

<b>Application Number:</b>	2014/0431	<b>Application Type:</b>	Full
<b>Proposal:</b>	Installation of a composting toilet	<b>Location:</b>	Allotment Gardens, Free Lane, Helmshore, Rossendale
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	11 <sup>th</sup> November, 2014
<b>Applicant:</b>	Mr Michael Beeken, 49 Knowl Meadow, Rossendale, BB4 7LW	<b>Determination Expiry Date:</b>	28 <sup>th</sup> November 2014
<b>Agent:</b>	N/A		

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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	
<b>Other (please state):</b>	<b>On Council-owned land</b>

## 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 the Committee approve planning permission for the reasons set out in Section 9.

## 2. SITE

The application site is a parcel of land adjacent to plot 36 on the allotment gardens at Free Lane, Helmshore. The site measures approximately 12.0m x 10.0m. The land is currently

vacant and features a mixture of foliage and two mature trees, which are not subject to any Tree Preservation Orders.

The site is located within the Green Belt.

### **3. RELEVANT PLANNING HISTORY**

None

### **4. PROPOSAL**

Permission is sought for the siting of a composting toilet on the land, to enable toilet facilities for allotment society members and community groups. The toilet would be sited at the western edge of the plot (involving the removal of two trees from the site) – this location has been selected to facilitate disabled access from the main path running through the allotment gardens.

The toilet would be a Kuzubaloo KL2 model, which is suitable for reduced mobility users and does not require connection to sewerage or electricity networks.

The main toilet cabin would be clad in treated tongue and groove wood panelling, with a curved design and would have a footprint of approximately 2.3m x 1.6m and a height of approximately 2.3m. It would feature a curved galvanised steel door and a flat roof. An external plastic chimney unit would be sited adjacent to the toilet cabin, with a slightly larger height than the cabin.

### **5. POLICY CONTEXT**

#### **National**

#### **National Planning Policy Framework (2012)**

Section 7      Requiring Good Design

Section 9      Protecting Green Belt Land

#### **Development Plan Policies**

#### **Rossendale Core Strategy DPD (2011)**

AVP 5          South West Rossendale

Policy 1        General Development Locations and Principles

Policy 9        Accessibility

Policy 23      Promoting High Quality Design & Spaces

Policy 24      Planning Application Requirements

### **6. CONSULTATION RESPONSES**

#### **RBC Environmental Health**

No objection to the application.

### **7. NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order 4 notification letters were sent to neighbouring properties on 14/10/2014. A site notice was also posted on 20/10/2014.

No objections have been received.

## 8. ASSESSMENT

The main considerations of the application are :

1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; 4) Access

### Principle

Section 9 of the National Planning Policy Framework (NPPF) states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, except in certain circumstances. Such circumstances include the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposed development does constitute a new building in the Green Belt, and is considered an appropriate facility for outdoor recreation as it supports the use and maintenance of the allotment gardens and would increase accessibility for a wider variety of users.

As such there is no objection to the development in principle.

### Visual Amenity

The existing site appears somewhat under-utilised and is covered in foliage.

It is proposed to remove the two trees which are situated at the western corner of the site, in order to make space for the toilet facility to be sited close to the main access path through the allotment gardens. Whilst it would be desirable to retain the trees, they are not covered by a Tree Preservation Order and their removal would enable the toilet facility to be sited immediately adjacent to a more level section of the access path, facilitating easier access for mobility-impaired users. It is not considered that the removal of the trees would cause significant enough harm to visual amenity to warrant refusal of the application.

The design of the toilet facility is of a high quality, and does not conflict with Section 7 of the NPPF or Policy 23 of the Core Strategy. It is considered that the siting of the toilet facility would not be unduly detrimental to the character of the surrounding area, nor would it act to significantly reduce the openness of the Green Belt.

Overall it is considered that the development would be of a standard of design that would not be unduly detrimental to the visual amenity of the area.

### Neighbour Amenity

The nearest residential properties are located approximately 40-50m away, and it is not considered that there would be any unduly detrimental impact on their light or outlook caused by the proposal.

In terms of odour, RBC's Environmental Health team have not objected to the proposal.

Overall it is considered that the development would not be unduly detrimental to neighbour amenity.

### Access

The proposed model of toilet facility has been selected by the applicant due to its suitability for mobility-impaired users, and its proposed location at the western edge of the site has been chosen to facilitate access from the main path running through the allotment gardens.

It is considered that the proposed development is acceptable in terms of access.

**9. SUMMARY REASON FOR APPROVAL**

The proposed development is appropriate in principle within the Green Belt and would not unduly detract from visual and neighbour amenity or accessibility. It is considered that the development is in accordance with Sections 7 and 9 of the National Planning Policy Framework and Policies 1, 9, 23, 24 and AVP5 of the adopted Core Strategy DPD.

**10. RECOMMENDATION**

That the application be approved.

**11. 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. The development shall be carried out in accordance with the plans and statement dated 03/10/2014 by the Local Planning Authority.  
Reason: To ensure the development complies with the approved plans and submitted details, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.