

Application Number:	2014/0117	Application Type:	Full
Proposal:	Extension of site curtilage to provide additional parking, and erection of a 2m high perimeter fence	Location:	Land adj to former Dairy Crest Bacup Road Cloughfold
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	22 April 2014
Applicant:	Mr R Hargreaves	Determination Expiry Date:	16 May 2014
Agent:	Hartley Planning and Development Ltd		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	Council Owned Site
Member Call-In Name of Member: Reason for Call-In:	
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.

1. RECOMMENDATION

That Committee grant Permission subject to the Conditions set out in Section 10.

2. SITE

The premises formerly occupied by Dairy Crest, to the south side of Bacup Road (A681), possess a small white-painted flat-roofed building with vehicle parking and turning area to its west side, enclosed by green palisade fencing.

Under Application 2013/0464 permission was sought and granted for redevelopment of the depot site, entailing erection of a new building of greater size and re-configuration of the

parking/servicing area within the existing boundaries. Implementation of that permission has not yet commenced.

The current application relates to an irregularly-shaped area of land immediately to the south and west of the depot site. This land is owned by the Council and is currently a well-maintained grassed area that runs alongside a long-distance recreational route on the former railway line, now designated a Valley Way.

Properties on the opposite side of Bacup Road to the depot site/application site are for the most part residential, to the east side there are substantial buildings in commercial use.

Whilst the existing depot site lies within the Urban Boundary, the application site and land to its west and south lie within Countryside.

3. **RELEVANT PLANNING HISTORY**

2013/0464 Erection of wholesale warehouse

Approved - a copy of the report and approved plans are appended.

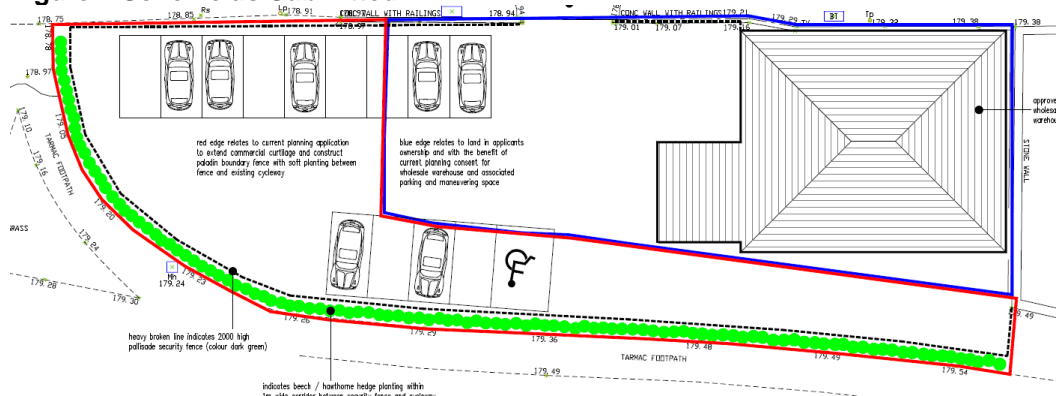
4. **PROPOSAL**

As first submitted this application sought permission for the extension of the depot site to provide additional parking and turning facilities for the recently-approved warehouse, its 2.4m high perimeter fence to stand little more than 1m from the path forming the long-distance recreational route .

The curtilage would extend approximately 20m further to the west where it would abut the footpath, and 6.5m to the south, tapering to 4.5m towards its south eastern corner. It is proposed to enclose the site with a 2.4m high perimeter fence, painted green and to be set in to the side and rear by approximately 1m to allow for planting between the site and the adjacent cycleway. The surface of the parking area would be porous tarmacadam.

At my request the applicant's Agent has since amend the scheme, resulting in a reduction in the extension of the area to be enclosed and in the height of the perimeter fence to 2m. It will now be set in from the west by approximately 9m, thus extending only 11m from the existing perimeter, and to its south-east reduced by approximately 2m from the path. The areas now remaining outside of the perimeter fence would be planted with trees and shrubs; the larger buffer to the west would be planted with Whitebeams and the perimeter west, south and south-east perimeter to be a mix of Hawthorn, Blackthorn and Beech.

Figure 1 Scheme as Submitted



- Loss of view
- Noise Impacts
- Loss of property value
- Fence will be an eyesore

8. **ASSESSMENT**

The main considerations of the application are:

1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Access/Parking.

Principle

The site is sustainably located and the use intended for it would relate to the adjacent employment site and assist in securing its redevelopment in accordance with the permission granted under Application 2013/0464. Whilst this use of the application site does not accord with Countryside policy, both national and local and planning policies support and encourage economic growth. As amended, the scheme provides sufficient of a landscaped buffer between the extended parking/servicing area and the long-distance recreational route that, on balance, I do not consider there is an in principle objection to the scheme.

Visual Amenity

The site is in a prominent location between the heavily trafficked A681 and the Valley Way. It is noted that there is existing perimeter fencing similar to what is now being proposed. I am satisfied that the scheme, as amended, would not be unduly harmful to the amenity of the long-distance recreational route, providing sufficient stand-off to enable suitable screen-planting. The additional stretch of fence along the Bacup Road frontage, being green and of 2m in height, will not be unduly harmful to the character and appearance of the area.

Neighbour Amenity

At a height of 2m the fencing would not unduly detract from the outlook of neighbours and I do not consider that use of the extended parking/turning area will have a materially greater impact on neighbours in terms of noise, taking into account the permitted building and its use, and the intervening main road.

Access / Parking

Concerns were raised regarding the adequacy of the parking and servicing space to be made available with the recently-approved scheme for redevelopment of the depot site. The current proposal will double the number of car parking spaces from 6 to 12, and increase the ability for them and delivery vehicles to manoeuvre within the site. Accordingly, I do not consider that the proposal is detrimental to highway safety.

9. **SUMMARY REASON FOR APPROVAL**

The amended scheme, subject to the conditions, is considered to propose a modest extension to the existing site curtilage into Countryside and will not detract to an unacceptable extent from the adjacent Valley Way, neighbour amenity or highway safety. The development is considered acceptable having regard to Sections 1, 4, 7 and 10 of the National Planning Policy Framework (201) and Policies 1, 8, 9, 17, 18, 23 and 24 of the Council's adopted Core Strategy DPD (2011).

10. **RECOMMENDATION**

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That Permission be granted.

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 the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with the amended site plan and Design and Access Statement received and dated 8 April 2014, unless otherwise required by the conditions below or unless otherwise first agreed in writing by the Local Planning Authority.
Reason: For the avoidance of doubt in the interests of the appearance of the locality, in accordance with the requirements of Policies 1, 23 and 24 of the Council's adopted Core Strategy DPD (2011) and the relevant provisions of the National Planning Policy Framework.
3. All areas hereby permitted to be used by vehicles shall be constructed/surfaced/marked to match that granted under planning permission 2013/0464 before first use of that building permitted, and shall avoid surface-water run-off to the highway. These areas shall thereafter be satisfactorily retained at all times solely for the parking and manoeuvring of vehicles in conjunction with that development.
Reason : In the interests of highway safety, in accordance with Policies 1, 23 and 24 of the Council's adopted Core Strategy DPD (2011).
4. Notwithstanding the details given on the approved application form, foul and surface water from the developed site shall be discharged to separate drainage systems, unless otherwise agreed in writing by the Local Planning Authority.
Reason : To ensure that the site is satisfactorily drained, in accordance with the requirements of Policy 24 of the Council's adopted Core Strategy DPD (2011).
5. Notwithstanding what is shown on the approved plans the fencing hereby approved shall be painted green and shall be to a height no greater than 2m, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity in accordance with Policies 1, 23 and 24 of the Council's adopted Core Strategy DPD (2011).
6. The site shall be treated in accordance with the submitted scheme of landscaping and planting which shall be carried out in the first available planting season following erection of the proposed fence. Any trees or shrubs dying, removed or becoming seriously damaged or diseased within five years of planting shall be replaced with the same species within twelve months.
Reason: In the interests of visual amenity and in accordance with Policies 1, 23 and 24 of the Council's adopted Core Strategy DPD (2011).