

1. The Site

This application relates to Huttock Top Farm, which is located in the Countryside just beyond the Urban Boundary of Bacup. Lying to the rear of the residential properties fronting Bankside Lane, it fronts Newchurch Old Road. This track of single-vehicle width is also a public footpath and forms part of the Rossendale Way.

Currently the farm comprises a farm house, stone barn attached to a former cottage, framed-barn, former stable-block and loose boxes, ménage, yards and a couple of fields.

The applicant advises that the site is a working farm with an additional ancillary use as a petting farm. They state that animal numbers seasonally vary but at present include : Turkeys; Chickens; Ducks; 5 Goats; 1 Sheep; 2 Cattle; 2 Pigs; 5 Alpacas. Other animals kept as pets/associated with the Petting farm are 3 kune kune pigs; 3 donkeys and a pony. The petting farm is open to the public to allow access to, or observation of, livestock.

This application relates most particularly to the framed-barn (250sq m). It bounds Newchurch Old Road, it and the yard immediately to its rear at a higher level than the other buildings and activity areas on the farm. The framed-barn is said to have been last used as sawmill.

2. Relevant Planning History

None

3. The Proposal

Permission is sought for the conversion of the framed-barn to provide facilities to allow the petting farm to grow as a visitor attraction. Work has already begun on the conversion works to provide visitor toilet facilities, space for teaching/eating, and other associated activity areas, for members of public visiting the farm. The stated hours of the Petting Farm are to be 10am to 6pm on each day of the week.

It is proposed that the barn would be refurbished, repainted or reclad, where necessary, to form a covered area for visitors. In addition, outdoor picnicking and teaching areas are proposed on the western side of the barn.

The number of visitor parking spaces within the yard adjacent to the building is to be increased from 8 to 14. It is proposed that access to the site would continue to be gained via the existing access point from Newchurch Old Road. However, a passing-place for 2 cars to allow vehicles to pass is proposed on the south side of Newchurch Old Road. A mirror to improve visibility when leaving the farmyard is proposed at the site access..

4. Policy Context

National

PPS1 - Sustainable Development

PPS7 – Sustainable Developments in Rural Areas

PPG13 - Transport

PPG15 - Historic Environment

PPG17 - Sport & Recreation

Development Plan

RPG13 (2003)

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Policy 5 – Development Outside of Principal Urban Areas, Main Towns and Key Service Centres

Policy 7 - Parking

Policy 21 - Lancashire's Natural & Man-Made Heritage

Rossendale District Local Plan (Adopted 1995)

DS5 – Development Outside the Urban Boundary & Green Belt

DC1 – Development Criteria

DC4 - Materials

Other Material Planning Considerations

LCC Parking Standards

LCC Landscape & Heritage SPD

Emerging Bacup, Stacksteads & Britannia AAP

5. CONSULTATIONS

LCC (Highways)

No objection in principle. Do not recommend having a mirrors at the access-point/would not allow them on the highway.

RBC (Environmental Health)

No comments

6. REPRESENTATIONS

A site notice was posted on 5 September 2008 and the relevant neighbours were notified by letter on 26 August 2008 to accord with the General Development Procedure Order.

6 letters raising objection to the proposal have been received from the residents of the area. The points raised are:

- A larger volume of vehicles already visit the site causing increased traffic. The provision for visitors would add to this problem.
- Newchurch Old Road is only single track and some vehicles do not attempt to use it. This causes various problems for the residents of Bankside Lane including access and parking.
- The increased traffic has added to pollution (fumes, noise etc).
- The animals are wondering along Bankside Lane and are a risk to drivers using Bankside Lane.
- Development of the visito facilities would cause disruption for the residents of Bankside.
- The location and existing access to the site will clearly not cater for the increased traffic flow without excessive improvements to the access road.

- The development is totally inappropriate for this site.
- The premises have been used for industrial purposes for at least the last 20 years, manufacturing and storing sawdust produced on site from re-cycled timber. There has never been any livestock on the premises during this period.
- In the Design and Access Statement, it is stated that the existing business is a Petting Farm. The premises are an established industrial site. The site has never been a working farm.
- The un-made condition and limited road width will inevitably lead to both commercial and private vehicles, horse boxes etc. being parked on Bankside Lane. This would add further congestion on Bankside Lane.
- Refreshment and picnic area would generate additional waste.
- The application has the potential to generate a huge volume of traffic both on foot and in car on this already well used amenity.
- The increased volume of traffic is detrimental to the promotion of the Rossendale Valley Way which is well used by cyclists, horse riders and walkers.
- The proposed lay-by is far too short and narrow. This space may not be able to take a small car let alone a tractor and trailer.
- The property consists of only a few acres so is not able to run as a working farm and will struggle to sustain the stock.
- The site does not contain sufficient grazing land to support the animals kept at the farm.
- This is a Green Belt land the proposed development is not suitable within it.
- The development will result in the loss of peace, quietness and the view.
- The proposed development will be detrimental to the well being of the twits (rare birds) due to the noise and traffic as well as the over grassing of the land.

7. ASSESSMENT

In dealing with this application the main issues to consider are:

Principle

In the adopted Local Plan, the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area, unless for the rehabilitation and re-use of buildings providing that they comply with policy DC1.

The proposed development is for the conversion of the existing barn which has previously been used for industrial purposes. It is proposed that the existing building be converted to provide visitors facilities (including activity areas such as play/teaching areas, refreshment /eating area, toilet facilities etc) associated with the existing Petting Farm which is itself ancillary to the existing working-farm. If this were the case it would form a suitable farm-diversification to accord with the advice of PPS7. The scale of the working farm is such it is a moot point as to the extent to which the expanded Petting Farm will be ancillary to a working farm. A Petting Farm which is not ancillary to a working-farm can, nevertheless, be looked upon as a diversification of the rural economy in general. Assessment of its appropriateness is then based upon the nature/number of its animals, the nature/scale of visitor numbers/facilities, and the

extent to which the latter impinges upon the essentially open and rural character of the area.

I am satisfied that the conversion of this building will not itself displace an agricultural use, with consequent need for further agricultural buildings to be erected. So long as the Petting Farm is restricted to this building in terms of the visitor facilities it is to contain, and visitor parking is restricted to the number of spaces indicated, I do not consider the Petting Farm would be inappropriate development within the countryside.

Accordingly, the proposed development is considered acceptable in terms of saved Policy DS5 of the Rossendale District Local Plan. Furthermore, it is considered that the proposed development would provide a leisure opportunity which would enable the visitor to enjoy the countryside, in accordance with the advice contained in PPS7 for rural areas.

Neighbours amenity

Although an outside picnic and teaching area to the west of the barn is proposed, the main activity areas would be contained inside the building. The barn is located approximately 35m away from the nearest dwellings facing the site.

In view of the separation distance and the fact the majority of the activities would take place inside the building, it is therefore unlikely that the neighbours amenity would be unduly affected by way of noise or disturbance. Similarly, it is considered that the proposed outside activities such as teaching activity, observation of animals, car parking etc would not be unduly detrimental to amenities of the adjacent residents.

Design/Appearance

It is proposed that the barn would be internally divided to create different activity areas within it. No alterations affecting the exterior of the barn other than repainting or re-cladding, are proposed. As such the building would remain in its existing form and is acceptable in terms of its design and appearance.

Highway Issues

The proposal includes the provision of 16 car parking spaces, two of which would be for disabled persons. The parking area would be surfaced in planings and would be accessed via the existing access point from Newchurch Old Road. To facilitate the free flow of traffic, a passing-place for 2 cars is proposed on the south side of Newchurch Old Road.

The Highway Authority has no objection to the proposal having regard to the intended parking arrangements and the provision of the passing-place. I can appreciate the concerns of neighbours in respect of traffic/parking and would myself have great concern about any further intensification/expansion of the Petting Farm.

Animal waste storage

No information has been provided for the provision of a storage area for animal waste. To protect the residential amenity of the area, a condition would be required to secure such a facility.

9. SUMMARY REASON FOR APPROVAL

It is considered that the proposed development, so long as constrained to the building/parking facilities proposed, is appropriate within the rural area and would not unduly affect visual and neighbour amenity or highway safety. Therefore, it is considered that the proposed development is in accordance with PPS1 & PPS7, saved Policy 1, 5 & 20 of the Joint Lancashire Structure Plan and saved Policy DS 5 & the criteria of saved Policy DC1 of the Rossendale District Local Plan.

10. RECOMMENDATION

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: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with drawing no. 08-042-02, 03, 04, 05 received on 20 August 2008.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

3. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am to 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

4. The building shall not be brought into use until the passing place has been provided along Newchurch Old Road, in accordance with the details shown the approved drawings to the satisfaction of the Local Planning Authority.

Reason: To ensure the free flow of traffic, in the interests of highway safety and in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

5. The building shall not be brought into use until the proposed parking area has been constructed, drained, surfaced and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority; the parking area shall not thereafter be used for any purpose other than the parking/manoeuvring of vehicles, nor its extent or number of spaces added to.

Reason: To ensure adequate off-street parking, in the interests of amenity and highway safety to accord with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

6. A landscape scheme shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date of the building is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally

required to be planted to the written satisfaction of the Local Planning Authority.

Reason: To secure the satisfactory development of the site, in the interests of visual amenity and to accord with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

7. The building shall not be brought into use until details of a waste storage area to be provided on the forecourt of the premises shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to accord with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

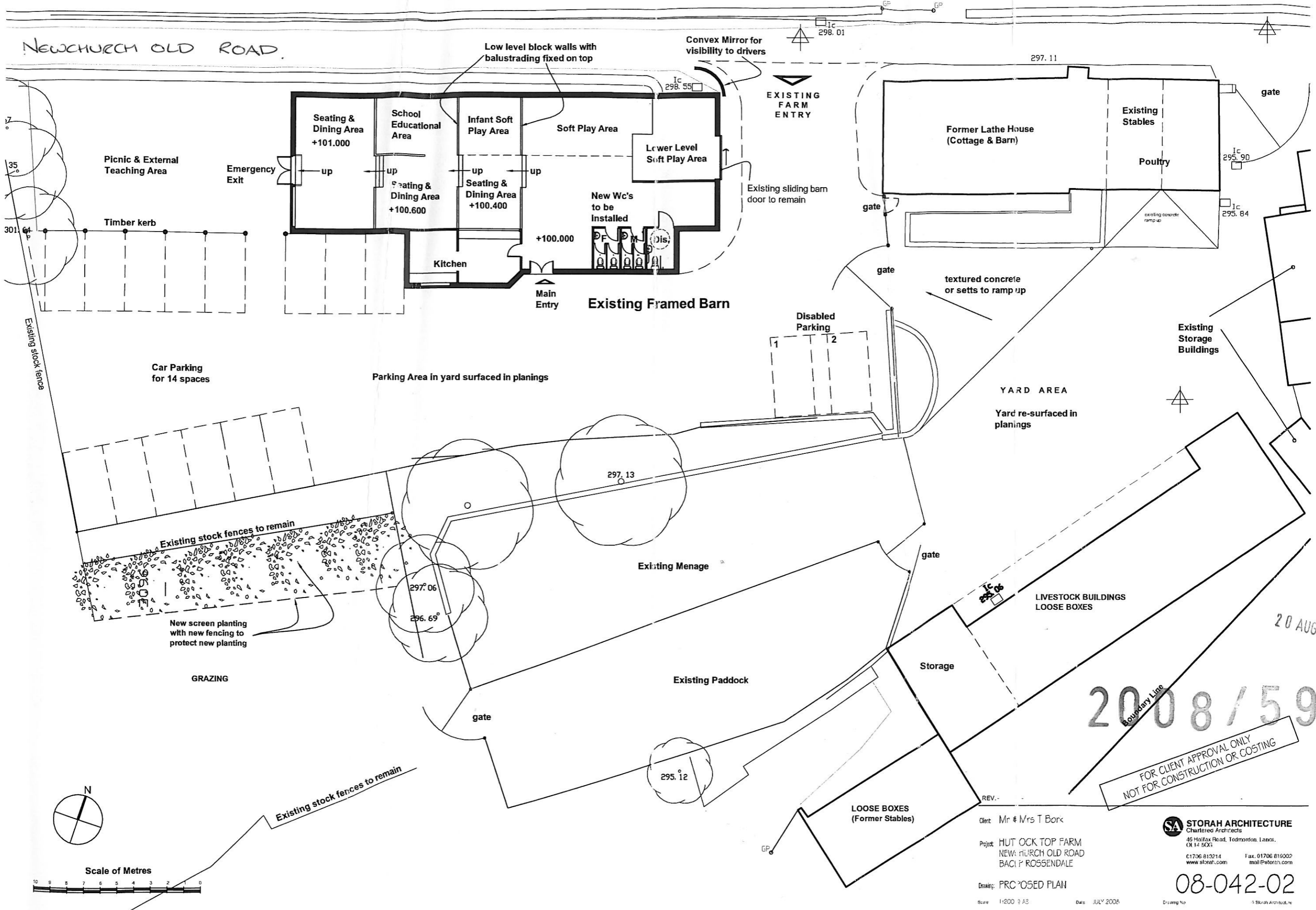
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Current Site Layout 2008/594



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NEWCHURCH OLD ROAD.



2008/594

FOR CLIENT APPROVAL ONLY
NOT FOR CONSTRUCTION OR COSTING

Client: Mr & Mrs T Bork
 Project: HUT OCK TOP FARM
 NEWCHURCH OLD ROAD
 BACUP ROSENDALE
 Drawing: PROPOSED PLAN
 Scale: 1:200 @ A3 Date: JULY 2008

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