

Application Number:	2012/0599	Application Type:	Full
Proposal:	Construction of a Cycle Rack	Location:	Land at Junction of Futures Park/Newchurch Rd, Bacup
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	12 February 2013
Applicant:	Mr S Jackson Rossendale BC	Determination Expiry Date:	14 February 2013
Agent:			

Contact Officer:	Paul Talbot	Telephone:	01706-238637
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REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	Council Application/Owned Land

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. RECOMMENDATION

That Permission is granted as set out in Section 10.

2. **SITE**

The application relates to a small portion of grassed area situated at the junction of Newchurch Road/Futures Park, Bacup.

The site has a 1.2m stone wall to its southern edge and has planting and a small rockery to its front. To the west of the site is a bus stop and layby, and to the east is the junction with Futures Park/Newchurch Road. A lighting column is also situated at the edge of the application site within the footway on the eastern side of the application site. The site also accommodates signage that directs visitors to the Lee Quarry Adrenalin Gateway site off Lee Road that runs to the south of the site.

To the north of the site is a terraced row of a mix of commercial and residential properties.

The land is within the Urban Boundary, as designated by Policy 1 of the RBC Adopted Core Strategy DPD (2011).

3. **RELEVANT PLANNING HISTORY**

2010/0256 – Construction of a free standing galvanised sign – Approved 23/06/2012

4. **PROPOSAL**

Permission is sought to construct a bicycle rack accommodating bicycles on land forming part of the grassed verge adjacent to the footway near to the junction with Futures Park/Newchurch Rd. The structure would be 7.5m in length, 3.3m wide and 2.5m in height. It is to be constructed in galvanised steel and painted grey with a lime green with orange detailing to match the adjacent signage. The finish is intended to create a tough surface to resist any damage during its use.

Its design aims to reflect the trajectory of a moving bouncing wheel. The land on which it is to be sited is to be surfaced with secured rubber grass matting to allow grass to grow through the material so as not to be detrimental to visual amenity.

The application indicates that the cycle rack is to be delivered in sections and bolted together on site.

5. **POLICY CONTEXT**

National

National Planning Policy Framework (2012)

Section 7 Requiring Good Design

Development Plan Policies

Regional Spatial Strategy for the NW of England (2008)

Policy DP1-9 Spatial Principles

Policy RDF 1 Spatial Priorities

Policy EM 1 Integrated Enhancement and Protection of the Region's Environmental Assets

Rossendale Core Strategy DPD (2011)

AVP 2: Strategy for Bacup, Stacksteads, Britannia and Weir

Policy 1 General Development Locations & Principles

Policy 23 Promoting High Quality Design and Spaces

Policy 24 Planning Application Requirements

6. **CONSULTATION RESPONSES**

LCC (Highways)

No objection, but would comment as follows:

- The loose stone proposed for the surface beneath the structure should be replaced with a bound porous material to ensure that no loose material is deposited onto the highway.
- The position of the street lighting column should be considered and sufficient space should be left between the structure and the column for maintenance.
- The sightlines of the drivers exiting Futures Park are not affected by the structure.

7. **NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a site notice was posted on 08/01/13 and 5 neighbours notified by letter on 20/12/12. One letter of objection has been received that makes the following summarised points:

- The structure does not contain any anti microbial properties
- The finish will cause glare and be a distraction to motorists
- Sightlines will be affected by the proposal

8. **ASSESSMENT**

The main considerations of the application are:

1) Principle; 2) Visual Amenity/Heritage Impact; 4) Neighbour Amenity & 5) Highway Safety

Principle

The application relates to an area of land within the Urban Boundary. As such, the proposal is acceptable in principle.

Visual Amenity

The cycle rack would be positioned within a grass verge and adjacent to a stone wall. Whilst it would be fairly prominent in the streetscene, the resulting structure would not be excessive in terms of its size or height. I consider that its position, set against the existing Adrenaline Gateway signage which is constructed in similar materials, and the rockery with the stone wall as a backdrop to the edge of the site, would not result in any visual detriment to the locality. I consider the proposal acceptable in terms of visual amenity.

Neighbour Amenity

There would be no impacts on light, privacy or outlook of any residents in the locality due to its size, height and position.

Highway Safety

I concur with the views of the Highway Authority that subject to a condition ensuring that a bound porous surface instead of the originally proposed loose stone is used for the surface beneath the structure the application would not be detrimental to highway safety.

9. **SUMMARY REASON FOR APPROVAL**

The proposed cycle rack is acceptable in principle and would not detract to an unacceptable extent from visual amenity, neighbour amenity or highway safety. The scheme is therefore considered to accord with the National Planning Policy Framework, Policies DP1-9, EM1 and RDF1 of the Regional Spatial Strategy for the North West of England and Policies 1, 23 and 24 of the Council's adopted Core Strategy DPD (2011).

10. RECOMMENDATION

Approve

11. 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 submitted application forms, plans and drawings date stamped 20 December 2012 by the Local Planning Authority, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.

Reason: To accord with the permission sought.

3. Notwithstanding what is shown on the approved plans the surface beneath the structure hereby approved shall be constructed in a bound porous material and shall not be varied unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety to accord with Policies 1, 23 and 24 of the Council's adopted Core Strategy DPD (2011).