

<b>TITLE:</b>	<b>ERECTION OF STABLES WITH TACK STORE, LAND TO REAR OF 51-59 BLACKBURN ROAD, EDENFIELD</b>
<b>APPLICATION NO:</b>	<b>2006/242</b>
<b>TO/ON:</b>	<b>DEVELOPMENT CONTROL COMMITTEE</b>
<b>BY:</b>	<b>TEAM MANAGER DEVELOPMENT CONTROL</b>
<b>STATUS:</b>	<b>FOR PUBLICATION</b>
<b>PORTFOLIO HOLDER:</b>	<b>CABINET MEMBER FOR REGENERATION</b>

**APPLICANT: MR R NUTTALL**

**DETERMINATION EXPIRY DATE: 4<sup>TH</sup> JULY 2006**

### **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.

### **Site and Proposal**

The land upon which it is proposed that the stables are erected is one of a series of fields within the applicants ownership. within the applicants ownership. This field is dissected by a lane which is unsuitable for vehicles but can be easily accessed on foot. The plot of land stands to the rear of a row of five terraced houses and is visible from Blackburn Road. The site is bordered by traditional dry stone walls and is flanked by Blackburn Road to the East and the A56 Rawtenstall -Edenfield bypass to the West. The site is currently used for the grazing of horses and has no mature trees apart from at the boundary with the former Hardsough Lane where groups of mature and semi-mature trees exist. The proposal site is within the Greenbelt.

### **Notification Responses**

Site notices were posted to which four residents gave their support. All detailed that they would prefer the stables to be built in stone as opposed to timber in order to be in keeping with the existing conditions in the area.

## **Consultation Responses**

Lancashire County Council Highways Department

No Objection

RBC Drainage

'Drainage details are required'

## **Development Plan Policies**

Rossendale District Local Plan

Policy DS.3 (Greenbelts)

Policy DS.5 (Development Outside the Urban Boundary and the Greenbelts)

Policy DC.1 (Development Criteria)

Policy DC.4 (Materials)

Joint Lancashire Structure Plan

Policy 1 (General Policy)

Policy 2 (Main Development Locations)

Policy 20 (Lancashire's Landscapes)

## **Other Material Planning Considerations**

PPS 1 (Sustainable Development)

PPG 2 (Green Belts)

## **Planning Issues**

The proposal site is within the Green belt and therefore the application should principally be judged against the criteria of policies DS.3 and DS.5 of The Rossendale District Local Plan and PPG2 (Greenbelts).

Whilst Policies DS.3 and DS.5 require that new buildings within the greenbelt should be restricted to that needed for the purposes of agriculture or forestry, it also provides scope for other uses which are considered to be appropriate to a Greenbelt location. The re-use of buildings within the greenbelt is preferred to the erection of new buildings, however it is considered that the scale of the development is not such that it would detract from the open character of the Greenbelt at this location.

Planning Policy Guidance Note 2 whilst establishes a presumption against inappropriate development in the greenbelt including new buildings there exists several exemptions including development required for essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. It is considered that by virtue of its relatively small size the development would have no significant impact upon the character of the greenbelt. Ordinarily it would be prudent to require such a building to be constructed of temporary materials such as timber as opposed to the stone facings specified in this instance. However in this case it is regarded as acceptable to allow the development to be constructed in stone, to achieve a more appropriate appearance within the landscape and to compliment the predominant use of stone in the locality. It should also be noted that there has been declared support for this approach from the nearest neighbours to the development.

It is considered that the development is acceptable in scale and design for a greenbelt location and although constructed in stone, would not impact negatively upon the openness of the greenbelt. The proposed use of the building is considered to be appropriate within the greenbelt and therefore the development would be in

accordance with policies DS.3 and DS.5 of the Rossendale District Local Plan, Policy 20 of The Joint Lancashire Structure Plan and PPG 2.

The materials which are proposed for the development would not be out of place within the greenbelt or look out of place within the locality subject to conditional control, there was strong support for the proposal from neighbours and no objection from any statutory consultees, therefore the development would be in accordance with Policies DC.1 and DC.4 of The Rossendale District Local Plan and Policy 1 of The Joint Lancashire Structure Plan.

### **Recommendation**

That the application is approved subject to conditional control.

### **Conditions and Reasons**

- 1.The development 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 Act 2004)
- 2.All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of The Local Planning Authority. (Reason: To ensure the development will be of satisfactory appearance.)
- 3.Prior to the commencement of any development details of how the site is to be accessed shall be submitted to and approved in writing by the Local Planning Authority, and the development shall not be brought into use until the access has been constructed in accordance with the approved details. (Reason: In the interests of highway safety and to accord with Policy DC.1 of The Rossendale District Local Plan.)
4. No development approved by this permission shall be commenced until a scheme for the provision of drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.(Reason: To reduce the risk of flooding by ensuring the provision of a satisfactory means of drainage.)
- 5.No development shall be commenced until a scheme for siting, management and disposal of manure has been submitted to and approved in writing by the Local Planning Authority. (Reasons in order to avoid any nuisance caused by smell or flies and to protect the amenities of local residents in accordance with Policy DC.1 of The Rossendale District Local Plan.)

### **Development Plan Policies**

#### **Rossendale District Local Plan**

DS.3

DS.5

DC.1

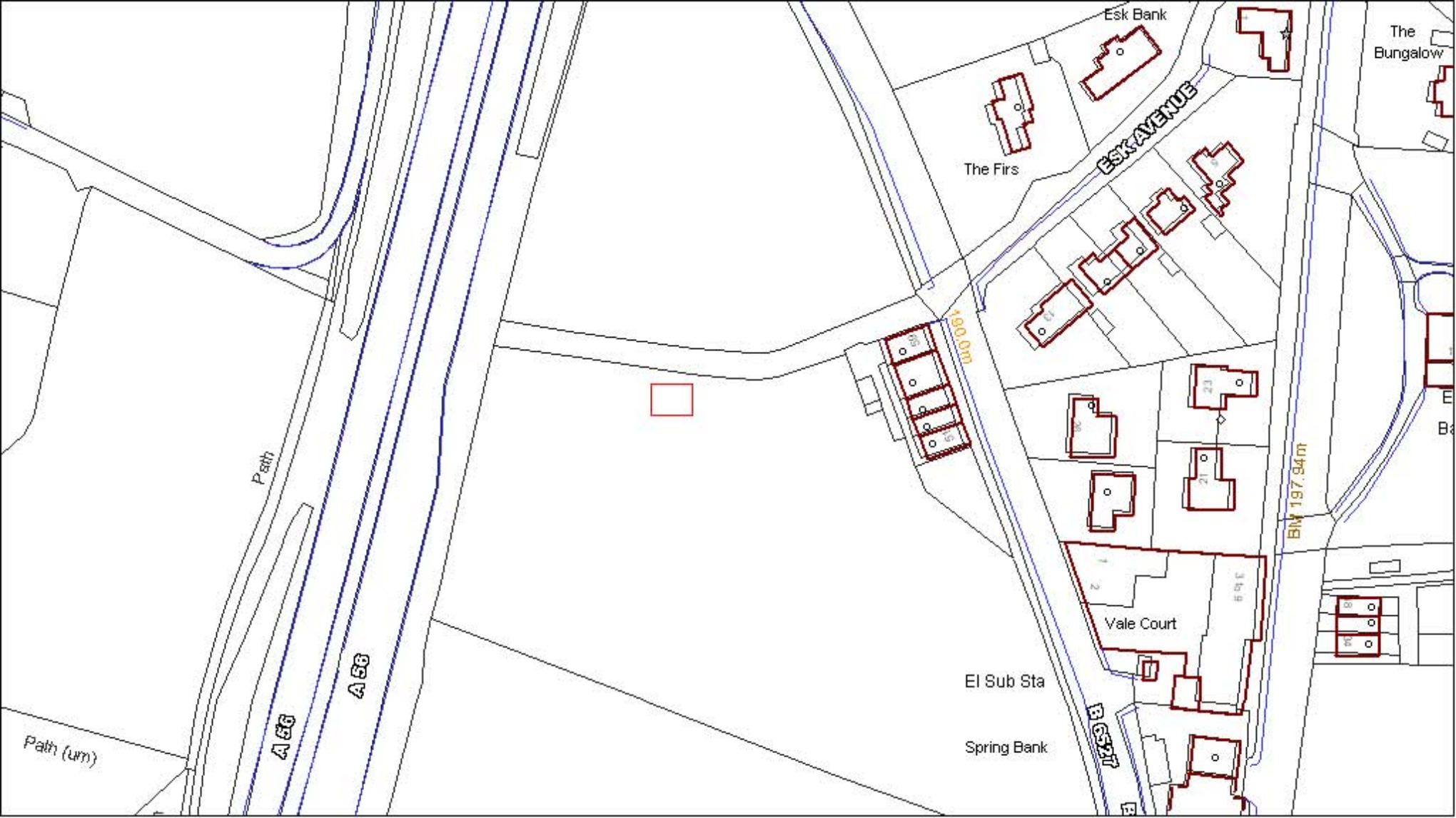
DC.4

#### **Joint Lancashire Structure Plan**

Policy 1

Policy 2

Policy 20



The Bungalow

Esk Bank

The Firs

Vale Court

EI Sub Sta

Spring Bank

B 53

BW 197.94m

1400.07m

Path

A 56

A 58

Path (um)