

Application Number:	2011/0590	Application Type:	Full
Proposal:	Construction of Timber Framed Managers Dwelling, 3-bedroomed Bed & Breakfast , 10-bay Stables, Manege and altered Access Road	Location:	Fishermans Retreat, Off Bury Old Road, Shuttleworth
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	24 January 2012
Applicant:	Mrs S Robinson	Determination Expiry Date:	30 January 2012
Agent:	Tom Myerscough & Co		

Contact Officer:	Richard Elliott	Telephone:	01706-238639
Email:	Planning@rossendalebc.gov.uk		

REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation

Member Call-In

Previously called in by Cllr Anne Cheetham

Name of Member:

Reason for Call-In:

The scheme would provide tourism for the Valley. The application is to improve the healthy lifestyle of people and the Fisherman's Retreat is a family business.

3 or more 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.

	RECOMMENDATION(S)
	Refuse for the reasons detailed in Section 7 of the Report.

1. **BACKGROUND**

Planning application 2011/0376 was deferred at the meeting of Committee on 13 September .

The application was taken back to Committee on 15 November. The Officer Report and Minutes of the meeting can be found in **Appendix A**.

The application was refused by Members in line with Officer recommendation for the following reason:

“The proposed development is considered inappropriate development within the Countryside/Green Belt and the applicant has not demonstrated very special circumstances that would outweigh this finding. In addition the scheme, most particularly by reason of the siting/size/design of the proposed house and B&B building and with the formation of the easterly access point that will give views of them, would detract to an unacceptable and unnecessary extent from the essentially open and rural character of the Countryside and the Green Belt. Therefore, it is considered that the proposed development is contrary to the provision of PPS1 / PPG2 / PPS3 / PPS4 / PPS7, Policies DP1-9 / RDF1 / RDF2 / RDF4 / EM1 of the Regional Spatial Strategy for the NW of England (2008) and Policies 1 / 3 / 14 / 15 / 21 / 23 / 24 of Rossendale Borough Council's Core Strategy DPD (2011).”

2.

THE PROPOSAL

The applicant considers that the application was only refused due to two Members abstaining from voting as they were not happy with the size and design of the proposed dwelling. Accordingly the applicant's have amended the scheme reducing the proposed dwelling by 30% of the previous footprint and have clarified that the proposed building would be constructed in timber. They state that it would be completely impractical and costly to construct the dwelling in stone as it would be sited on an area in-filled with rock. The fundamental principle of the design is that the residence needs to be of a lightweight construction.

3. **RELEVANT PLANNING HISTORY**

- 2008/573 Erection of a detached meat refrigeration unit to consist of a carcass storage cold room and meat preparation area and the removal of 3 caravans with associated decking, and a refrigeration trailer unit
Withdrawn
- 2008/815 Erection of a detached meat refrigeration unit
Approved
- 2010/612 Erection of a two storey extension (retrospective)
Approved
- 2011/0376 Construction of managers dwelling and 3 bedroomed bed & breakfast, 10 bay stables, menage and altered access road.
Refused.

4. **POLICY CONTEXT**

National

PPS1 Sustainable Development
PPG2 Green Belts
PPS3 Housing
PPS4 Economic Growth
PPS7 Rural Areas
PPG13 Transport
PPG17 Open Space, Sport & Recreation
PPS23 Pollution Control
PPG24 Noise

Development Plan

Regional Spatial Strategy for the NW of England (2008)

DP1-9 Spatial Principles
RDF1 Spatial Priorities
RDF2 Rural Areas
RDF4 Green Belt
W1 Strengthening the Regional Economy
W6 Tourism & the Visitor Economy
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 10 Provision for Employment
Policy 14 Tourism
Policy 15 Overnight Visitor Accommodation
Policy 17 Rossendale's Green Infrastructure
Policy 18 Biodiversity, Geodiversity and Landscape Conservation
Policy 21 Supporting the Rural Economy and it's Communities
Policy 23 Promoting High Quality Designed Spaces
Policy 24 Planning Application Requirements

Other Material Planning Considerations

Draft National Planning Policy Framework (2011)

5. **REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice has been posted on and 13 neighbours were notified by way of letter on 12/12/11.

Two letters of objection have been received, on the following grounds:

- Poor access to the site as the roads are in a state of disrepair.
- Concerns that unsightly rubble that has been dumped in the local area by the

proposed developer. Would like reassurance that this is cleared away.

- Concerns that the new developments will further impact on the landscape
- Impact on roads during construction and once complete through increased traffic, can they be maintained if the scheme is approved

6. ASSESSMENT

The changes made by the applicant do not alter the Officer's recommendation of the scheme as made under application 2011/0376 which is that it is considered to be unacceptable in principle, not complying with Annex A of PPS7 and would unacceptably and unnecessarily erode the essentially open and rural character of countryside/green belt.

7. REASON:

The proposed development is considered inappropriate development within the Countryside/Green Belt and the applicant has not demonstrated very special circumstances that would outweigh this finding. In addition the scheme, most particularly by reason of the siting/size/design of the proposed house and B&B building and with the formation of the easterly access point will give views of them, and would detract to an unacceptable and unnecessary extent from the essentially open and rural character of the Countryside and the Green Belt. Therefore, it is considered that the proposed development is contrary to the provision of PPS1 / PPG2 / PPS3 / PPS4 / PPS7, Policies DP1-9 / RDF1 / RDF2 / RDF4 / EM1 of the Regional Spatial Strategy for the NW of England (2008), Policy DS3 of the Rossendale District Local Plan (1995) and Policies 1, 14, 15, 17, 21, 23 and 24 of Rossendale Borough Council's Core Strategy DPD (2011).

Background Papers

Document Details	Appendix Number
Committee Report November 15 2011	Appendix A
Annex A of PPS7	Appendix B
Carter Hall Stables Appeal Decision	Appendix C