

<b>Application No:</b> 2010/0229	<b>Application Type:</b> Full
<b>Proposal:</b> Erection of building as Mountain Rescue Base and associated car park	<b>Location:</b> Land r/o 371-373 Manchester Rodd, Haslingden
<b>Report of:</b> Planning Unit Manager	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 1 June 2010
<b>Applicant:</b> Rossendale & Pendle Mountain Rescue	<b>Determination Expiry Date:</b> 22 June 2010
<b>Agent:</b> Nicol Thomas Ltd	

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	✓
Member Call-In Name of Member: Reason for Call-In:	x
More than 3 objections received	x
Other (please state) .....	<b>Council Owned Site</b>

**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. **SITE**

The application site relates to an irregular shaped parcel of land to the rear of 371-373 Manchester Road, and includes the access between those two properties. The site is open in character with a grassed surface and bounded by the rear elevations of

predominantly residential terraced properties to the north east/west and mature trees to the south east/west.

The site is accessed directly from Manchester Road, although it can also be accessed via Fields Road. The land is at a lower level than Manchester Road. Due to the surrounding trees and buildings the site is not a visually prominent area in the locality. The site falls away to the south and east.

The site is located within the Urban Boundary as designated in the Rossendale District Local Plan.

## **2. Relevant Planning History**

2010/67 Proposed Mountain Rescue Base

This application was withdrawn so that the following issues could be further addressed: Access/Parking both within and adjacent to the site; Levels; Impact on Trees.

## **3. The Proposal**

The applicant's seek consent for a new base for the Rossendale & Pendle Mountain Rescue Team. The RPMRT is a registered charity made up entirely of volunteers. Their current base is stated as being cramped and totally inadequate for the number of staff and vehicles. The new building is considered "essential for the Team to grow and work with the emergency services to look after the safety of the local people and visitors who enjoy its outdoor amenities."

The new base would consist of a single storey building, but with first-floor space within the roof void, and an attached double garage. The building would be sited to the south east of the site and would measure a total of 26 metres wide with a depth of the main building being 18.9 metres. The garage would be set back from the frontage by 6.5 metres. Maximum height would be 8 metres. Natural stone and slate are proposed.

Car parking is proposed fronting the building for use associated with the site. Due to the fall in levels on site, existing ground levels would be raised approximately 2 metres at the highest point to the southern boundary. The car parking level would be approximately 0.5 metres higher than the adjacent land to the west. 5 neighbourhood car parking spaces are to be provided to the north west of the site. The applicant proposes to resurface the access road between 371-373 Manchester Road, to replace existing footpaths along this stretch and also to enter into an agreement to provide double yellow lines to the junction with Manchester Road, and to one side of the access road, as requested by the Highway Authority during pre application discussions.

Soft landscaping in the form of shrubs/grass/bark is proposed to the south and west boundaries. 2.1 m high paladin fencing is proposed to bound the site from the existing ground level. Within the site along the west boundary, at the request of the case officer, 1.2m close boarded fencing is proposed to the rear of the car parking spaces to prevent light pollution from vehicle headlights from entering neighbouring properties. A grassed area is proposed to the north of the building. Behind the

building an ARMCO or similar style crash barrier is proposed to separate the development from the belt of trees bounding the A56 trunk road to the south west.

To increase sustainable development within the site, the applicant has stated agreed to provide locally sourced materials to raise the ground levels within the site and provide attenuation tanks to control rainwater on-site and facilitate rainwater harvesting.

A tree survey has been submitted. No trees are to be felled, however, a thinning of the group of tree to the south west is proposed.

The building would be open 24/7 to enable it to respond to emergencies as and when they occur. Incident statistics have been submitted to provide an indication of the likely vehicle movements during both daytime and night time hours. It is stated that in 2008 the team attended 45 incidents (50 in 2007 and 44 in 2006). 3 of those 45 incidents occurred between 0001 and 0600 hours, nine between 0601 and 1200, twenty three between 1201 and 1800 and ten between 1801 and 0000. Over half of these occurred on Saturday and Sundays.

#### **4. Policy Context**

##### **National Planning Guidance**

PPS1 Delivering Sustainable Development  
PPS4 Planning for Sustainable Economic Growth  
PPG24 Planning and Noise

##### **Development Plan Policies**

###### **Regional Spatial Strategy for the North West (2008)**

DP1-9 Spatial Principles  
RDF1 Spatial Priorities  
W1 Strengthening the Regional Economy  
RT2 Managing Travel Demand  
RT4 Managing the Highway Network  
EM1 Environmental Assets

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

DS1 Urban Boundary  
DC1 Development Control  
E4 Tree Preservation

##### **Other Material Planning Considerations**

4NW Draft Partial Review of the RSS  
LCC Parking Standards  
RBC Emerging Core Strategy

#### **5. CONSULTATIONS**

##### **LCC Highways**

Awaiting Comments

Highways Agency

Awaiting Comments

RBC Environmental Health

Awaiting Comments

## **6. REPRESENTATIONS**

To accord with the General Development Procedure Order the application has been publicised by way of site notice posted on 11/05/10 and 32 neighbours were notified by letter on 28/4/10. The site notice was posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

To date no representations have been received.

## **7. ASSESSMENT**

The main considerations of the application are : 1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Highway Safety.

### Principle

The property is located within the Urban Boundary where the Council seek to locate most new development. The site is in a sustainable location. It is considered that the use would not be appropriate to a town centre location and, therefore, its siting away from such an area would not detract from the vitality and viability of the nearby Haslingden and/or Rawtenstall Town Centres.

### Visual Amenity

The proposed building would not be prominent from public vantage points owing to its siting to the rear of terraced properties and being screened by mature trees. The design of the building is considered inoffensive, providing a functional space that provides for the needs of the use. The use of natural stone and slate would enhance its appearance. A significant amount of hardstanding would be required to form the car parking area, however, some landscaping has been proposed to soften its appearance which is considered to work well. The proposed palisade fencing would be of the mesh type and therefore would not be visually oppressive, allowing views into and out of the site. The proposed works to resurface the access road and replace the existing footpaths between 371-373 would provide a visual improvement to the area. The scheme is considered acceptable in terms of visual amenity subject to its movement away from the belt of trees bounding the A56 sufficient to respect the Root Protection Zone the applicant Tree Report recommends.

### Neighbour Amenity

Information supplied by the applicant demonstrates that although a 24/7 use, call outs are not frequent and predominantly occur during weekends. Whilst the noise created by the starting up of vehicles and the opening and shutting of car doors would cause some degree of noise, the limited number of call outs during the evening hours is considered acceptable so as not to cause an unreasonable level of disturbance. In terms of impact on the light, privacy and outlook of neighbours, the building ranges from approximately 17-20 metres away (due to the orientation of the building) from the rear of the properties to the north east. Such distances are considered acceptable. To

protect the amenities of neighbours I consider it necessary for the level of the building and parking areas to be somewhat reduced and it is also considered necessary to regulate external illumination by way of a condition.

#### Highway Safety

Pre application discussions were held involving the Highway Authority, to establish appropriate parking and access facilities. The formal comments of the Highway Authority and Highway Agency are still awaited. The submitted scheme accords with the discussion with LCC Highways and proposes a 5-bay parking area for neighbouring residents, besides their own secure-parking. The applicant has also agreed to fund double yellow lines to one side of the access road, and both sides at the junction with Manchester Road. I have no reason to believe that the scheme is not acceptable in terms of its access/parking arrangements. The Up-date Report will advise Members of any further comments received in this regard.

#### Other Considerations

A local Councilor has raised concerns over the ownership of the land adjoining both 371 and 373 Manchester Road. The applicant was unable to trace the owners of those areas of land, Land Registry results are stated as concluding that the land was unregistered. Accordingly the applicant has placed a notice in the Free Press in accordance with the planning regulations. Land ownership is not a material planning consideration. I am satisfied that the applicant has followed the correct procedures in order that this application can be determined.

### **8. Summary Reason for Approval**

The proposed development is considered acceptable in principle within the Urban Boundary and, subject to the conditions, would not unduly detract from visual and neighbor amenity, or highway safety. The scheme would therefore accord with PPS1 / PPG13 / PPG24, Policies DP1-DP9 / RT2 / RT4 / EM1 of the Regional Spatial Strategy and Policies DS1 / DC1 / DC4 of the Rossendale District Local Plan.

### **9. RECOMMENDATION**

That Committee be minded to grant Planning Permission subject to :

- a) The Applicant being required to pay the sum requested by LCC(Highways) to pursue the Traffic Regulation Order; &
- b)
- c) The Conditions below.

#### **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. Notwithstanding the details shown on the submitted drawing the building/parking area shall be positioned sufficient distance from the belt of trees bounding the A56 to accord with the submitted Tree Report in respect of Root Protection Zones and to accord with levels that have first been submitted to and approved in writing by the Local Planning Authority. The development shall otherwise be carried out in accordance with the information supplied within the application forms and Design and Access Statement and drawings numbered M2863 (PL) 01 Rev B; M2863 (PL) 02; M2863 (PL) 03 Rev B; 8.0471.100A, 8.0471.101, 8.0471.202, 8.0471.203C, 8.0471.204A, 8.0471.205 received on 27 April 2010, unless otherwise required by the conditions below or otherwise 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 and neighbour amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.*
3. The external walls of the building hereby approved shall be constructed of local natural stone and the roof of slate, samples of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.  
*Reason: In the interests of visual and neighbour amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.*
4. No trees (other than those clearly shown to be so affected on the submitted plans/Tree Report) shall be topped, lopped or cut down without the prior written approval of the Local Planning Authority, and any trees dying or being removed before or within 5 years of completion of the development hereby permitted shall be replaced within 12 months of removal or death in accordance with details which shall have been submitted to and approved in writing beforehand by the Local Planning Authority.  
*Reason: In the interests of the amenity of the area, in accordance with Policy DC1 of the Rossendale District Local Plan.*
4. All hard-surfaced areas/walls/fences/gates forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to first use of the building, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building. Any trees or plants in the approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
*Reason:  
In the interests of the amenity of the area, in accordance with Policy DC1 of the Rossendale District Local Plan.*
6. No system of external illumination or sound amplification shall be provided which has not been first submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of visual and neighbour amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.*

7. 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 Policy DC1 of the Rossendale District Local Plan.*

<b>Contact Officer</b>	
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