

Application Number:	2025/0114	Application Type:	Full Planning Permission
Proposal:	Siting of a Portakabin as a club house for the purposes of supporting the Padel project.	Location:	Immediately adj. to existing MUGA, Whitaker Park Haslingden Road Rawtenstall BB4 6RE
Report of:	Head of Planning and Building Control	Status:	For publication
Report to:	Development Control Committee	Date:	13.05.2025
Applicant:	PadelParcs Ltd	Determination Expiry Date:	16.05.2025

Contact Officer:	Claire Bradley	Telephone:	01706 238636
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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	No
Member Call-In Name of Member: Reason for Call-In:	No
3 or more objections received	Yes
Other (please state):	Yes – 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

Approval subject to conditions

2. APPLICATION SITE

The container is proposed to be located adjacent to the existing Multi Use Games Area which is to the north of the Whitaker Museum, and to the east of the pedestrian route running north from the Whitaker Museum to the Sports Court.

The site is close to the end of Willow Tree Close, which is separated by fencing and mature landscaping.

The Whitaker is identified as being a non-designated heritage asset.

3. RELEVANT PLANNING APPLICATION HISTORY

2018/0602: Redevelopment of site including conversion and change of use of barn / stables, alterations to existing buildings, construction of a new link building, plus associated landscaping and access works – Approved with Conditions

2020/0086: Approval of details reserved by condition 7 (site access details) pursuant to planning approval 2018/0602 - Approved

2020/0354: Discharge of condition 5 (bat method statement) pursuant to planning approval 2018/0602 – Approved

2020/0425: Discharge of Condition 6 (specification of plaster and mortar) pursuant to planning permission 2018/0602 - Approved

2020/0490: S.73 Application: variation of Condition 2 (approved plans) pursuant to Planning Approval 2018/0602, to enable installation of a ventilation system including vents, cowls, ducts and louvres on the building elevations and roof, and to include new stonework – Approved with Conditions

2021/0119: Approval of details reserved by condition 3 (planting and landscaping) pursuant to planning application 2018/0602 – Approved

2022/0370: Erection of garden room - Withdrawn

2023/0339: Erection of a timber chalet-type building at the Whitaker – Approved

2023/0383: Installation of a secure shipping container for storage of tools and gardening equipment for the use of Friends of Whitaker Park who operate as part of Civic Pride Rossendale – Approved

4. PROPOSAL

This application is for the siting of a portacabin adjacent to the multi-use games area.

The portacabin is rectangular in shape with a length of 7.48 metres x 3.27 metres and an overall height of 2.6 metres, and is to be a booking office/club house associated with the use of the site adjacent as Padel Courts

The opening hours are proposed as follows: 7am to 10pm, 7 days a week.

The use of the MUGA as a Padel Court is not included within this application.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 4 Decision Making
Section 8 Promoting Healthy and Safe Communities
Section 12 Achieving Well Designed Places
Section 16 Conserving and Enhancing the Historic Environment

Development Plan

Local Plan Policies

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
Strategic Policy SD2: Urban Boundary and Green Belt
Policy ENV1 High quality Development in the Borough
Policy ENV2 Historic Environment

Other material considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

Consultee	Summary of response
Growth Lancashire (Conservation)	At time of writing no comments received
LCC Highways	No objections

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on within the park adjacent to the site on 09.04.2025 and neighbouring properties notified by letter sent out on 07.04.2025. Consultation period expires on 30.04.2025

At the time of writing 28 representations have been received objecting to the development raising several points:

Harm to amenity / impact on neighbouring residents.

Lack of suitable facilities.

Impact on parking / access / highway safety.

Why have my neighbours and myself not received any notification about the planning submission. We live within 50 meters of the site and will obviously be most affected. I

am given to understand that a notice has been put on a post way up at the top of the park. How are we expected to read this or be aware of it existence.

The football/basketball court was funded by Phil & Julie Neville, Killelea & donation from the bike show. The purpose was to give young people a place to play sport in. It is used by young people.

It is bad enough that we have to suffer the noise and bad language from the all-weather pitch without this proposal as well.

A clubhouse indicates food and drink and noise will be involved which will be bad enough, but no toilet facilities have been considered. Shrubberies are being used as toilets, do not want any more.

Littering will increase and facilities for rubbish disposal are limited.

Will encourage an increase in smoking. What the council don't know is the number of times I have had to put out fires in the shrubbery from fag-ends setting light to undergrowth.

Will encourage an increase in the number of vehicles that decide to come and park nearby. This still happens because the paths are not blocked off effectively at all times.

I play basketball and football with my friends on this court and we often see teenagers and younger children using the court to play sport. In an age when we are desperate for children and young adults to play more sport and spend more time outside, why are we removing their options for doing this?

How about considering doing something positive (for the older residents) in the park that does not involve cutting down trees, increasing traffic and noxious fumes, making more noise and litter and so on.

The noise from Padel Court is a big issue. The sound has been likened to 'very loud quick fire rifle shooting.' This is totally unacceptable in our quiet and tranquil neighbourhood.

Object to the conversion of existing MUGA into paid sports facility

MUGA is well used by children of all ages, families, teenagers and their friends to play football and basketball.

The location of the cabin will also affect our resident nesting birds including the woodpeckers, owls, bats and foxes.

Padel Tennis would be better suited to the local sports centres.

This proposal on the grounds that it doesn't meet the needs of the local demographic or meet the 5 year plan and takes existing facilities away from the people of Rossendale to which this land was gifted.

The consultation period expires on 30th April 2025 – if any representations are received following publication of this report, they will be reported to Members in an update report.

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Heritage/Visual Amenity;
- 3) Residential Amenity;
- 4) Access, Parking and Highway Safety

Principle

The application site is located within Whitaker Park, to the rear of the Whitaker Museum which is identified as a non-designated heritage asset.

The Padel Project is to use the Multi-Use Games Area (MUGA) in Whitaker Park as temporary Padel courts. Padel is a racquet sport similar to tennis but played on smaller, enclosed courts, where the ball can be played off the solid walls (in a manner similar to squash).

The proposed scheme under consideration in this particular application is *only* for the installation of a portacabin for use as a booking office/club house in support of the project.

The site is within the Urban Boundary, within an existing park. Consequently, it is considered that in principle the proposal meets the requirements of Sections 2 and 16 of the NPPF and Policies SD1 and SD2 of the Local Plan.

Heritage/Visual Amenity

The site is located to the rear of the Whitaker.

Section 12 of the Framework refers to the importance which Government attaches to the design of the built environment:

- *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” (Para 131)*
- *“Planning policies and decisions should ensure that developments...will function well and add to the overall quality of the area...are sympathetic to local character and history, including the surrounding built environment and landscape setting.” (Para 135).*

Section 16 of the Framework states local planning authorities should take account the desirability of new development making a positive contribution to local character and distinctiveness and the desirability of sustaining and enhancing the significance of heritage assets.

Paragraph 210 of the National Planning Policy Framework requires that when *determining applications affecting heritage assets local planning authorities should take account of:-*

- a) the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 216 states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policies ENV1 and ENV2 of the Local Plan seek to ensure that the built and historic environment is safeguarded and enhanced and proposals take into account design, lighting and materials.

Growth Lancashire have been consulted, however have not provided any comments or objections.

In any case, owing to its siting and design, it is considered that the portacabin will only have a very limited impact on the setting of The Whitaker Museum and will cause no discernible loss of significance. As such, the scheme would meet with the objectives of Chapter 16 of the NPPF and accord with policy ENV 2 of the Local Plan.

Residential Amenity

Paragraph 135 of the NPPF advises that Planning policies and decisions should ensure that developments:

“Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”

Policy ENV1 of the Local Plan states that all proposals should take account of the following:

- “c) Being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the area*
- “d) The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being overbearing or oppressive, overlooking or resulting in an unacceptable loss of light:- nor should it be adversely affected by neighbouring uses and vice versa.”*

The portacabin will be used as a booking office/club house to support the use of the area as Padel Courts.

The proposed opening hours for the portacabin are 07:00 to 22:00

In terms of the premises licence for The Whitaker, the whole of the park area is licensed for various entertainment activities as well as the provision of late night refreshment and alcohol for the following times:

Monday to Sunday 1000 - 0000 Indoors
Monday to Sunday 1000 - 2300 Outdoors

The use of the portacabin itself during the hours proposed is not likely to cause any more disturbance over and above that currently experienced by neighbouring occupants. The Padel courts themselves are not the subject of this application, nor can this application be used to control their use.

It is considered that the siting of the portacabin for use as a booking office/club house will not in itself impact unacceptably on the residential amenity of the surrounding area.

The proposed development will be in accordance with Policy ENV1 of the Local Plan and the NPPF.

Access, Parking and Highway Safety

LCC Highways have advised that they have no objections to the proposed development.

The erection of a portacabin at the site will not have any adverse impact on access, parking or highway safety.

9. CONCLUSION

The proposal has been assessed to cause minimal harm to the significance of the non-designated heritage asset.

The proposed portacabin has also been assessed as being unlikely to cause any significant adverse impacts on visual amenity, residential amenity, or highway safety.

On this basis it is considered that the proposal is in accordance with the Rossendale Local Plan and the NPPF.

10. RECOMMENDATION

That planning permission is granted subject to the following conditions:

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:

Location Plan received 21.03.2025

Drawing No: SL072 DQ2692D - Portakabin A2 (1) received 21.03.2025

External photograph received 21.03.2025

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

3. The location and use of the container as a club house to support the Padel Project will be for a temporary period ending 31st December 2025.

Reason: To protect the amenity of the adjoining land users/occupiers.

4. Pursuant to condition 3, the container shall be removed from the site within 1 month of the cessation of the use and the site shall be returned to its original condition.

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

12. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan

Site Address: Easting: 380442 Northing: 422795

Date Produced: 21-Mar-2025

Scale: 1:1250 @A4



Planning Portal Reference: PP-13878956v1



B.



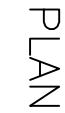
WINGS

- Sales & Scottish Divisions - Albatross nearest BS ref. 18 B 17
- Hire & European Divisions - Goosewing Grey nearest BS ref. 10 A 05

– Sales & Scottish Divisions – Britannia Blue nearest BS ref. 1

- Sales & Scottish Divisions – Britannia Blue nearest BS ref. 18 E 58
 - Manton Grey NCS S 2502-Y RAL-DS 080 /0 05.
 - Hire – Grey nearest RAL 7042
 - Portlao & Events – Blue Grey nearest BS ref. 18 B 29

- Sales & Scottish Divisions – Abbotross nearest BS ref. 18 B 17
- Hire & European Divisions – Goosewing Grey nearest BS ref. 10 A 05
- Sales & Scottish Divisions – Britannia Blue nearest BS ref. 18 E 58
- Hire – Merlin Grey nearest BS ref. 18 B 25
- Portlando & Events – Poppy Red nearest BS ref. 04 E 53
- European Division – Goosewing Grey nearest BS ref. 10 A 05
- Silver Anodised Aluminium.
- Monnotten Grey NCS S 2502-Y RAL-DS 080 70 05.
- Sales & Scottish Divisions – Britannia Blue nearest BS ref. 18 E 58
- Hire – Grey nearest RAL 7042
- Portlando & Events – Blue Grey nearest BS ref. 18 B 29
- European Divisions – Blue nearest RAL 5011
- White nearest BS ref. 00 E 55
- Grey to BS4800 ref. 10 A 05
- Hot dipped galvanised



SPECIFICATION DRAWING

DRAWING
SLO72

— ODASTRUT LEG OPTION

Date 2.10.07 Drawn R.SCHOFIELD

Scale

Drg. No.

It is recommended that professional advice is obtained for the design of the foundations.

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Client

Title

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