking provision; j) sun lighting and day lighting and privacy provided; k) density layout and relationship between buildings; l) visual appearance and relation to surroundings; m) landscaping and open space provision; n) watercourses; & o) impact upon man-made or other features of local importance.

Policy E1 (Greenlands) states the Council will seek to protect and enhance the publicly and privately open spaces designated as Greenlands from inappropriate development.

Policy E2 (Recreational Areas) states that “*proposals for development within recreation areas will not be considered favourably unless the proposed development : a) makes a positive contribution to the recreational opportunities provided; & b) does not change the predominantly open character of the area*”.

#### Joint Lancashire Structure Plan (Adopted March 2005)

##### Policy 1

#### Other Material Planning Considerations

PPS1

PPG17

## **5. ASSESSMENT**

- 5.1 The site falls within the Urban Boundary in the Rossendale District Local Plan. To this extent the application proposal accords with Policy DS1 of the plan.
- 5.2 The proposal accords with Policies E1 and E2 as the container is to provide much-needed changing facilities at the recreation ground, and will not change the predominantly open character of the area.
- 5.3 The siting now proposed for the container would be behind a belt of trees adjacent to the rear of 2 and 4 St Peter's Avenue. This site benefits from screening by mature landscaping, whereas the current site allows views of the top of the container from the highway. As such, the new location would be beneficial in terms of visual/neighbour amenity.

## **6. SUMMARY REASON FOR APPROVAL**

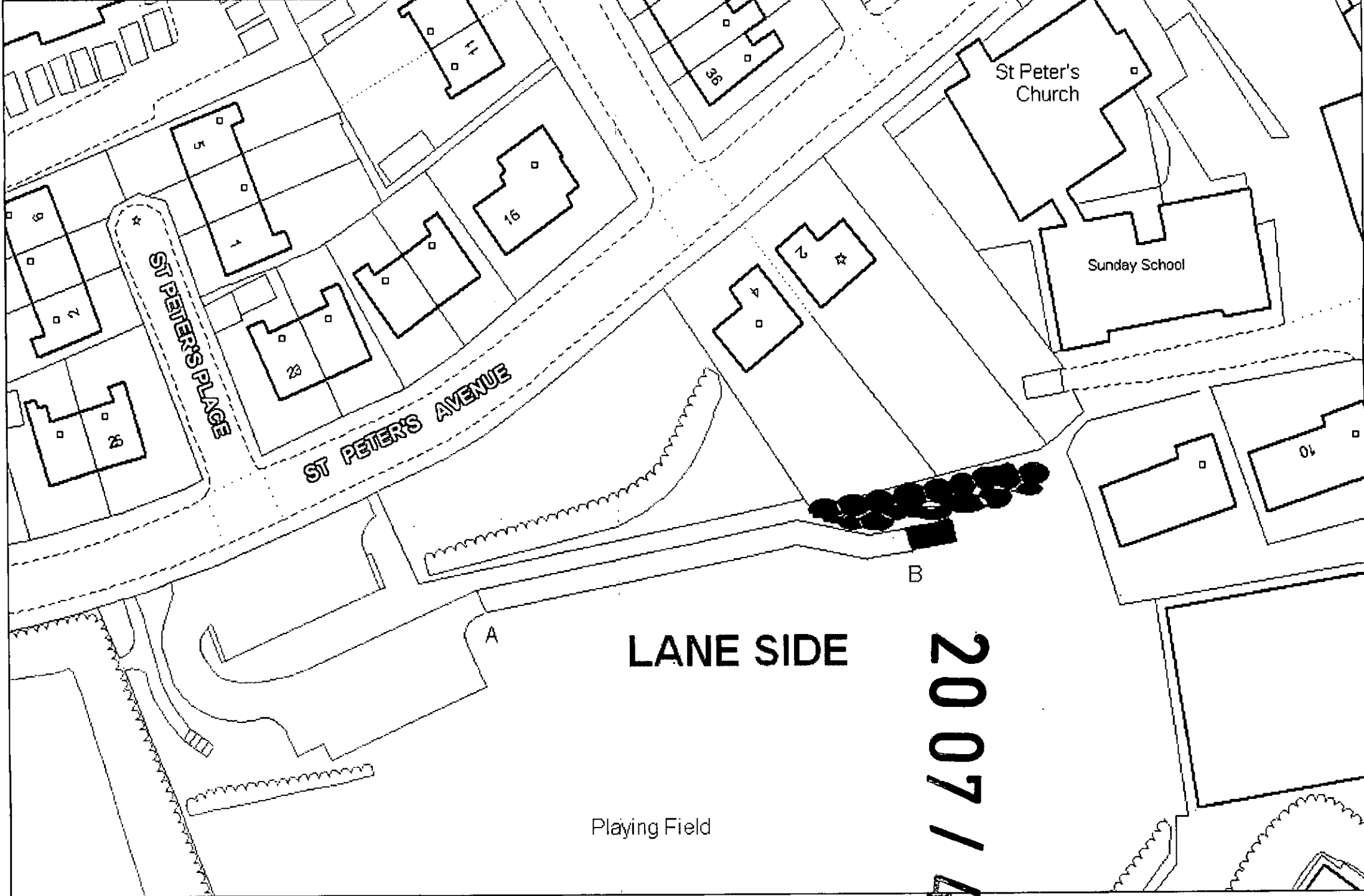
- 6.1 The proposed development is located within the Urban Boundary and will not have a significantly adverse impact upon visual/neighbour amenity or in respect of any other material planning consideration. Therefore, the proposed development is in accordance with Policies DS1, E1 and E2 and the criteria of Policy DC1 of the Rossendale District Local Plan.

## **7. RECOMMENDATION**

- 7.1 That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. The permission hereby granted is for not more than one changing-room container to be stationed on the Playing Field to which this application relates.  
Reason: To protect visual/neighbour amenity, in accordance with Policies E1 and E2 and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

<b>Contact Officer</b>	
Name	Paul Talbot
Position	Planning Technician
Service / Team	Development Control
Telephone	01706-238642
Email address	Planning @rossendalebc.gov.uk



2007 / 490