

Application Number:	2025/0392	Application Type:	Full Planning Permission
Proposal:	Retrospective application for boundary fencing	Location:	Land Adjacent To 16 Beaconsfield Street Haslingden BB4 5TD
Report of:	Planning Manager	Status:	For publication
Report to:	Development Control Committee	Date:	03.03.2026
Applicant:	Mohammed Dad	Determination Expiry Date:	05.03.2026
Agent	James Campbell Associates Ltd		

Contact Officer:	Claire Bradley	Telephone:	01706 238636
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	Yes Cllr Samara Barnes Parking, highway safety, traffic, noise, disabled persons access.
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

Temporary approval subject to conditions

2. APPLICATION SITE

The development relates to a parcel of land located to the north side of Beaconsfield Street in the town of Haslingden. The site is surrounded to the south, east and west by natural stone and slate terraced residential dwellings with a garage plot located to the north. The site previously contained a stone-built warehouse operating as a furniture store however this was demolished following a fire in 2018. The site has been vacant ever since.

The land is accessed from A680 Manchester Road and is located within the Urban Boundary. The south east portion of the land sits within the Haslingden Conservation Area with the north west section sitting outside the conservation area boundary.

3. RELEVANT PLANNING APPLICATION HISTORY

2013/0033: Proposed change of use from (A1) retail to (Sui Generis) retail sales of tyres and tyre change facility. Alterations to front and rear facades including the installation of roller shutters and erection of perimeter fencing to the rear. (Refused)

4. PROPOSAL

The proposal seeks a temporary permission to erect security fencing around the site until proposals to develop the site in the future have been submitted and approved.

The fencing is currently in situ and is heras fencing attached to wooden fence posts. The fencing is required to prevent continual fly tipping at the site.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 4 Decision Making
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
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)	See Heritage Section below
LCC Highways	No objections subject to an informative

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 16.01.2026 and neighbouring properties were notified by letter sent out on 12.01.2026. The application was advertised on 30.01.2026. The consultation period expires on 20.02.2016.

At the time of writing (13.02.2026), 9 objections have been received as follows:

The development will prevent access to nearby homes
Parking and access problems will be created
Site has been vacant for many years and should stay that way
Land does not belong to applicant
Children can no longer play on the land
Refuse vehicles cannot collect bins
Will result in a loss of parking
Position of gates will take away more parking
Development has already been carried out
This is overdevelopment

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 currently a vacant site that was once occupied by a stone-built building used as a furniture store. Following a fire in 2018, the building was demolished and the site seeded. The site has been vacant since then, and has been the subject of fly-tipping on many occasions

Policy SD2 of the Rossendale Local Plan 2019 -2036 states:

“All new development in the Borough will take place within the Urban Boundaries, defined on the Policies Map, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area.”

The development is located within the defined urban boundary and therefore complies with this policy.

The proposal is for temporary fencing around the land owned by the applicant to prevent fly-tipping on the site that has been taking place for a number of years.

Consequently, it is considered that in principle the proposal is acceptable.

Heritage/Visual Amenity

Part of the site is located within Haslingden Conservation Area

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.*

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.

The materials used in the development include wooden posts and Heras mesh fencing, which is proposed to be a temporary measure.

Growth Lancashire (heritage specialists) have been consulted and have commented as follows:

The application site is now an open plot of land of little heritage significance.

To the rear of the site, outside the conservation area boundary, are a number of three storey flats constructed mid C20 and two rows of garages. The use of modern fencing, such as the Heras fencing chosen for the scheme, should be avoided in

conservation areas, as it visually detracts from the character and appearance of the immediate setting and rarely improves the appearance of disused land. Overall, its use is generally considered inappropriate and without permission for development on the site, it is difficult to determine how long the fencing will be in situ. As such, I feel that the introduction of fencing to the perimeter of site will result in a limited/minor level of less than substantial harm.

However, whilst the erection of the fencing will result in harm, I am aware that there is public benefit to be considered, as preventing fly tipping in the area will be a positive outcome. As such, the LPA will need to consider the less than substantial harm against the public benefits generated by a proposal.

The application is for the temporary erection of security fencing around the site to prevent fly-tipping which has been taking place for a number of years.

Different options have been considered in relation to hoarding or Heras fencing. It is considered that in this instance, Heras fencing will allow views through the site and will cause less visual intrusion than a solid two-metre-high hoarding would.

The proposed development represents a limited/minor level of less than substantial harm to the Conservation Area, which is required to be weighed against the public benefits of the development.

The fencing is required for a temporary period to prevent fly-tipping and any other antisocial behaviour at the site, whilst an appropriate future use of the site is brought forward. It is considered that the strong benefit of a clear and tidy site in the Conservation Area for a temporary period will outweigh any harm created by the type of fencing proposed in this application.

It is considered that the development would meet the statutory test 'to preserve' the character and appearance of Haslingden Conservation Area. 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.”

A number of representations refer to the development preventing parking, access, use of the site as a play area, etc.

The applicant is the private owner of the site, and is applying to erect security fencing to prevent fly-tipping on the land. The development will not impact on the residential amenity of nearby occupiers.

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

Access, Parking and Highway Safety

In terms of access parking and highways safety, LCC Highways have commented as follows:

With respect to this application, we Lancashire County Council Development Control Team would not raise any objections to the principle of this application.

The proposed plan shows a narrowing of the lane to the rear of Salisbury Street and the gable of 16 Beaconsfield Street. This lane forms part of the adopted highway and if the line of the fence is to be implemented as shown, it will require a temporary stopping up order.

Further comments received state as follows:

Our records would suggest that the lanes should be 3.1m wide not the 2.7 as shown on the revised plan.

The applicant will also need a Street works licence to work adjacent to the highway.

The plans have been duly further amended to reflect the width required by LCC Highways.

There will be no impact on access, parking or highway safety from the proposed development based on the amended plans, and as such the proposed scheme is acceptable in terms of access, parking and highway safety.

The granting of temporary planning permission (for two years) will provide the public benefit of preventing fly-tipping on the land whilst more permanent proposals for the site's future are drawn up.

9. CONCLUSION

The proposal has been assessed to balance any (minor / less than substantial) visual harm caused by the type of fencing against the strong public benefit of preventing fly-tipping on the land.

The proposals have also been assessed as having no 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 a temporary planning permission is granted for a period of two years from the date of decision, subject to the following conditions:

11. CONDITIONS

1. This permission shall expire on 15th April 2028, and within 28 days following that date the fencing shall be removed entirely and the land shall be restored to its previous lawful state.

Reason: To reserve to the Local Planning Authority control over the long-term use of the land, as the fencing is deemed to be inappropriate to the locality on a permanent basis.

2. The development shall be carried out in accordance with the following:

Application Form received 23.09.2025

Design, Access and Heritage statement received 08.01.2026

Site Location Plan V2 received 26.01.2026

Drawing No: 25.3633.10B - Existing Site Plan received 09.03.2026

Drawing No: 25.3633.11B - Proposed Site Plan received 09.03.2026

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

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.
2. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.

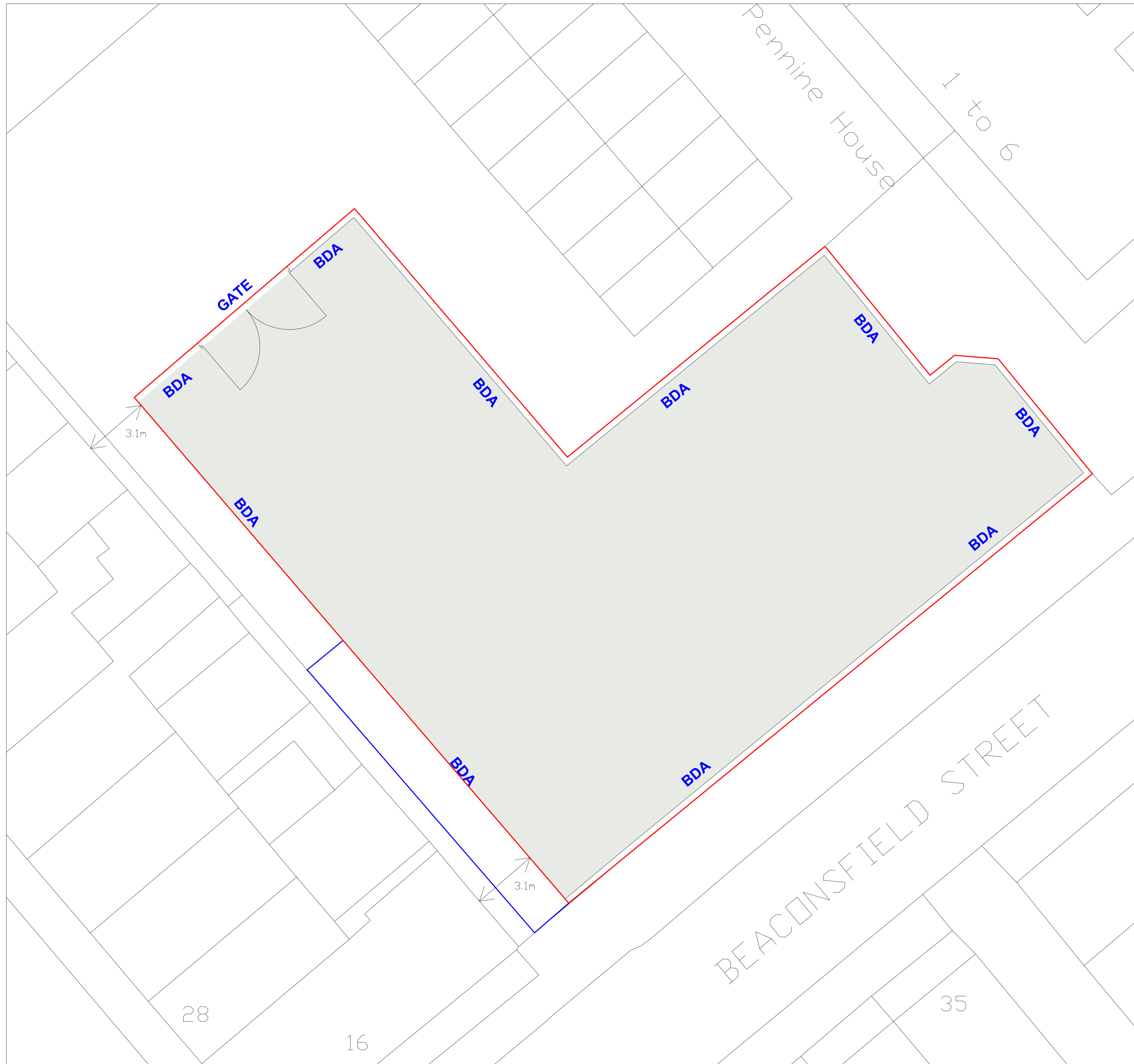
This drawing is provided as a document to gain either Planning Permission or Building Regulation approval purposes only. It is not a guarantee that Planning Permission will be granted.

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Any discrepancies discovered or items found that were not visible at the time of the initial survey should be reported to James Campbell Associates Ltd for consultation with our client.

CONSTRUCTION NOTES:-

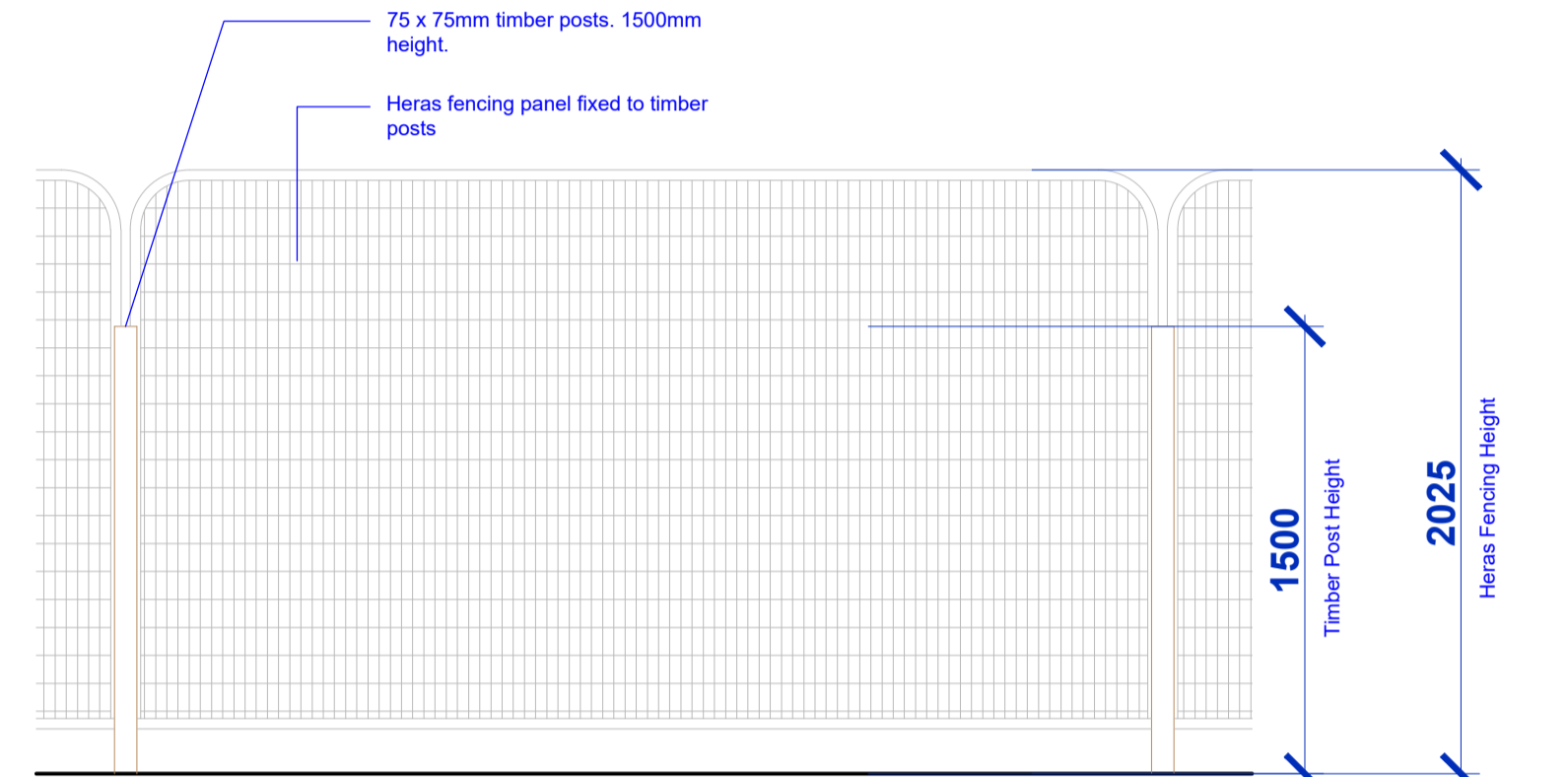


PROPOSED SITE PLAN

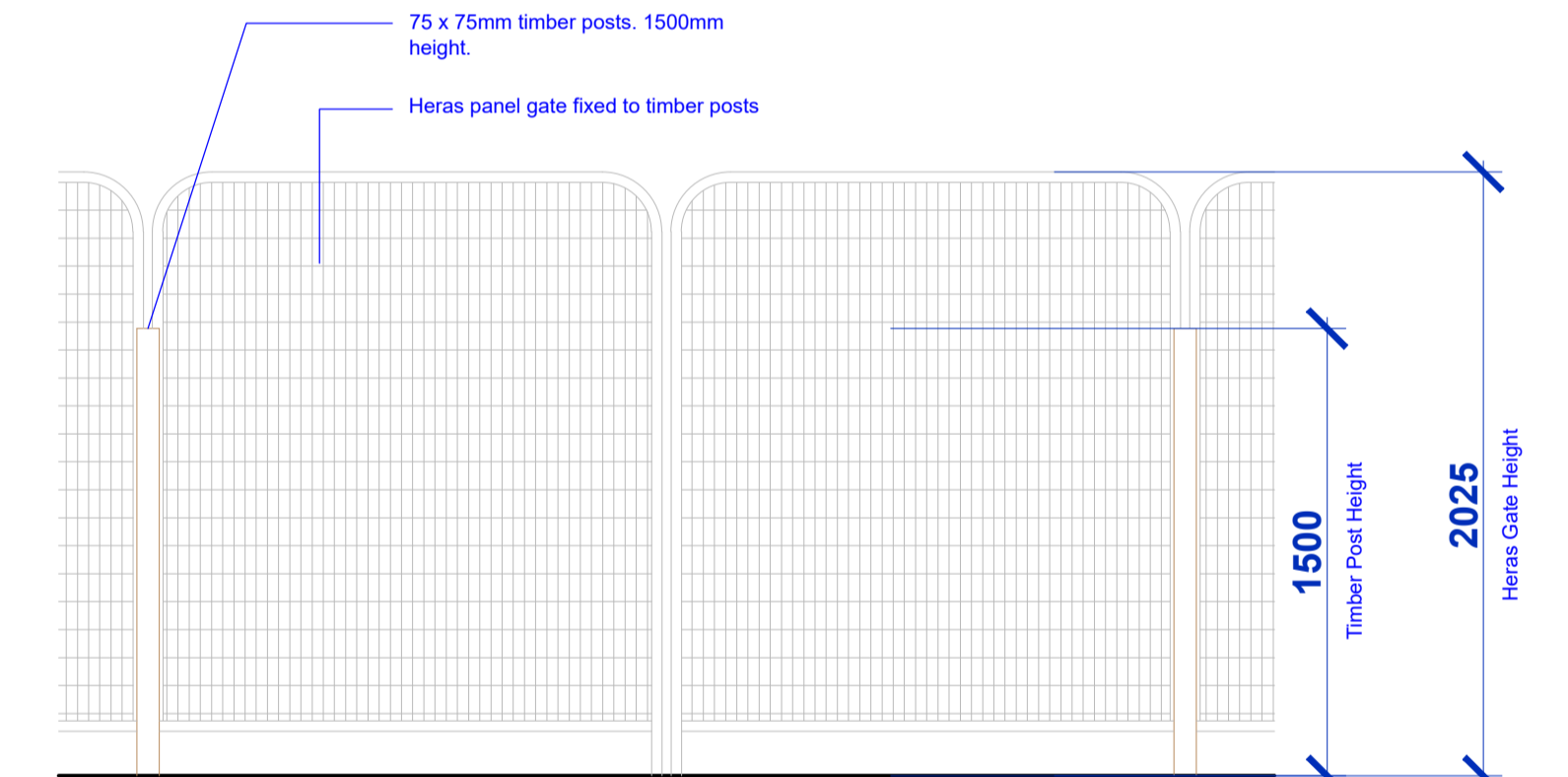
BOUNDARY DETAILS A - BDA



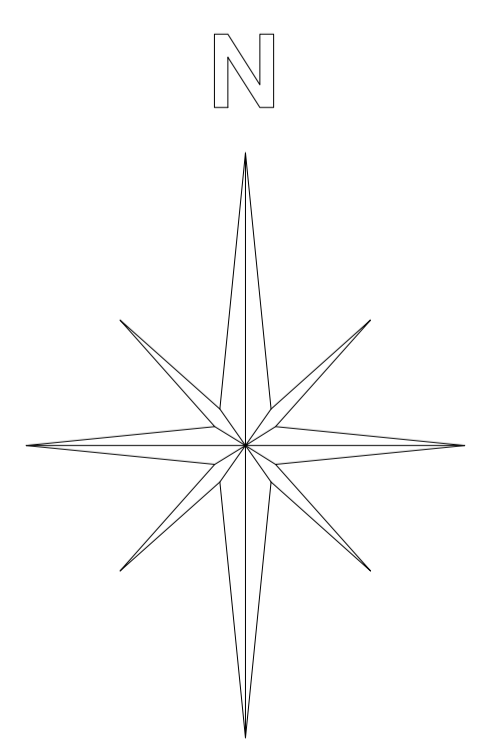
PLAN
1:25



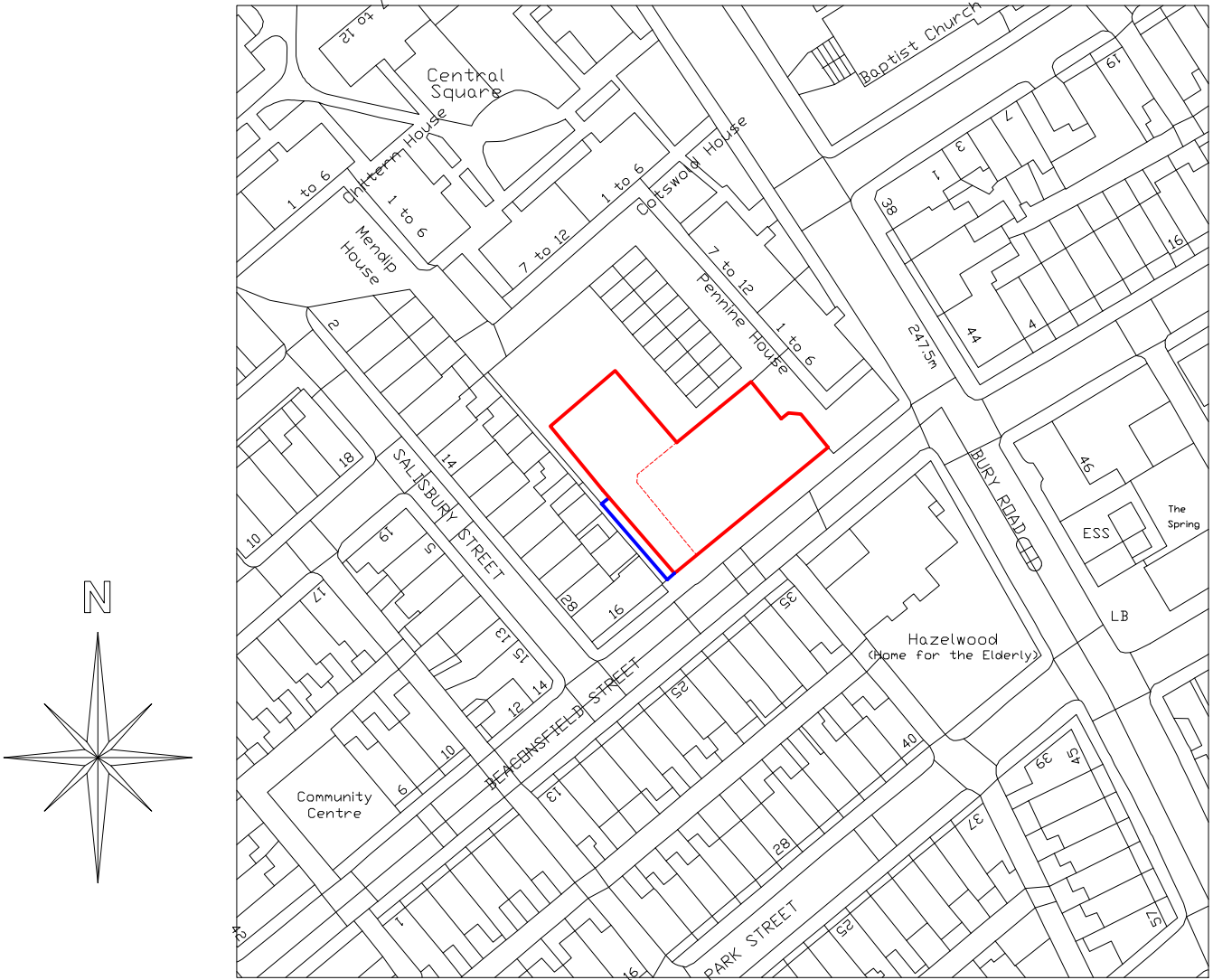
ELEVATION
1:25



GATE ELEVATION
1:25



DRAWING TITLE	
PROPOSED SITE PLAN	
Campbell House 173 Rochdale Road Firgrove Rochdale OL16 3BN	
Tel: 01706 354888 Mob: 07817 623183 Email: admin@jamescampbellassociates.co.uk Web: www.jamescampbellassociates.co.uk	
PROJECT	
PROPOSED NEW BOUNDARY FENCING	
LOCATION	
Land off Beaconsfield Street Haslingden	
DRAWN:-	Frank James Smith
DATE:-	June 2025
SCALE:-	1:100 @ A1
ISSUE:-	B
DRAWING NUMBER:-	
25.3633.11B	



Scale 1:1250

SITE LOCATION PLAN

