

Application No: 2009/243	Application Type: Full
Proposal: Change of use from Agricultural land to Camp Site (for five tents)	Location: Scar End Farm, Weir
Report of: Planning Unit Manager	Status: For Publication
Report to: Development Control Committee	Date: 5 October 2009
Applicant: Mr G Davis	Determination Expiry Date: 22 September 2009
Agent:	

REASON FOR REPORTING Tick Box
Outside Officer Scheme of Delegation

- Member Call-In**
 Name of Member:
 Reason for Call-In:
More than 3 objections received

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.

APPLICATION DETAILS

1. The Site

The application site forms of part of Scar End Farm, which is situated in the Countryside area to the east of the settlement of Weir.

The complex of buildings at the farm is situated on the rising land to the east side of the River Irwell, comprising of: a farmhouse/converted barn of traditional

design/materials; other buildings, of varying age/design, which are used for agricultural purposes and as a farm shop/café. Immediately to the west side of the building occupied by the farm shop/cafe is a recently-formed car park, accessed from Burnley Road via the roadway permitted in 2005.

The site itself, of approximately 0.06 ha in area, comprises of gently sloping grazing land to the north-west of the complex of buildings. There is a thick belt of trees between the site and Scar End Brook which bounds the site on the north side. Access to the site can be gained from Burnley Road via the recently-constructed roadway or from Weir Lane along a poorly-surfaced track that is a Public Footpath and formerly served as the principal vehicular access to the farm.

2. Relevant Planning History

- 2003/245 - Conversion of existing barn to single dwelling
Approved
- 2005/105 - Construction of a track vehicular access
Approved
- 2005/504 - Holiday Park comprising 20 tourists lodges
Refused
- 2006/355 - Holiday Park comprising 20 tourists lodges
Refused & dismissed on Appeal

3. The Current Proposal

The proposal entails change of use of a small area of agricultural land to a camp site for up to 5 tents as tourist accommodation.

It is proposed that the tents be laid out in a line and be served by a gravel path (lit by low-level lighting on a timer) leading from the old track between the complex of buildings and Weir Lane. Each tent would be of Mongolian Yurt design: of green coloured canvas, supported by a timber structure erected on decking; of 5m in diameter and 2.3m in height to the top of the domed-roof; with electricity/water/drainage to their kitchen/bathroom facilities. Details have been submitted of the septic tank to be installed.

In support of the proposal, the applicant states:

- The proposal would provide luxurious but eco-friendly tourist accommodation.
- Tourism is a big feature now in Rossendale especially after the recent opening of the Adrenalin Gateway.
- The proposal would provide the farm with a diversified source of sustainable income at the time of financial downturn.

- Due to the nature of the proposed use, it is anticipated that there will be no discernable increase in vehicular traffic as most users of the proposed camp site would arrive by foot / bicycle.

4. Consultation Responses

RBC (Environmental Health)

No comments/objections.

5. Notification Responses

To accord with the General Development Procedure Order a site notice was posted on 19/8/09 and the relevant neighbours were notified by letter on 5/8/09.

Five letters raising objection to the proposal have been received. The comments made are:

- The site is in the Green Belt, which should be sacrosanct.
- There will be no social enhancement or added value to the economy of Weir Village. There will be no employment benefit for local people.
- Any increase in transitory residents in the area will impact on the security of the residents.
- Litter has recently become a problem in the area and the campers could well add to this nuisance.
- Large tents would require concrete bases and presumably a toilet and shower block.
- A septic tank would be located close to a stream which runs into the River Irwell.
- The tents will be directly beside an area of natural beauty - the currently quiet picturesque valley will be ruined by these eyesores and noise and light pollution.
- The proposal would disturb the wildlife, which is abundant in the area.
- Fear that campers will wish to gain access to the site in vehicles via Weir Lane/the public footpath and such traffic will cause more damage to the road surface, increased noise, pollution and danger to residents/pedestrians.
- These tents could be replaced/set a precedent for caravans or more permanent cabins.

6. Policy Context

National Planning Guidance

PPS1	Delivering Sustainable Development
PPG4	
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity & Geological Conservation
PPS23	Pollution

Development Plan

Regional Spatial Strategy for the NW of England (2008)

DP1-9	Spatial Principles
RDF2	Rural Areas

W6	Tourism & Visitor Economy
RT2	Managing Travel Demand
RT4	Management of the Highway Network
EM1	Environmental Assets

Rossendale District Local Plan (1995)

DS5	Development outside the Urban Boundary & Green Belt
DC1	Development Criteria
C10	Valley Ways
J5	Tourism

Other Material Planning Considerations

4NW Draft Partial Review of the RSS
 LCC Landscape Strategy for Lancashire
 RBC Core Strategy

7. Planning Issues

The main issues to be considered in the determination of this application are:

- 1) Principle
- 2) Landscape Impact
- 3) Neighbours Amenity
- 4) Access/Parking
- 5) Other Matters

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. Policy J5 states that *“The Council will encourage the improvement of existing tourist facilities and the development of new accommodation and attractions in appropriate locations”*. As a Valley Way runs nearby the application site is considered a suitable location for a small camp site.

PPS7 has been published more recently than the Local Plan and sets out Government policy in respect of rural areas. It is supportive of the creation of tourist accommodation in the countryside, but seeks to protect and enhance the local distinctiveness and intrinsic qualities of the countryside. To that end, it seeks to ensure tourist development is not prominent in the landscape and any visual intrusion is minimised by effective, high-quality screening. RSS policies are couched in similar terms.

Accordingly, this proposal is considered an appropriate diversification of the rural economy and acceptable in principle.

Landscape Impact

This application relates a gently-sloping site quite near to the complex of buildings at the farm, and the car park serving the farm shop/café, and immediately adjacent to a belt of trees. Having regard to these consideration, and the limited scale of the

proposal (a maximum of 5 tents), it is considered that the proposed development would not be unduly prominent. The size and appearance of the tents is such that they, and the associated paths, would not detract unacceptably from the essentially open and rural character of the area.

The visual impact of the proposed development could be further reduced by additional planting. A condition is recommended requiring implementation of a scheme of landscaping/boundary treatment that has first been agreed with the Council, to secure further planting and provision of paths and external illumination in an appropriate form.

Neighbour Amenity

The properties located on/around Weir Lane are situated far away from the site. The residents of these properties would not be able to view the site from their houses by reason of the belt of trees, nor likely to experience disturbance by reason of activity on the site.

Accordingly, it is considered that the proposed development would have little impact on the amenities of local residents so long as vehicular traffic associated with the camp site does not make use of Weir Lane. It is anticipated that they would use the recently-constructed drive permitted under Planning Permission 2005/105. Nevertheless I consider the camp site should be managed in such a way as to discourage vehicles associated with it making use of Weir Lane. A condition to this effect is recommended.

Access/parking

The applicant envisages that the camp site will result in virtually no additional vehicle traffic as users will arrive by foot / bicycle. I am not convinced most users of the camp site will arrive on foot / bicycle. However, as there are to be no more than 5 tents I am satisfied that the existing car park adjacent to the farm shop/café will be able to accommodate them. This car park can most easily be accessed from Burnley Road via the recently-constructed drive permitted under Planning Permission 2005/105 rather than Weir Lane. For reasons of highway safety I also consider that the camp site should be managed in such a way as to discourage vehicles associated with it making use of Weir Lane. A condition to this effect is recommended.

Other Matters

The application site is not of any particular wildlife value. By way of the proposed conditions in respect of landscaping/boundary treatment the neighbouring belt of trees can be protected and the wildlife value of this site enhanced.

Details have been submitted of the septic tank to be installed; it will require consent from the Council's Building Control Section.

8. Summary Reason for Approval

The proposed development is appropriate in principle in the Countryside and, subject to the conditions, would not unduly affect the essentially open and rural character of the area, neighbour amenity, drainage or highway safety. Therefore, it is considered that the proposed development is in accordance with PPS1 / PPS7, Policies RDF2 / RT2 / RT4 / EM1 of Regional Spatial Strategy and Policies DS5 / DC1 of the Rossendale District Local Plan.

9. **Recommendation** Approve

10. **Conditions/Reasons**

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 Act 1990.

2. Not more than 5 tents shall be erected on the site at any one time and the camp site shall be managed in such a way as to discourage vehicles associated with it making use of Weir Lane.

Reason: In the interests of visual/neighbour amenity and highway safety, in accordance with PPS7 / PPG13, Policies RDF2 / RT4 / EM1 of the Regional Spatial Strategy, and Policies DS5 / J5 / DC1 of the Rossendale District Local Plan.

3. The development shall accord with drawings received on 28 July 2009, and the other documents accompanying the application, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and in the interests of visual/neighbour amenity and highway safety, in accordance with PPS7 / PPG13, Policies RDF2 / RT4 / EM1 of the Regional Spatial Strategy, and Policies DS5 / J5 / DC1 of the Rossendale District Local Plan.

4. Notwithstanding the details shown on the submitted drawings, prior to the commencement of development a scheme of landscaping/ boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before development commences. The submitted details shall include : the location of all existing trees and hedgerows on/bounding the site and shall specify those that are to be retained and the measures to be taken to protect them during construction of the development; the planting to be undertaken; the areas to be hard-surfaced in terms of siting/surface-finish/drainage; the decking/system of external illumination; the fences/walls/gates to be erected; and any changes of ground-level proposed. Reason: In the interests of visual/neighbour amenity, in accordance with PPS7, Policies RDF2 / EM1 of the Regional Spatial Strategy, and Policies DS5 / J5 / DC1 of the Rossendale District Local Plan.

5. All hard-landscaping/lighting/gates/walls/fences in the approved scheme of landscaping/boundary treatment shall be implemented prior to the first use of the camp site, unless otherwise first agreed in writing by the Local Planning Authority. In the first planting season thereafter all planting in the approved scheme of landscaping/boundary treatment shall be undertaken, and any trees or plants which within a period of five years of planting die, are removed or become diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives consent to any variation.

Reason: In the interests of visual/neighbour amenity, in accordance with PPS7, Policies RDF2 / EM1 of the Regional Spatial Strategy, and Policies DS5 / J5 / DC1 of the Rossendale District Local Plan.

6. 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 residents, in accordance with Policy DC1 of the Rossendale District Local Plan.

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