

Application Number:	2011/548	Application Type:	Full
Proposal:	Change of use of former scrap yard to campsite for static and touring caravans and area for tents including the provision of a welfare block and the use of existing house for use as a warden accommodation	Location:	Former Scrap Yard, Blackwood Road, Stacksteads, Bacup
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	13 December 2011
Applicant:	Mr N Crook	Determination Expiry Date:	2 January 2011
Agent:	Mr B Edmondson		

Contact Officer:	Rebecca Taylor	Telephone:	01706-238640
Email:	Planning@rossendalebc.gov.uk		

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

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 and outside the urban boundary as designated in Policy 1 of the adopted Core Strategy DPD illustrated on the LDF proposals map 2011.

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

2011/0285 Change of use of former scrap yard to campsite for static and touring caravans and are for tents

Refused at Committee for the following reasons:

1. The proposed development would detract to an unacceptable and unnecessary extent from neighbour amenity by reason of activities on the site, and people passing nearby residential properties when moving to/from the site in the evening/night, in the absence of on-site staff and resolution of what is to happen to the house on the site. Accordingly, the proposal is contrary to Policy DC1 of the Rossendale District Local Plan (1995).

2. The proposed development would detract to an unacceptable and unnecessary extent from highway/pedestrian safety, most particularly by reason of lack of a footway to Blackwood Road fronting the camp site and as use of an automated security code system at the entrance could lead to unsafe stopping/manoeuvring of cars with caravans on the highway. Accordingly, the proposal is contrary to PPG13, Policy RT4 of the Regional Spatial Strategy (2008) and Policy DC1 of the Rossendale District Local Plan (1995).

3. THE PROPOSAL

Application 2011/285 sought 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 was a WC/Shower Block, waste facility and grounds maintenance lock-up. The empty and boarded-up house on the site frontage was not included in the application.

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

The applicant has now submitted an amended scheme. The changes include:

- Widening the access into the site and providing a larger area of hardstanding for vehicles to pull into when entering the site
- Relocation of the waste sluice and toilet and shower block away from the access-point to the north eastern corner, where better screened by existing trees.
- Increased number of parking spaces along the western boundary from 6 to 10
- Repositioned tent area so it is now adjacent to the southern boundary of the site and extends approximately 8.5m into the site
- The touring caravan hook-ups would be in the centre of the site and the number of plots has been reduced to 6
- The redundant house on the site will be refurbished and brought back into residential use with an office to manage the site (in the interim the static caravan nearest the site entrance would be used for this purpose)

The Design and Access Statement says :

1. *“It is proposed to install a 24 hour warden to live on site in one of the caravans. Once the site is up and running, then the house will be brought up to a liveable standard and then the applicant will live their which will provide the onsite Warden and 24hour security as required.”*

2. *“The Highways officer has advised that he feels that there would be no issues with excessive traffic, and that the entrance is long and wide enough, subject to further hardcore areas being installed. He also advises that he does not require the provision of a footpath, as it is noted that the level part of Blackwood Road from the terraced houses over to the top of Rake Head Road does not have any footpath either. The traffic movements are low, and the site would not effect this greatly. All users would be given separate booking in times to also reduce any stacking up of traffic.”*

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

RBC Core Strategy DPD (2011)

Policy 1 General Development Locations and Principles
Policy 8 Transport
Policy 9 Accessibility
Policy 14 Tourism
Policy 15 Overnight visitor accommodation
Policy 17 Rossendale's Green Infrastructure
Policy 18 Biodiversity, Geodiversity and Landscape Conservation
Policy 24 Planning Application Requirements

Other Material Planning Considerations

Draft National Planning Policy Framework (2011)

5. CONSULTATION RESPONSES

LCC Highway Authority

No objections so long as the following amendments are made:

1. The visibility to the west is restricted by the 2m palisade fence in front of the house and it must be lowered to a maximum of 0.9m to ensure that motorists can see vehicles travelling along Blackwood Road.
2. The access road into the caravan site needs to be constructed of a bound porous material to ensure that no loose material washes onto the highway and causes a danger for highway users.
3. It would be preferable to create a pedestrian access at the north easterly point of the site to ensure that the campers can immediately cross Blackwood Road and walk on the footway towards Newchurch Road. Without this pedestrian access point, campers would have to negotiate Blackwood Road through the chicane system in the carriageway. There is scope to create a footway along the frontage of the campsite along Blackwood Road however there is a significantly greater cost implication compared to creating an access within the site.

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 to ensure a Phase II contaminated land report is carried out.

The requirement for a sign attached to the entrance of the site is no longer required with the presence of an onsite security warden.

Consultants appointed by Environmental Health to advise upon contaminated land issues previously advised that, having regard to the previous use of the site it would recommend any approval be subject to a suitable condition requiring further investigation and risk assessment to ensure suitable remediation of the ground.

RBC (Forward Planning)

Supported the scheme in principle subject to meeting the relevant criteria of Policy 14 of the Council's 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.

Lancashire and Blackpool Tourist Board

Currently there is limited availability of campsites in the district concerned; the development of the proposed accommodation would support the drive to increase overnight stays in Lancashire and at present, there is a growing trend for camping. The majority of visitors to Lancashire are day visitors but these generate less visitor spend than the proportion of staying visitors and it is therefore a key objective to increase the proportion of staying visitors who are known to make more contribution to the local economy through use of shops, eating establishments, etc. The proposed site is also located in good proximity to key visitor attractions including Lee Quarry which demonstrates potential for growth. We would, however, encourage sensitive development of any site with quality and sustainability at the heart of any proposal.

6. REPRESENTATIONS

To accord with the General Development Procedure Order four site notices were posted on 11/11/11 and 53 neighbours were notified by letter on 10/11/11.

There have been 8 letters of objection received. The main concerns raised are as follows :

- 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
- The potential of increased traffic and the resulting risks to children
- Late night noise
- Highway safety issues caused by vehicles using the access from Rakehead Lane
- 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

- 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
- No stipulated opening or closing time for movement of caravans
- The land may be contaminated and not suitable for proposed use
- Tourists would not be attracted to the site
- Too many units on the site
- Disruption and noise caused by the additional traffic
- The site is liable to flooding

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 outside the Urban Boundary of Stacksteads as designated within Policy 1 of the adopted Core Strategy DPD illustrated on the LDF proposals map 2011.

Development within Rossendale should take place within the defined urban boundary (Local Plan Saved Policy DS1), unless it has to be located in the countryside, and should be of a size and nature appropriate to the size and role of the settlement.

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's adopted Core Strategy DPD 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 assessment of visual amenity remains as per the previous planning application (2011/0285).

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. Screening 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

In comparison with Application 2011/285, the number of touring caravan pitches has been reduced and it is now proposed to bring the house back in to use as warden accommodation.

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. To bring the vacant and boarded-up house back into use is itself of benefit. That it is to be used as wardens accommodation may reduce the likelihood of disturbance of neighbours

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. It is of concern to it that there is no footway immediately outside the site. Accordingly, it wants to see a pedestrian gate in the north eastern corner of the site to enable a direct route for the pedestrians to connect with the existing walkway. Despite the significant traffic calming around the site which currently assists with the safety of pedestrians, it is considered appropriate to

condition that this gated pedestrian entrance is put in place to reduce potential harm to pedestrian safety. For the same reasons a pedestrian access shall be installed at the proposed vehicular access connecting to a pavement to be formed to the front of the house.

With respect to other matters of detail, the access-point and on-site parking provision prompting it to object to the previous application have been addressed : the access point is to be widened/surfaced as it wishes and the gate is set back sufficiently to enable a car and attached touring caravan to wait in front of it without overhanging the highway; & the number of parking spaces has been added to, with adequate manoeuvring space.

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. Conditions are recommended to address matters of detail commented upon by the Highway Authority.

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 1 /14 / 15 / 24 of the Council's Core Strategy.

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 drawing numbered 2011/27-01 date stamped 07/11/2011 and the design and access statement date stamped 07/11/2011 and the access shall be covered with a bound porous material, 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 and in the interests of Highway Safety , in accordance with Policies 9 & 24 of the adopted Core Strategy DPD 2011.
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 1 & 24 of the adopted Core Strategy DPD 2011.
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, including a pedestrian gate at the vehicular access and in the north eastern corner of the site. 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 17, 18 & 24 of the adopted Core Strategy DPD 2011.

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 Policies 18 & 24 of the adopted Core Strategy DPD 2011.

6. The site shall not be used other than for tourism purposes (ie not as a residential caravan park), except for the dwellinghouse on the site, the occupation of which shall be restricted to a person employed in the management of the caravan/camp site and their partner/dependants, unless otherwise first agreed in writing by the Local Planning Authority by submission of a full planning application.

Reason: To ensure provision and proper management of the holiday caravan park/camp site being permitted and avoid the creation of permanent residential units in the countryside, in accordance with PPS3/ PPS7, Policies RDF2 / EM1 and Polices 1 / 14 / 15 of the adopted Core Strategy DPD 2011.

7. The development hereby approved shall not be occupied for the month of February (other than for the dwellinghouse occupied by the person employed in the management of the caravan/camp site and their partner/dependants.

Reason: To ensure provision and proper management of the holiday caravan park/camp site being permitted and avoid the creation of permanent residential

units in the countryside, in accordance with PPS3/ PPS7, Policies RDF2 / EM1 and Policies 1 / 14 / 15 of the adopted Core Strategy DPD 2011.

8. 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 24 of the adopted Core Strategy DPD 2011.

Note to Applicant

1. A site license will need to be applied for if permission is granted through RBC Environmental Health Department
2. Efforts should be made to connect the site with existing tourist attractions in the Borough and I recommend a sign located on site could show a map to the relative location of nearby attractions.