

Application Number:	2025/0407	Application Type:	Full
Proposal:	Retention of a steel framed mono pitch building. Installation of a turf living roof and timber clad doors. Removal of 1no storage container, Removal of glass balustrade and timber deck. Planting of beech hedgerow.	Location:	Land at the top of Greendale Avenue Newchurch Rossendale
Report of:	Head of Planning and Building Control	Status:	For Publication
Report to:	Development Control Committee	Date:	03.03.2026
Applicant:	Mr C Green	Determination Expiry Date:	06.03.2026 (EOT)
Agent:	Rural Futures		

Contact Officer:	Claire Bradley
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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	Yes
Other (please state):	

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 the application is approved subject to the conditions in Section 10.

2. APPLICATION SITE

The application site is an irregularly shaped plot of land at the end of Greendale Ave. It is served by an access off Greendale Avenue which also serves a number of garages and properties. Several footpaths are in close proximity to the site including 14-4-FP180, 14-4-FP392, 14-4-FP176 and 14-4-FP169. The site is largely gravel surfaced with an elevated grassed area surrounded by a stone block retaining wall and part surrounded by a wood structure, approximately 1m in height and some open storage.

There are currently a number of containers on the site over which a steel frame building has been constructed which is the subject of this application.

The site is largely flat but has a steep bank on the northern boundary extending into the hill known as Seat Naze.

Tree planting was undertaken to the immediate surrounding area, but largely to the south and west following the issue of a lawful development certificate (2019/0444) in November 2019.

3. RELEVANT PLANNING HISTORY

2010/0040: Temporary siting of static caravan (12 months) and engineering works to level land (retrospective). Refused 29.03.2010

2012/0169: Landscaping of land to use as allotment including erection of No.1 greenhouse and No.1 single storey shed as well as use of part of the site for access and storage of No.1 caravan and associated boundary works (amended description). Withdrawn 08.06.2012

2012/0344: Engineering works and landscaping of land to use as allotment including erection of No.1 greenhouse and No.1 single storey shed as well as use of part of the site for access and storage of No.1 caravan and associated boundary works (amended scheme to 2012/0169). Approved 23.08.2012

2021/0327: Permission in Principle: construction of 1 Detached Dwelling. Refused 16.12.2021. Appeal Dismissed

2024/0361: Construction of a mono pitch steel frame building and ground works to form a timber deck and grass area. Refused on the following grounds:

Due to its character and scale, the development forms an incongruous and visually harmful feature in the countryside and results in significant urbanisation of the rural landscape. The development is contrary to Policies ENV1 and ENV3 of the Local Plan and Section 12 of the NPPF.

Enforcement Case: 036/2021/OPDEV – Enforcement Notice served 14.05.2025: Time for compliance ended 14.12.2025 – No appeal submitted. Details of the Enforcement Notice are as follows:

Without the benefit of planning permission, operational development has taken place on Green Belt Land comprising the importation of materials including the erection of a mono pitch steel frame building and the installation of a timber decking area and retaining structures.

Works required

- Remove all the steel containers that are edged in blue on the plan named "Steel Containers" and as shown in Photograph 1 named "Containers Annotated" from the Land.*
- Remove the fence that is marked with a blue line on the plan named "Fence Plan" and as shown in Photograph 2 named "Fence Annotated" from the Land.*
- Remove all the decking that is edged in blue on the plane named "Decking" and as shown in Photograph 3 named "Decking Annotated" from the Land*
- Remove the grassed area that is edged in green on the plan named "Grassed Area" and as shown in Photograph 4 named "Grassed Area Annotated" from the Land.*
- Remove the mono pitched steel frame building that is edged in blue on the plan named "Mono Pitched Steel Frame Building" and as shown in Photograph 5 named "Mono Pitched Steel Frame Building Annotated" from the Land.*

Adjacent to site

2019/0444: Lawful Development Certificate: Planting of trees in conjunction with the Woodland Trust. Approved 12.11.2019

4. PROPOSAL

This proposal is a full planning application for the following works:

- The retention of the steel frame storage building with solar panels
- The installation of timber cladding doors on the above structure
- The installation of a living turf roof
- The retention of a grass area.
- The retention of two storage containers for maintenance equipment
- The retention of containers for rainwater harvesting
- The removal of a glass balustrade and replacement with a native species hedgerow
- The removal of timber decking

In terms of the containers within the structure, one of the containers includes the system for the solar panels and the electricity generation, another of the containers includes the system that operates the water collection and watering system which is connected to the solar system for power purposes, and the third container contains gardening implements and machinery for managing the site.

There is also a camper van stored at the site when not in use.

All materials relating to the roofing business have been removed from the site.

5. POLICY CONTEXT

Policy Considerations

National Planning Policy Framework

Section 2	Achieving sustainable development
Section 4	Decision-making
Section 8	Promoting Healthy and Safe Communities
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

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
Policy SD2: Urban Boundary and Green Belt
Policy ENV1: High Quality Development in the Borough
Policy ENV3: Landscape Character and Quality
Policy ENV4: Biodiversity, Geodiversity and Ecological Networks
Policy ENV6: Environmental Protection
Policy ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality
Policy ENV10: Tree and Hedgerows
Policy TR4: Parking

Other Material Planning Considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

Consultee	Comments
LCC Highways	No highway grounds to support an objection

7. REPRESENTATIONS

In order to publicise the application, a letter was sent out to neighbours on 21.10.2025 and a site notice was posted on 07.11.2025 and the application was available for viewing on the Council's website.

6 objections have been received on the following grounds

- An Enforcement Notice was served on 14.05.2025. This should be enforced.
- Development has taken place without planning permission.
- The owner of the plot has dug into the hillside without permission and put a steel structure and solar panels up without permission, also electric gates have been installed without permission.

- I have reason to believe that the owner of the plot intends to build a wooden dwelling on the plot. As the plot is surrounded by woodland, I am concerned that such a building would be a fire hazard.
- Number of environmental concerns; damage to the hillside by removal of tens of cubic metres of earth is not beneficial to natural environment and concerns regarding the instability of hillside.
- Work already done may have caused the natural course of rainwater to alter resulting in waterlogged gardens and possible deterioration of public footpath, making access to Seat Naze difficult by that route.
- This proposed development is not in keeping with the woodland which local residents have planted in the area.
- The site was a green field.
- I don't really understand how someone can apply for permission to keep a building they have been legally told to take down or, worse how they can then ask to put doors on it and keep making it look more and more like a residence.

8. ASSESSMENT

The main issues for consideration in this instance are:

- a) Principle
- b) Visual Amenity and Countryside Impact
- c) Neighbour Amenity
- d) Access, Parking and Highway Safety

Principle

Policy SD2 of the Rossendale Local Plan requires *all new development to take place within the Urban Boundaries, except where development specifically needs to be within a countryside location and the development enhances the rural character of the area.*

In terms of the use and planning history of the site, application number 2010/0040 was submitted following an enforcement investigation in relation to unauthorised engineering works carried out at the site to create a large hardstanding and the siting of a residential caravan on the site. This application was refused.

In 2012, planning permission was granted for the following: *Engineering works and landscaping of land to use as allotment including erection of No.1 greenhouse and No.1 single storey shed as well as use of part of the site for access and storage of No.1 caravan and associated boundary works.*

In the officer report for the above 2012 application, the site was described as follows:

The site has been levelled so that the land no longer follows the natural slope of the hillside. The site consists of two levels with a man-made bund in the centre which separates the two parts of the site. The site has historically been used as an allotment site. At the time of visiting, the applicant had carried out engineering works to level the site and covered the site in hardstandings so it did not appear to be suitable for allotment use. There were no buildings or caravan on the site at the time of the visit, although other officers have recently seen a touring caravan parked on it.

In relation to the current development at the site; the previous application 2024/0361 for construction of a mono pitch steel frame building and ground works to form a timber deck and grass area was refused for the following reason:

Due to its character and scale, the development forms an incongruous and visually harmful feature in the countryside and results in significant urbanisation of the rural landscape in this location. The development is contrary to Policies ENV1 and ENV3 of the Local Plan and Section 12 of the NPPF.

A significant concern in determining the above application was the commercial operation that were taking place on the site. However, this activity has all been removed from the site.

For a number of years, the unauthorised storage of commercial roofing materials has taken place on this site, which was a significant concern in determining the previous application (2024/0361) and for which the Enforcement Notice was served.

In terms of compliance with the Notice, the applicant had until 14.12.2025 to comply with the notice, however, prosecution has not yet been initiated, pending the outcome of this planning application.

Within the documents submitted the agent has stated as follows:

Following the removal of all materials and equipment associated with the applicant's roofing business and all activities associated with that business, the site is now used solely for the storage of the applicant's camper van and equipment used to maintain the site in horticultural use.

In terms of the use of the site, the agent has confirmed as follows:

The site is essentially a small horticultural area. As well as storing his motor home the applicant uses the rest of the site for growing a range of container grown veg and shrub plants which have up to now been used to landscape the steeply sloping land. The rainwater harvesting system has provided the water and the solar battery system provides power for this. His future plans include the cultivation of the grass area for organic vegetables for his own use.

Whilst the development is prominent when viewed from the network of Public Rights of Way that surround the site, it is constructed with timber cladding to the sides & rear and is proposed to have a living turf roof.

This site is in open countryside accessed through a housing development that has narrow roads, and the building has a floorspace of around 131 m². In terms of the previous refusal, the use of the site and the provision of a building for general industrial use was considered to have a detrimental impact on the amenity of the area, due to the character and scale of the development and was therefore, deemed to be unacceptable.

However, the use of the site for a small horticultural enterprise is an acceptable use in the countryside. In terms of the materials, the building has timber walls and has a similar appearance to a number of agricultural building and is screened in parts, with the only visible parts from the PRow network being the eastern section shown below

and the section visible from the north being the roof, which is to be replaced as a grass roof and will be enclosed with timber doors:



Eastern side elevation of building

The use of the site for horticultural purposes and the storage of gardening implements and the provision of a grass roof over the building and timber doors would lessen the impact of the development in terms of character and scale.

Visual Amenity and Countryside Impact

Policy ENV1 of the Local Plan seeks to promote high quality design in the Borough, and includes a varied set of criteria with which development proposals need to comply.

Paragraph 135 of the Framework states that planning decisions should ensure that developments:

- a) *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

- f) *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.”*

The building is constructed with retaining walls to the rear and west with an open frontage to the south. Timber cladding forms the eastern side of the building.

The building will accommodate two storage containers, a number of water containers which harvest roof water, and battery storage. Solar panels provide energy to the battery system that operates electronic gates and the watering system.

In terms of the materials, the building has timber walls and has a similar appearance to an agricultural building. It is screened in parts, with the only visible parts from the PRow network being the eastern section and also the section visible from the north being the roof, which is to be replaced as a grass roof and will be enclosed with timber doors.

The balustrade that had been constructed at the site has been partly removed in addition to the proposal to remove the timber decking included in the description.

The development as submitted within this application is considered to be acceptable in terms of visual amenity and landscape impact, therefore it is in accordance with Policies ENV1 and ENV3 of the Local Plan and Section 12 of the NPPF.

Neighbour Amenity

Policy ENV1 (c) requires development to be *sympathetic to surrounding land uses, avoiding demonstrable harm to the amenities of a local area*; and (d) states that the *scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive, overlooking, or resulting in an unacceptable loss of light;-nor should it be adversely affected by neighbouring uses and vice versa*;

The siting of a building in this location for a horticultural use is considered to be acceptable and appropriate in open countryside.

There will be no significant impact on surrounding residential amenity from the proposed development.

Highway Safety

LCC Highways have commented as follows:

“The Highway Development Control Section of Lancashire County Council has no objections to the planning application. The National Planning Policy Framework (NPPF) states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios." (Paragraph 116).

My detailed examination of this application concludes there are no highway grounds to support an objection, as set out by the NPPF."

In view of the above it is considered that the proposal would be in accordance with the requirements of the Rossendale Local Plan and the NPPF in highway safety terms.

9. CONCLUSION

The proposed scale and materials proposed for the building and the removal of the timber decking and balustrade from the site and the confirmation that the site is now used solely for the purposes of horticulture are acceptable and in accordance with the Rossendale Local Plan.

In terms of compliance with the Enforcement Notice, the case officer would comment as follows (in bold):

Works required:

- Remove all the steel containers that are edged in blue on the plan named "Steel Containers" and as shown in Photograph 1 named "Containers Annotated" from the Land. - **The containers contain equipment that is used for the horticultural operation of the site as detailed above. This application includes the installation of timber doors to the building. Should this application be approved, the existing containers will be retained within the building.**
- Remove the fence that is marked with a blue line on the plan named "Fence Plan" and as shown in Photograph 2 named "Fence Annotated" from the Land. – **The fence is partly removed and should this application be approved; a condition will be included specifying a date for removal.**
- Remove all the decking that is edged in blue on the plane named "Decking" and as shown in Photograph 3 named "Decking Annotated" from the Land. – **Should this application be approved; a condition will be included specifying a date for removal.**
- Remove the grassed area that is edged in green on the plan named "Grassed Area" and as shown in Photograph 4 named "Grassed Area Annotated" from the Land. – **The grassed area formed part of the application in 2012 for engineering works and is therefore exempt from enforcement action.**
- Remove the mono pitched steel frame building that is edged in blue on the plan named "Mono Pitched Steel Frame Building" and as shown in Photograph 5 named "Mono Pitched Steel Frame Building Annotated" from the Land. – **Should this application be approved, the building would become lawful subject to the changes proposed in this application.**

10. CONDITIONS

1. Within three months of the date of this decision the proposed timber doors and grass roof shall be installed on the existing building and retained at all times thereafter.

Reason: To ensure the development is acceptable in terms of visual amenity and character.

2. The development hereby permitted shall be carried out in accordance with the application form received 13.10.2025 and the following drawings and documents, unless otherwise required by the conditions below:

- Location Plan
- Site Plan
- Existing Elevations
- Proposed Elevations
- Design and Access Statement
- Floor Plan
- Existing Site Plan
- Proposed Site Plan

Reason: For the avoidance of doubt and to ensure a satisfactory standard of Development.

3. The remaining balustrade, timber decking and one storage container shall be dismantled and removed from the site within three months of the date of this decision.

Reason: To ensure the development is acceptable in terms of visual amenity and character.

4. The proposed Beech hedge shall be planted within the first available planting season following the date of this decision, and shall thereafter be maintained and retained in a good and safe condition in perpetuity.

Reason: In the interest of the amenity of the area.

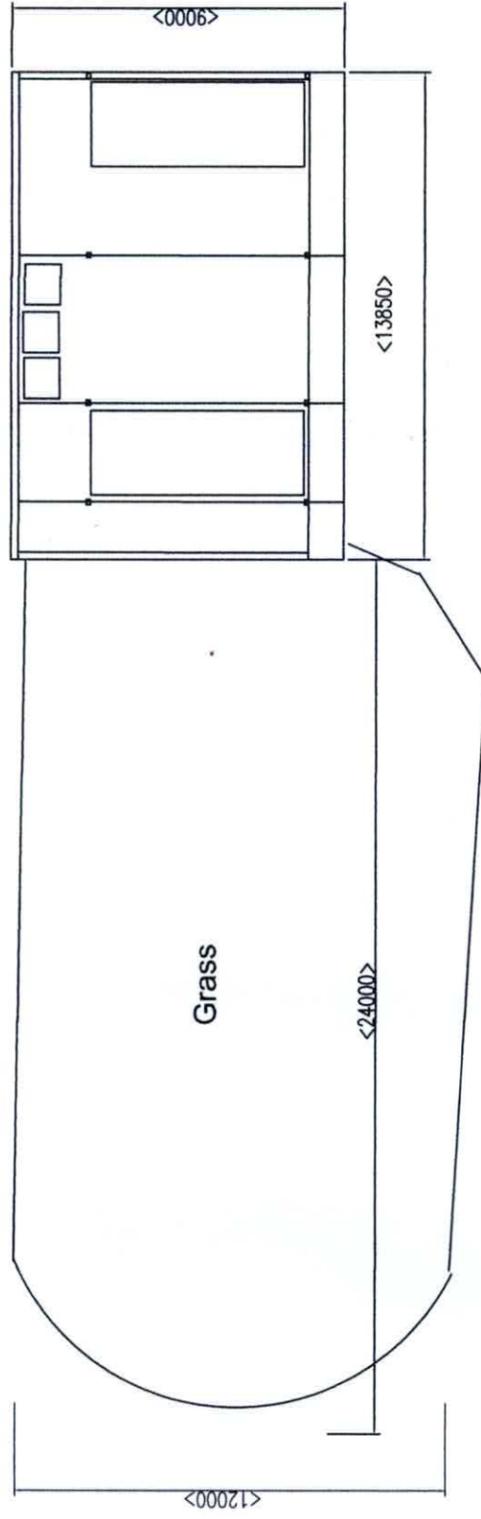
11. INFORMATIVES

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 has worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement as set out in Paragraph 38 of the National Planning Policy Framework.

SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 383376, 422622



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Floor Plan
1:200 @ A3







