

Application Number:	2018/0434	Application Type:	Full
Proposal:	Full: Erection of a greenhouse	Location:	Rear Of Rawtenstall Market Hall Burnley Road Rawtenstall Rossendale Lancashire BB4 7QX
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	18/09/2018
Applicant:	Mr R Grimshaw	Determination Expiry Date:	10/10/2018
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 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

Grant planning permission subject to the conditions.

APPLICATION DETAILS

2. SITE

The application relates to a parcel of Council-owned land to the rear of Rawtenstall Market Hall and car park which is accessed off Newchurch Road.

The site, which is approximately 37 square metres in size, is currently derelict land and has a palisade fence front. The site is bounded to the south by a row of garages and to the north by a single storey building which appears unused. To the west is a community centre which is identified as Positive Unlisted Buildings of High Quality.

The site is within the Urban Boundary of Rawtenstall and is within Rawtenstall Conservation Area.

3. RELEVANT PLANNING HISTORY

None.

4. PROPOSAL

Planning permission is sought for the erection of a greenhouse. It would be used for community purposes including germinating and growing plants and filling barrier baskets for the town in line with Civic Pride Rossendale's constitution. The greenhouse would have a rectangular footprint, a pitched roof and have double sliding doors to the southern elevation. It would have an aluminum frame and polycarbonate glazing and measure 5032mm long, 3178mm wide and 2730mm in height. The greenhouse would be erected in the centre of the site behind the existing palisade fence.

To construct the greenhouse the land would require clearing and levelling the site and the removal of several small shrubs/trees that have grown-up within the site.

5. POLICY CONTEXT

National

National Planning Policy Framework (2018)

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 15 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 16 Preserving and Enhancing the Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity, Geodiversity and Landscape Conservation
- Policy 23 Promoting High Quality Designed Spaces
- Policy 24 Planning Application Requirements

Other Material Considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

Consultee	Comment
RBC Conservation Officer	No objection
RBC Economic Development	No comments

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 29th August 2018, an advertisement was placed in the Rossendale Free Press and letters were sent to neighbours.

No comments have been received.

8. REPORT

The main considerations of the application are:

1) Principle; 2) Visual Amenity 3) Neighbour Amenity; and 4) Access, Parking and Highway Safety

Principle

1. Section 8 of the National Planning Policy Framework (the Framework) states that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.
2. Policy 7 of the Council's Core Strategy seeks to ensure a positive approach will be taken to the development of new and enhanced social infrastructure, especially where this creates options for a variety of uses and user groups and reduces the need to travel.
3. The site lies within the urban boundary as designated within Policy 1 of the Council's Core Strategy DPD and illustrated on the Proposals Map 2011.
4. The proposed greenhouse would be in a sustainable location within the urban boundary close to the centre of Rawtenstall and would provide a valuable community resource. Accordingly the development is considered to be acceptable in principle.

Visual Amenity

5. Policy 24 of the Core Strategy DPD requires new development to be compatible with its surroundings to ensure that the visual amenity of existing development is not impaired: new development should be of an appropriate style, materials and detailing.
6. The site is located in Rawtenstall Conservation Area and neighbours a group of buildings which have been identified as Positive Unlisted Buildings of High Quality. The greenhouse would be set back from the main thoroughfare and would not be clearly visible aside from the immediate car park.
7. It is considered that the proposed greenhouse would not be of a form which would cause undue harm to the Conservation Area and its scale and design would be appropriate in the context of the site. The frame would be aluminium and low key in design and the greenhouse would be erected behind the existing palisade fence.

8. Comments from the Council's Conservation Officer confirmed that the impact of the greenhouse on the Conservation Area and Positive Unlisted Buildings of High Quality would be neutral and not detrimental to the setting of the buildings or impact on the Conservation Area. In fact, the erection of the greenhouse is considered to improve the area from the existing.
9. Overall, it is considered that the proposed greenhouse would not detract from the visual quality of the area or impact harmfully upon the Conservation Area. The scheme is therefore compliant with Core Strategy Policies 16, 23 and 24.

Neighbour Amenity

10. Both national and local policies aim to protect the amenity of all existing and future occupants of land and buildings. Policy 24 of the Core Strategy states that new development should protect the amenity of residents ensuring that each resident has an acceptable level of privacy and satisfactory level of daylight. Important factors such as overlooking and overshadowing will be taken into consideration.
11. The scheme would not unduly impact on sunlight, outlook or privacy experienced by occupiers of neighbouring properties as the proposed greenhouse faces the blank elevations of neighbouring properties including the row of garages to the south and the community building to the west. Although the building immediately to the north of the proposed greenhouse does have windows facing the site, the building is not in residential use and appears to be not in use.
12. Accordingly, the scheme is considered to be acceptable with regards to neighbour amenity and complies with Policies 23 and 24 of the Core Strategy DPD.

Access, Parking and Highway Safety

13. No parking or access arrangements have been provided as part of the scheme. However, given that the site is adjacent to an existing garage and a large car parking area, it is considered that additional parking would not be required.
14. Subject to the above, the scheme is considered to be acceptable with regards to highway safety.

9. SUMMARY REASON FOR APPROVAL

The proposed development is considered to be acceptable in principle. The proposed greenhouse would not cause unacceptable harm to visual amenity, neighbour amenity or highway safety. The development is therefore considered to accord with the National Planning Policy Framework and Policies 1, 16, 23 and 24 of the Council's Core Strategy Development Plan Document.

10. 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 form signed 14th June 2018 and the submitted plans unless otherwise required by the conditions below:
 - a. 'Location Plan;
 - b. 'Site Details' date stamped 15 August 2018 by the Local Planning Authority; and
 - c. 'Construction Details' date stamped 15 August 2018 by the Local Planning Authority.

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

3. All external facing materials of the development hereby permitted shall be constructed in accordance with the materials detailed on the submitted application form and proposed 'Site Details' and 'Construction Details' plans date stamped 15 August 2018 by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area.

11. INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.