

TITLE: 2005/724 ERECTION OF YOUTH SHELTER ON LAND OFF DARK LANE, STAGHILLS, RAWTENSTALL

TO/ON: DEVELOPMENT CONTROL COMMITTEE 7TH FEBRUARY

BY: TEAM MANAGER DEVELOPMENT CONTROL

DETERMINATION EXPIRY DATE: 13TH FEBRUARY 2006

APPLICANT: ROSSENDALE BOROUGH COUNCIL

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.

Site and Proposal

The applicant seeks permission for the erection of a youth shelter on land off Dark Lane, Rawtenstall. The property is located within the urban boundary.

Relevant Planning History

None

Notification Responses

Site notices were posted and to date, no letters have been received.

Consultation Responses

RBC Environmental Health

No objections.

Development Plan Policies

Policy DS1 (Urban Boundary) states *“the Council will seek to locate most new development within a defined boundary – the urban boundary – and will resist development beyond it unless it complies with Policies DS3 and DS5.”*

Policy E2 (Recreation Areas) of the Rossendale District Local Plan 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.*

Policy DC1 (Development Criteria) of the Rossendale District Local Plan

The policy 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 and l) visual appearance and relation to surroundings ,m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance.

Other Material Planning Considerations

None

Planning Issues

The location for the proposed development is within the urban boundary and therefore, is in accordance with Policy DS1 of the Rossendale District Local Plan.

The proposed development will have little impact upon the amenity of the neighbouring residents. The location of the proposed development is 35 metres away from the nearest dwelling. It is considered that this is a suitable distance and will not impact significantly upon the amenity of the neighbouring residents.

The materials for the proposed development are considered to be appropriate for the type of development proposed and for the surrounding area. The proposed development will not change the predominantly open character of the area. The proposed development will not look out of place within the locality and is in accordance with Policy DC1 of the Rossendale District Local Plan.

The proposed development will make a positive contribution to the recreational facilities within the locality, as it will provide a area where young people can meet, without causing a disturbance to local residents. The proposed development will have no adverse impact upon the open character of the area. Therefore, the proposed development is in accordance with Policy E2 and DC1 of the Rossendale District Local Plan.

The proposed development is located within the urban boundary and will have no significant adverse impact upon the amenity of the neighbouring residents. The

proposed development will not affect the open character of the area and will not look out of place within the locality, subject to conditional control. The proposed development will add to the recreational facilities within the area. Therefore, the proposed development is in accordance with Policies DS1, E2 and DC1 of the Rossendale District Local Plan.

Recommendation

That planning permission is granted subject to the following conditions:

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. 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 nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: To ensure that the development will be of satisfactory appearance.

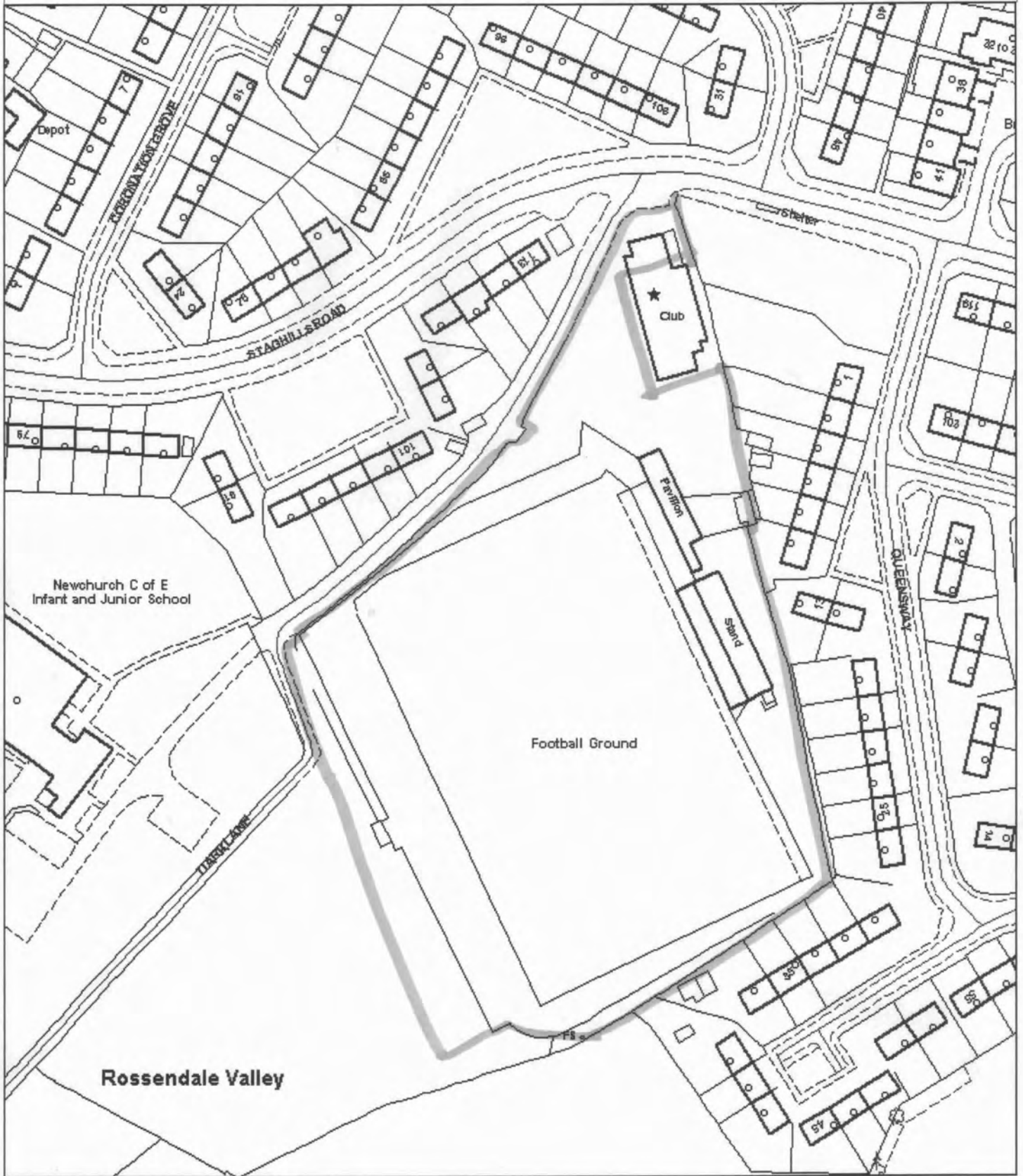
Local Plan Policies

DS1

E2

DC1

LAND OFF DARK LANE, STAGHILLS, NEWCHURCH



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Scale 1:1250 Date: 30/01/2006

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