

Application Number:	2018/0236	Application Type:	Full
Proposal:	Extension of site curtilage to provide additional car parking and turning space, erection of 2m high perimeter fence and re-location of public footway/cycleway	Location:	Land adj former Cloughfold Dairy, Bacup Road Rawtenstall
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	19 June 2018
Applicant:	Mr R Hargreaves	Determination Expiry Date:	14 July 2018
Agent:	Mr Steven Hartley		

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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 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 be granted subject to the conditions set out in Section 11.

APPLICATION DETAILS

2. SITE

This application relates to land adjacent to recently-constructed commercial premises on the site to the south side of Bacup Road (A681) until recently occupied by Cloughfold Dairy.

At its meeting in June 2015 Committee approved a scheme proposing erection of a building on the dairy site to contain two Use Class B8 warehouse units. In August 2017 permission was granted for both units to be used for Use Class B1 office purposes. They are now both being occupied as offices by one company.

The building erected has a footprint measuring 16.75m x 17.4m, with an eaves-height of 5m and a ridge-height of 8.9m. The front elevation of the building faces west, the servicing/parking area provided to this side enclosed within a 2m high fence, in part occupying land that was acquired from the Council.

The current application relates to Council-owned land extending a further 22m along the Bacup Road frontage from the existing servicing/parking area and of 14m-16m in depth. The area is at present a grassed area which is crossed by a tarmacked footway/cycleway extending from the main road to the long-distance recreational route provided on the former railway line running immediately to the rear of the premises. Towards the main road frontage is a way-post highlighting that the long-distance recreational route to the rear forms part of National Cycle Route no 92.

To the opposite side of main road to the application site are some terraced houses.

Although the majority of the application site lies within the Urban Boundary the south-west corner of it extends into the Countryside.

3. RELEVANT PLANNING HISTORY

2015/0124 Warehouse/wholesale building (2 units)
Approved

2017/0309 Use of both units for B1 (Business) use
Approved

4. PROPOSAL

Permission is sought to increase the number of car parking spaces at the premises from 14 to 22 by extending the existing tarmacked car parking/servicing area to the side by 16m. The extended parking area will be enclosed within 2m high fencing matching the existing boundary fencing and have a hedge planted on its outside.

The submitted drawings also show a new tarmacked footway/cycleway is to be constructed 3m further to the west to provide a link from the main road to the long-distance recreational route provided on the former railway line running immediately to the rear of the premises.

The Planning Statement accompanying the application states that the company occupying the building presently employs 20 full-time equivalent staff and anticipates this increasing by a further 10-20 people over the next 12-18 months. They wish to provide the additional car parking space this will require.

5. POLICY CONTEXT

National

National Planning Policy Framework

Section 1	Building a Strong Competitive Economy
Section 4	Promoting Sustainable Transport
Section 7	Requiring Good Design
Section 11	Conserving and Enhancing the Natural Environment

Development Plan Policies

Rossendale Core Strategy (2011)

AVP4	Area Vision for Rawtenstall, etc
Policy 1	General Development Locations and Principles
Policy 8	Transport
Policy 10	Provision for Employment
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity and Landscape Conservation
Policy 23	Promoting High Quality Design & Spaces
Policy 24	Planning Application Requirements

6. CONSULTATION RESPONSES

Consultee	Comment
RBC Property Services	No comments
LCC Highways	Supportive, subject to conditions

7. REPRESENTATIONS

To accord with the General Development Procedure Order neighbours were sent letters and a site notice was posted.

One letter of objection has been received setting out the following concerns:

- The applicant has not fulfilled the requirements of the permission - they have not marked out for 14 spaces intended in the car park or planted the hedge intended outside the perimeter fence.
- This extension of the car park would destroy part of the national cycle network.
- Do they need additional parking - none of their cars have to park on the main road.
- The view directly across from our house is beautiful and this extension of the car park and the perimeter fence would take this away.

8. ASSESSMENT

Principle

1. The proposal does not impinge upon National Cycle Route no. 92 and movement of the link to it 15m to the west will not affect its utility.
2. The half of the area now to be taken within the boundary fence of the premises which fronts Bacup Road lies within the Urban Boundary, whilst the rear half of this area is identified as Countryside on the Proposals Map accompanying the Core Strategy. The surfacing of the latter to provide car parking for the applicant's business is not consistent with Countryside policy.

3. However, both National and Core Strategy policies support and encourage economic growth. The Members of Development Control Committee has previously approved extension of the former dairy site over Countryside to secure its re-development with better parking/servicing space to meet the needs of modern businesses. The applicant's company presently employs 20 full-time equivalent staff and anticipates this increasing by a further 10-20 people over the next 12-18 months. The ability for the business to expand and appoint additional staff is a material consideration in favour of the proposals.

4. Additionally LCC Highways have commented on the current application as follows :

“There was concern raised by the Highway Authority to the extent of the car parking and shortage of servicing area for the original application, therefore this proposal is welcomed. At this location it is preferable to increase the provision in line with the demand.”

5. The incursion of further development into the countryside weighs against the proposed development however the other economic material considerations in respect of the proposed development need to be taken into consideration and a balancing exercise will be undertaken at the end of this assessment.

Visual Amenity

6. The site is in a prominent location between the heavily trafficked A681 and the long-distance recreational route on the former railway line running immediately to the rear of the applicant's premises. It is intended to erect perimeter fencing around the extended parking area that matches in height/design/colour that which bounds the existing premises, and to its western and southern sides plant boundary hedges. On this basis it is considered that the proposed extension to the car park will not detract to an unacceptable extent from street-scene or the area.

7. Conditions are recommended to secure implementation of the submitted scheme of landscaping, and the maintenance of that planting thereafter. Given that planting is proposed outside the boundary fence around the site, it is considered necessary to include a pre-commencement condition requiring submission and approval of details of the proposed management and maintenance of that planting, to ensure that it is maintained in the long term. The objector has commented that boundary planting required by a previous Planning Permission has not been undertaken. This is indeed the case.

Neighbour Amenity

8. The proposal will result in the area surfaced and used as car park extending a further 16m westward along the Bacup Road frontage, thereby extending to the front of a further 3 terraced houses (292/294/296 Bacup Road). The outlook from these houses will be affected to a small degree by the proposal, but the car park and its 2m high perimeter fence will be 13m from their windows.

9. Given the separation distances involved and the nature of the proposed development it is not considered that the proposed scheme will have an unacceptable impact on the amenities of the properties in question.

10. Accordingly, the scheme is considered acceptable in terms of neighbour amenity.

Access/Parking

11. As indicated above, LCC Highways is supportive of the proposal, subject to conditions to ensure that:
- The car park areas at the premises are suitably surfaced and marked-out.
 - Prior to loss of the existing link-path the new link-path and any associated works are completed.

Balancing Exercise

12. The expansion of the car park into an area of countryside is inappropriate in principle. However, the degree of encroachment in this case will be generally small and it is not considered that the scheme will have an unacceptable impact on the character of the surrounding area in this case.
13. The proposed scheme would help to sustain and facilitate the growth of an existing business, for which there is support nationally and locally, Core Strategy Policy 10.
14. On balance, it is considered appropriate that permission should be granted for the proposal rather than impede the growth of the business, and run the risk of cars associated with it parking on the main road.

9. SUMMARY REASON FOR APPROVAL

Notwithstanding that the proposal will entail surfacing and use of land within Countryside, on balance it is considered permission should be granted rather than impede the development of the business or run the risk of cars associated with it parking on the main road. Subject to the conditions, the proposal will not unduly affect National Cycle Route no 92 or links to it, visual and neighbour amenity, or highway safety. The development is considered acceptable having regard to the National Planning Policy Framework and Policies AVP4 / 1 / 8 / 10 / 17 / 18 / 23 / 24 of the Council's adopted Core Strategy (2011).

10. RECOMMENDATION

Approval

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 following unless otherwise required by the conditions below.

Title	Drwg No	Date Recd
Location Plan	RH.100518	10 / 05 / 18
Site Plan	-	08 / 05 / 18

Reason: To define the permission and in the interests of the proper development of the site.

3. Prior to loss or closure of the existing link-path through the site the following steps shall be undertaken:
- The new link-path shall be constructed and made available for use in accordance with the approved Site Plan and with the LCC Estate Road specification for footway construction.
 - The new link path shall incorporate a radius at the Bacup Road junction to match the radius proposed at the south-western junction with the main cycleway.
 - The new link-path shall incorporate a knee-rail chicane near to the Bacup Road junction matching that of the existing link-path.
 - The existing timber bollard with cycle logo shall be re-sited or replaced, as shall the existing sign pole and pole-mounted bin.
 - Any land disturbed by the above works shall be levelled, top-soiled and seeded with grass.

Reason: In the interests of maintaining access to the adjacent cycleway and promoting sustainable modes of transport.

4. The new lengths of perimeter fence hereby permitted shall match in height/design/colour the existing perimeter fence and, notwithstanding what is shown on the Site Plan, no part shall stand less than 1.2m from the path running to the rear of the site.

In the first available planting season following erection of the new lengths of perimeter fence a hedge shall be planted not more than 0.4m from the fences to the western and southern sides of the fencing in accordance with the standards/specifications set out on Pages 7 and 8 of the submitted Planning Statement.

Any plants that are removed, die or become seriously damaged or diseased within 5 years of planting shall be replaced in the next available planting season unless a variation has first been agreed in writing by the Local Planning Authority.

Reason : In the interests of visual amenity.

5. No development shall take place until a scheme for the management and maintenance of all of the proposed planting has been submitted to and approved in writing by the Local Planning Authority.

The planting shall thereafter be managed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity.

6. Prior to first use of the car park extension hereby permitted :
- a) The car park areas shall be surfaced in a porous bound material and the individual parking bays shown on the Site Plan shall be white-lined and marked out in accordance with the approved details.
 - b) The existing bin-store shall be re-sited/replaced in the position shown on the Site Plan.
 - c) Secure, covered storage for not less than 3 bikes shall be provided near to the main entrance to the building.

Reason: In the interests of highway safety and to promote means of travel other than by the private car.



Ref: RH.100518

LOCATION PLAN

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