

Application Number:	2011/285	Application Type:	Full
Proposal:	Change of use of former scrap yard to campsite for static and touring caravans and tents	Location:	Former Scrap Yard, Blackwood Road, Stacksteads, Bacup
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	13 September 2011
Applicant:	Mr N Crook	Determination Expiry Date:	22 September 2011
Agent:	Mr B Edmondson		

Contact Officer:	Rebecca Taylor	Telephone:	01706-238640
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REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation

3 or more objections : **YES**

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.

	RECOMMENDATION(S)
	Approval, subject to the conditions detailed in Section 9 of the report.

APPLICATION DETAILS

Version Number:	1	Page:	1 of 8
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1. SITE

The application site lies to the south side of Blackwood Road. It is a large rectangular plot of approximately 0.57 ha in area, the land immediately to the south and east of it in the same ownership. The site has most recently been used as a vehicle scrap yard and possesses a vacant and boarded-up house which was constructed in 1989. The yard contains a small number of metal containers.

Whilst the un-used house on the site is open to view from Blackwood Road, the scrapyard is set back from the road and screened by mature trees on the land between Blackwood Road. The scrapyard is surrounded by 2m high palisade fence.

To the east the site is bound by land covered with hardstanding belonging to the applicant, beyond which is mature woodland that acts as a screen. To the west is a waste recycling centre. There are a number of residential properties to the north of Blackwood Road, although none are immediately opposite it. Blackwood Road has a number of vehicle calming measures in place, including pinch points and speed-humps with.

The site is located in the Countryside as designated in the Rossendale District Local Plan (1995)

2. RELEVANT PLANNING HISTORY

1981/606 Erection of dwellinghouse and storage building (Outline)

Approved with the following condition :

The occupation of the dwelling house shall be restricted to the applicant/owner of the vehicle scrap yard or persons employed by the owner thereof for the purposes of providing accommodation and security for the aforementioned premises within the terms of this permission and for no other purposes.

1993/160 Certificate of lawfulness of existing use as scrap yard/vehicle dismantling

Approved

3. THE PROPOSAL

The applicant seeks permission for the change of use of land at Blackwood Road from a scrap yard to a campsite with pitches for 5 static and 11 touring caravans, as well as an area for approximately 10 tents. Near to the site access there would be a WC/Shower Block, waste facility and grounds maintenance lock-up.

The site would be entirely surrounded by 2m palisade fencing. The access gate to the site would have a coded security system. There would a parking space for each caravan pitch, with a further 6 parking spaces for the tents. There would be no system of external lighting or sound amplification.

4. POLICY CONTEXT

National

PPS1 Sustainable Development
PPS4 Economic Development
PPS7 Rural Areas
PPG13 Transport

Development Plan

Regional Spatial Strategy for the NW of England (2008)

DP1-9 Spatial Principles
RDF1 Spatial Priorities
RT2 Managing Travel Demand
RT4 Management of the Highway Network
EM1 Environmental Assets

Rossendale District Local Plan (1995)

DS1 Urban Boundary
DC1 Development Criteria

Other Material Planning Considerations

Draft National Planning Policy Framework (2011)
RBC Submitted Core Strategy DPD (2010)

5. CONSULTATION RESPONSES

LCC Highway Authority

Object to the proposal :

- there should be a parking space per tent pitch proposed to avoid parking on Blackwood Road. there should be greater space behind parking bays to allow vehicles to manoeuvre in and out.
- the fencing adjacent to the access-point needs to be reduced in height in the interests of highway safety.

The Highway Authority also raises a slight concern over the junction of Newchurch Road and Blackwood Road but concludes that this would cause limited highway safety issues due to the expected number of caravans moving to and from the site.

Urban Vision

Having regard to the previous use of the site it recommends any approval be subject to a suitable condition requiring further investigation and risk assessment to ensure suitable remediation of the ground.

RBC (Environmental Health)

No Objection. The applicant has been sent information in relation to a Site Licence which would need to be obtained to ensure satisfactory fire precautions and shared facilities, etc. In addition they request a condition is included stating :

A suitable sign shall be prominently displayed at the site entrance stating the site owners/managers 24

hour contact details in case of emergency or issues relating to any noise or anti social behaviour on the site.

Reason: To protect the amenity of occupiers of nearby property.

RBC (Forward Planning)

Supported the scheme in principle subject to meeting the relevant criteria of Policy 14 of RBC Submitted Core Strategy. It also suggests that the applicant provide signage to link the site with the tourist attractions in the borough and indicates that there may be an opportunity to improve biodiversity and the green infrastructure of the borough through a landscaping condition/scheme.

6. REPRESENTATIONS

To accord with the General Development Procedure Order two site notices were posted on 08/08/11 and 31 neighbours were notified by letter on 04/08/11.

There have been 26 letters of objection, 5 comments and a petition of objection with 106 signatures. The main concerns raised are as follows :

- Issues of contamination from the previous use of the site as a scrap yard or from the adjacent land
- Possible flood risk
- The site may used for permanent residential purposes, not tourists
- Not a visually attractive or suitable site for such a use. It would not give a good impression to tourists
- Concern relating to toilet facilities and hygiene
- The potential of increased traffic and the resulting risks to children
- Late night noise / fires lit on site
- No guarantee night supervision
- No stipulated opening or closing time for movement of caravans
- Highway safety issues caused by vehicles using the access from Rakehead Lane
- Considering the blight imposed by the adjoining derelict house, also owned by the applicant, it is impossible to believe that there is any intention to assist the local tourist industry or indeed that any walkers or cyclists would be interested in staying there. There would be no positive gain or inward investment for the local community.
- Condition of the road as a result of caravans using it to access the site
- Lack of pavements for pedestrians near to the site
- Nuisance of vehicles day and night
- Increase of vandalism and crime
- Blackwood Road is not a suitable access road to deal with the traffic associated with such a site
- Rubbish generated by site users
- Light pollution from the site
- Traffic using and parking on Blackwood Road leading to congestion
- The narrow road and curving nature of Rakehead Lane would cause hazards and could lead to accidents when caravans use it
- Impact on wildlife (bats and owls)
- Poor access to adrenaline gateway
- Reason to believe the applicant would not occupy the detached property on site
- The owners have neglected the site and detached property and do not maintain the

- land as neighbours do (with particular reference to the control of Ragwort weeds)
- Potential for vermin to travel from adjoining site to the applicants site
- White and brown signage would be required to warn tourists of the unsuitability of Brandwood Road
- Footpaths could potentially be used by cyclists causing safety concerns
- Concern that a Phase II study hasn't yet been carried out
- The incompatibility of nearby sites
- Potential to attract vermin such as rats to the area
- There is an existing camp site that serves the adrenaline gateway and is underused
- Request that there me no club on site
- Discrepancies on the application form relating to whether the site was known to be comntaminated
- Drainage, sewage removal, water supply are not shown in the plans. Concerns also over the suitability of a container for showers

7. ASSESSMENT

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

Principle

The application site lies within the countryside area of Stacksteads as designated within the Rossendale District Local Plan. Policy DS5 states;

Outside the urban boundary and the green belts, shown on the Proposals Map, development will be restricted to that needed for the purposes of agriculture, forestry or other uses appropriate to a rural area.

In assessing whether the proposals would be acceptable in principle it is considered whether the tourist campsite/caravan park would be 'appropriate to a rural area'.

PPS7 states and it is reinforced in PPS4 that :

In considering development proposals for static holiday and touring caravan parks and holiday chalet developments, planning authorities should:

(i) carefully weigh the objective of providing adequate facilities and sites with the need to protect landscapes and environmentally sensitive sites, and examine the scope for relocating any existing, visually or environmentally-intrusive sites away from sensitive areas, or for re-location away from sites prone to flooding or coastal erosion;

(ii) where appropriate (e.g. in popular holiday areas), set out policies in LDDs on the provision of new holiday and touring caravan sites and chalet developments, and on the expansion and improvement of existing sites and developments (e.g. to improve layouts and provide better landscaping); and

(iii) ensure that new or expanded sites are not prominent in the landscape and that any visual intrusion is minimised by effective, high-quality screening.

Policy 14 of Rossendale Borough Council Submitted Core Strategy states;

New development outside of the urban boundary will be considered acceptable where it is essential for the proposed facility, no sites within the urban boundary are suitable, and there are no unacceptable impacts affecting:

- *Landscape, or*
- *Visual quality (including light pollution), or*
- *Amenity to neighbours (including noise pollution), or*
- *Nature conservation assets*

The impact on visual and neighbour amenity will be considered in the relevant sections of this report. However, it is considered that the proposed use is acceptable in principle in the Countryside.

Visual Amenity

The site would be well screened from public view from Blackwood Road to the north. To the east, south and west of the site there is mature trees/woodland which restricts views from these directions.

Although the site would be well screened by the existing vegetation the planting is rather thin near the site access. The Agent has agreed to enhance the planting here. A landscaping condition is recommended to ensure this happens. On this basis I am satisfied that the proposal will not detract to an unacceptable extent from visual amenity.

Neighbour Amenity

The site does not have any adjoining residential neighbours. The nearest neighbours are on the opposite side of Blackwood Road and are separated from the application site by approximately 50m.

In considering the impact on neighbours I am mindful of the lawful use of the site is as a scrap yard and the everyday activities associated with it, including noise nuisance and traffic production. The Council's Environmental Health Unit has considered the application and has raised no objection. It is therefore considered that the proposal would not result in an unacceptable amount of noise or other forms of disturbance, the existing vegetation acting as a buffer. A suitable sluice for waste would be provided on the site. It is considered that so long as appropriate bin storage is made available neighbours will not be impacted by waste from the site.

The noise of individuals travelling to and from the site cannot be controlled but is unlikely to be unduly detrimental having regard to the scale of the site.

Highway Safety

The Highway Authority is satisfied that the local highway network can accommodate the traffic likely to be generated by the proposal without undue detriment for highway/pedestrian safety. The matters of detail in respect of the access-point and on-site parking provision prompting it to object to the application have been discussed with the Agent and can be adequately addressed by way of Conditions.

The use of this site as a scrap yard and the adjacent re-cycling centre have generated significant traffic volumes, including lorries. The site will contain a relatively small number of pitches for touring caravans and the anticipated use of the road is not likely to increase over that associated with the previous use. It is of concern that there is no footway immediately outside the site. There is however, significant traffic calming around the site to assist with the safety of pedestrians.

8. SUMMARY REASON FOR APPROVAL

The development is not of a scale that would detract to an unacceptable extent from the essentially open and rural character of the Countryside, neighbour amenity or highway safety. It is considered that the development is in accordance with PPS1/PPS7/PPG13, Policies RDF2 / RT2 / RT4 / EM1 of the Regional Spatial Strategy, and Policies DS4/DC1 of Rossendale District Local Plan.

9. 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 drawings numbered 2011/17-01 date stamped 28/06/2011 and the design and access statement date stamped 28/06/2011, 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 to protect visual and neighbour amenity, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
3. No system of external illumination/sound amplified shall be installed on the site, unless otherwise first agreed in writing by the Local Planning Authority.
Reason : To protect visual and neighbour amenity, in accordance with Policies DS3/DC1 of the adopted Rossendale District Local Plan.
4. Notwithstanding what is shown on the submitted drawings, prior to the commencement of development full details of landscaping/boundary treatments shall be submitted to and approved in writing by the Local Planning Authority, to include details of existing boundary planting to be retained and any necessary measures for the protection of planting. Any fences/walls/gates/hard-surfaced areas forming part of the approved scheme shall be completed prior to first occupation of the building hereby permitted and any new planting in the first planting season thereafter, unless otherwise first agreed in writing by the Local Planning Authority. Any of the plants which are removed, die or becomes seriously damaged or diseased within 5 years shall be replaced by others of the same siting/size/species, unless otherwise first agreed in writing by the Local Planning Authority.
Reason : To protect visual and neighbour amenity, in accordance with Policies DS3/DC1 of the adopted Rossendale District Local Plan.
5. Prior to the development commencing:
 - a. Based on the recommendation of the submitted Phase 1 report a Phase II investigation is required, a Phase II investigation shall be carried out and the results submitted to and approved in writing by the LPA.
 - b. Should the Phase II investigation indicate that remediation is necessary then a Remediation Statement shall be submitted to and approved in writing by the LPA. The remedial scheme in the approved Remediation Statement shall then be carried out in accordance with approved details.

- c. Should remediation be required a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to and approved in writing by the LPA prior to the first use or occupation of that part of the development hereby approved. *Reason : To ensure the site is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development, to accord with Policy E7 of the adopted Rossendale District Local Plan.*
6. The site shall not be used for residential (C3) purposes and shall be used as a tourism site unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To avoid the existence of permanent residential units on a countryside site which is contrary to Policy DS5 of the Rossendale District Local Plan.
7. The development hereby approved shall not be occupied for the month of February.
Reason: To safeguard the amenities of neighbours, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
8. A suitable sign is prominently displayed at the site entrance stating the site owners/managers 24 hour contact details in case of emergency or issues relating to any noise or anti social behaviour on the site.
Reason: To protect the amenity of occupiers of nearby property.
9. Notwithstanding what is shown on the submitted drawings, prior to the commencement of development full details of the parking facilities to be made available on the site, and to provide adequate visibility-splays at the site access with Blackwood Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first use of the site as hereby permitted and thereafter adhered to.
Reason : In the interests of highway safety and promotion of sustainable transport, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
10. 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 and 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 neighbours, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.