

Application Number:	2015/0303	Application Type:	Full
Proposal:	Erection of log cabin to provide refreshments	Location:	Car Park/Picnic Area Cowpe Road Cowpe Rossendale
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	6 October 2015
Applicant:	Miss Carol Spencer	Determination Expiry Date:	13 October 2015
Agent:	N/A		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	Council 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 Committee Approve planning permission for the reasons set out in Section 9.

2. SITE

The application site is located within the car parking area of the Greenbridge Picnic Area located off Cowpe Road within Cowpe. The land is owned by Rossendale Borough Council. The unnamed set paved access road leading to the site is privately maintained with no public right of way status. The land includes an area of hardstanding for car parking, and an area of grass surrounded by trees.

The land lies outside of the Urban Boundary, it is allocated as 'Greenlands' and is within the open countryside as shown on the Proposals Map.

3. **RELEVANT PLANNING HISTORY**

None

4. **PROPOSAL**

Planning permission is sought for the erection of a log cabin to be sited on land at the Greenbridge Picnic Area located off Cowpe Road. The cabin has a footprint of 4 metres x 6 metres, an eaves height of 2.05 metres, and a ridge height of 2.48 metres. The applicant intends to provide cold drinks and snacks and other items such as cycle repair kits, cycle lights etc in association with the existing picnic area. A generator will be used to provide power.

The applicant's supporting statement explains that it is intended to benefit the surrounding community by providing facilities to support the rural location. It is also proposed to provide timber picnic benches and an image of the type of typical picnic style bench has been supplied.

5. **POLICY CONTEXT**

National

National Planning Policy Framework (2012)

- Section 3 Supporting a prosperous rural economy
- Section 7 Requiring Good Design
- Section 10 Meeting the Challenges of Climate Change, Flooding, etc
- Section 11 Conserving and Enhancing the Natural Environment

Planning Practice Guidance

ID 37 - Open space, sports and recreation facilities, public rights of way and local green space

Development Plan Policies

Rossendale Core Strategy DPD (2011)

- AVP 3 Strategy for Waterfoot, Cowpe, Lumb and Water
- Policy 1 General Development Locations and Principles
- Policy 7 Social Infrastructure
- Policy 14 Tourism
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity, Geodiversity and Landscape Conservation
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

6. **CONSULTATION RESPONSES**

RBC Operations

"...the council would be able to collect waste generated from Miss Spence business as we service the properties (Lench Fold Clough) which are located past the picnic area. These

properties are serviced by 7.5 ton RCV so the containers we would be able to offer Miss Spencer would be limited to 240/140 litre bins or sacks.

Miss Spencer would have to dispose of any commercial waste at a suitable licensed facility and not within her household bins.”

LCC Highways

“The position of the cabin will result in the loss of a number of parking spaces on the car park, which could lead to overspill parking on the unnamed access road and subsequent obstruction to the residential properties which it serves.

The unnamed set paved access road which leads from Cowpe Road to the development site is privately maintained with no public right of way status. The development will create an intensification of use of the unnamed lane and this should be considered in terms of future maintenance.

I would not raise an objection to this proposal but I would recommend that the applicant provides additional evidence of the current level of usage of the car park on a dry weekend day.”

RBC Property Services

No comments received.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order site notices were displayed. No comments have been received to date however any comments received up until 5 October will be reported to Members in the update report.

8. ASSESSMENT

The main considerations of the application are:

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

Principle

The application site is allocated as “Greenland” and is also within the open countryside as shown on the Proposals Map. Core Strategy Policy AVP3 sets out the vision for Cowpe which includes promoting access to the countryside and its leisure opportunities, and provision of ancillary visitor accommodation and facilities. More specifically it states that access to local tourist and leisure attractions will be improved, and additional growth will be targeted where appropriate to the existing Greenland areas.

Policy 1 directs new development to the Urban Boundary unless it has to be within the countryside, which in this case it does as the purpose of the cabin is to complement the existing picnic area and so would not be appropriate within the urban area. Within the countryside any new development should enhance and protect the countryside and should complement and enhance the surrounding area. Policy 14 supports tourism related development outside of the Urban Boundary where it is essential to be located there, where there is no suitable location within the urban area, and there are no unacceptable impacts affecting landscape character, visual quality, amenity to neighbours, or nature conservation.

At the national level the NPPF support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Subject to a more detailed assessment of landscape character, visual quality, amenity to neighbours and nature conservation, (which will be considered below), Officers are satisfied that the proposed small scale refreshment timber cabin is acceptable in principle.

Visual Amenity

The proposed cabin is small in size being 4 metres x 6 metres, and with maximum height of 2.48 metres. The design is a simple log cabin style being constructed from timber and a felt roof. The cabin will be located in the north west corner of the existing area of hardstanding and will largely be screened from outside of the site by existing trees. The design and size of the building is considered to be appropriate for its countryside location. The three picnic benches proposed to the front of the cabin are appropriate in design for this location. The proposal does not necessitate tree removal and being constructed on existing hardstanding Officers do not envisage any significant impact on nature or wildlife.

Overall, subject to the use of planning conditions securing the use of timber to the elevations of the cabin, Officers consider the proposal is acceptable in terms of design, materials and overall visual amenity within the Countryside, and is in accordance with the Adopted Core Strategy and the NPPF.

Neighbour Amenity

The proposed refreshment cabin is located within the existing Greenbridge Picnic Area which is not in close proximity to a residential area. The nearest dwellings are around 50 metres away to the east on Cowpe Road and Green Bridge South and these are separated from the site by a dense band of woodland. The cabin is proposed to be open from 1000-1600 hrs 7 days per week however considering the location away from housing, and the small scale nature of the cabin, it is not necessary to restrict the hours to these times having regard to the conditions tests within the NPPF which state that conditions must be necessary to make the development acceptable. The proposal is acceptable in terms of neighbour amenity without such a condition.

The Council's Operations department have confirmed that they would collect waste from the cabin as they already service the properties on Lench Fold Clough which are located beyond the picnic area, however they would be limited to 240/140 litre bins or sacks. Any commercial waste would have to be taken to a suitable licensed facility and not within the household bins.

Access / Parking

The County Highway Engineer raises no objection to the proposed development. Although the refreshment cabin will require the removal of a small number of parking spaces on the existing unmarked car park, the applicant has supplied the following additional information as requested by LCC Highways:

"I have been monitoring the traffic over the last 4 weeks going to and from cowpe picnic area as I thought this may be a course for consideration. During this time there has been 5 cars visiting the picnic area, on only one occasion was there 2 cars at any one time and

they just parked up to allow their dogs to run around unsupervised without cleaning up after them. Hopefully this will not happen when I put the lodge there as I will provide free dog bags for people to clean up after their pets and take away to dispose of it properly.”

Whilst the development will result in the loss of a number of parking spaces on the car park, on the basis of the information supplied by the applicant, and from Officer’s own site visits, any overspill car parking on the unnamed access road will be nominal as there is a very low demand for parking at the picnic area. On this basis Officers are satisfied that the development will not give rise to significant highway safety issues sufficient to warrant refusal of the planning application.

9. SUMMARY REASON FOR APPROVAL

The scheme would provide for the erection of a timber cabin to provide refreshments in association with the existing Greenbridge Picnic Area. The site is within the Countryside and is designated Greenland. The proposal which is intended to support the picnic facility and visitors to the countryside is acceptable in principle. The proposal would not have a detrimental impact on highway safety within the area and the scheme is considered acceptable in terms of visual amenity and neighbour amenity. The development is considered to accord with Sections 3, 7, 10, and 11 of the National Planning Policy Framework, and Policies AVP3, 1, 7, 14, 17, 18, 23 and 24 of the Council’s adopted Core Strategy DPD (2011).

10. RECOMMENDATION

That the application be approved.

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 following unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.
 - Planning application forms signed and dated 15/07/15;
 - Proposed Site Plan; and
 - Covering Letter from Carol Spencer including image of cabin and dimensions.

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.

3. All materials to be used in the construction of the cabin shall be as set out on the application form.

Reason: In these interests of visual amenity and to accord with Policies 1 and 24 of the Adopted Core Strategy.

INFORMATIVES

1. Standard approval informative.