

Application Number:	2020/0458	Application Type:	Full
Proposal:	Full (part retrospective): Change of use of the main building from a dwelling house to a mixed use of sui generis and residential use to enable events such as a farmers' market, a gallery and music concerts, with an element of residential accommodation retained. Incorporates associated internal and external alterations to the building, plus landscaping and retaining works. Also the construction of an external WC block and the construction of a new stand-alone one-bedroom apartment for use as a holiday let.	Location:	St John The Evangelist Burnley Road Bacup Lancashire OL13 8AB
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	14/12/2021
Applicant:	Mr Freddy Khattab	Determination Expiry Date:	31/12/2021
Agent:	N/A		

Contact Officer:	James Dagleish	Telephone:	01706 238643
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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):	

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 the conditions set out in this report.

2. SITE

St John's Church is a Grade II listed building located on Burnley Road, Bacup. It has an elevated position within the Bacup Conservation Area. It is set within its own relatively open grounds, in a primarily residential area at the northern end of the town centre. The site lies within the defined urban boundary.

St John's is a key building within the Bacup Conservation Area, and the Burnley Road Character Area. Due to its elevated position and setting within the former churchyard, it sits back from the principal road. This area of Burnley Road is generally populated by large scale buildings with good detailing and the sizeable former Bingo Hall is nearby.

The church was originally intended to be converted into a single residential dwelling, for which planning permission was granted in 2015 (planning ref: 2014/0559) - and works have since started on site.

The list description for the building reads as follows:

“Church, 1882-3, by Medland Taylor. Coursed sandstone, blue slate roof with patterned bands of green slates. Nave with full-height aisles, south porch and transept, polygonal baptistery at west end, chancel with basement and various side offices. On slope rising to the west, in simplified Gothic style with buttresses and stepped bands on 2 levels. East end presents 2 unequal gables to the road, that to the chancel with a large 5-light traceried window (and 4 basement lights), the smaller set back on the north side with a 3-light window which has a cusped vesica in the head. On the south side the 2-bay chancel has at the lower level stepped lean-to cloisters with one doorway and 5 lancets, and above these 2-light windows with hoodmoulds; transept has a large 5-light window with a hoodmould (and 2 lancets at the lower level); aisle has large gabled porch (intended for a tower) in the 1st bay, 2 windows in the 2nd bay and one in the 3rd bay, all these of 2 simplified lights with a small round light above. North aisle of 4 regular bays has similar windows. West end has a rose window in the gable and a lean-to extension embracing the polygonal baptistery which has tall coupled lancets in the 2 exposed sides. Interior: 4-bay arcade of columns with moulded shaft-rings, moulded caps, 2-centred arches; similar 2-bay arcade to west end; scissor-braced roof with wind-braced purlins and alternate trusses with arch-bracing supported by

hammerbeams; similar chancel roof with truss carried on a short chamfered pilasters the bases of which rest on moulded circular caps to stove-pipe-shaped columns dying into the wall below; aisle roofs with kingposts and longitudinal bracing. A dramatic and unorthodox church typical of this architect.”

3. RELEVANT PLANNING HISTORY

2014/0560 - Listed Building Consent for works required as part of a proposed change of use from church (D1) to dwellinghouse (C3) including: creation of a new first floor under the aisles and over the existing altar area, a high level mezzanine, basement conversion, and installation of rooflights and solar slates. (Approved)

2014/0559 - Change of use from church (Use Class D1) to dwellinghouse (Use Class C3) including installation of rooflights and solar slates, erection of detached garage and alterations to existing gated access to the churchyard. (Approved)

2016/0003 - Removal of bell from the tower and relocation at Christ Church, Staincliffe, West Yorkshire, prior to the building's conversion to residential use. (Refused)

2016/0430 - Discharge of Conditions 3 (Archaeological Recordings) Condition 4 (Schedule of Repair) Condition 5 (Glazing Report) pursuant to Listed Building Consent 2014/0560. (Split Decision)

2016/0431 - Discharge of Conditions 6 (Storage of Bins) Condition 10 (Fences to be erected) and Condition 11 (Archaeological Recording) & Condition 13 (Gate for the Car Park) pursuant to Planning Approval 2014/0559. (Split Decision)

2020/0459 - Listed Building Consent: internal and external works associated with change of use of building from a dwelling house to a mixed use of sui generis and residential use, also incorporating landscaping and retaining works and the construction of an external WC block, and the construction of a new stand-alone one-bedroom apartment for use as a holiday let. (Pending)

2021/0457 - Full: change of use of land to a car park, with associated works and landscaping (Refused – relates to land at the corner of Fern Street and Dale Street)

4. PROPOSAL

The property owner seeks part retrospective planning permission for the change of use of the building from a dwelling house (as previously approved), to a mixed use of C3 dwelling house and a live music venue and community space (sui generis), with associated physical works to the building. A number of events have already taken place.

There is no proposed extension to the church building itself, with most works being carried out internally. A first floor level is proposed to be added and is limited to the line of the arches in the nave.

The proposed change of use to a venue on the ground floor requires the addition of WCs to accommodate a larger number of people. Due to the COVID pandemic, the applicant has opted to locate some WCs externally – so that they are naturally ventilated.

The area proposed for the additional WCs is to the west of the site. A low stone wall provides one boundary to the WCs, with the remaining structure to be constructed of timber. Four individual WCs are able to be accommodated, including toilet, sink and hand drying facilities. This aspect of the work also requires retrospective planning permission, with the works having already started on site.

A new one bedroom, stone built apartment with a small living area, kitchen and bathroom are proposed to the south of the site against the boundary, where it appears as though a stone building historically stood. It is proposed that the apartment will function as a single holiday let to support events and to provide tourist accommodation.

A summary of the proposed works associated with the proposed change of use is included below:

- 1no. new WC in north aisle adjacent to organ. Organ to be retained.
- New cafe area in chancel.
- New, open kitchen area at eastern end.
- New circulation stair and platform lift on north wall.
- 3no. WCs adjacent to circulation stair.
- New enclosed escape stair in south aisle.
- New 1 bed apartment to south of site to extent of previous building.
- New first floor to extent shown on first floor plan.
- Works to stabilise war memorial.
- New timber archways with climbing plants to north of church.
- New external WCs.
- New floor to allow for an underfloor heating system. Existing gradient of floor to be maintained. This includes the removal of the pews and their platforms.
- Removal of cherry trees at front of site.
- New hard landscaping to south of site to match existing materials.
- New retaining walls to create landscaped terraces at front of site.

Since receipt of the application a full set of amended plans have been received which reflect the full extent of works already carried out to the building, as well as those proposed to be carried out.

The proposed hours of operation for the venue are as follows:

Monday to Friday – 09:00-21:00

Saturday – 09:00-23:00

Sunday – 10:00-21:00

5. **POLICY CONTEXT**

National

National Planning Policy Framework

Section 2	Achieving Sustainable Development
Section 4	Decision Making
Section 5	Delivering a sufficient supply of homes
Section 6	Building a Strong, Competitive Economy
Section 7	Ensuring the vitality of town centres
Section 9	Promoting Sustainable Transport
Section 11	Making Effective Use of Land
Section 12	Achieving Well Designed Places

- Section 14 Meeting the Challenges of Climate Change, Flooding, etc
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy DPD

- AVP 2 Bacup, Stacksteads, Britannia and Weir
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale’s Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 7 Social Infrastructure
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 11 Retail & Other Town Centre Uses
- Policy 14 Tourism
- Policy 15 Overnight Visitor Accommodation
- Policy 16 Preserving and Enhancing Rossendale’s Built Environment
- Policy 18 Biodiversity, Geodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

Other Material Planning Considerations

- National Planning Practice Guidance
- National Design Guide
- Planning (Listed Buildings and Conservation Areas) Act 1990

RBC Emerging Local Plan

- Policy SS: Spatial Strategy
- Policy SD1: Presumption in Favour of Sustainable Development
- Policy R3: Development and Change of Use in Town, District and Local Centres and Neighbourhood Parades
- Policy ENV1: High Quality Development in the Borough
- Policy ENV2: Historic Environment
- Policy LT2: Community Facilities
- LT3: Tourism
- Policy LT4: Overnight Visitor Accommodation
- Policy TR4: Parking

6. CONSULTATION RESPONSES

Consultee	Summary of Comments received
Cadent	No comments received
Fire Brigade	No objection
Environment Agency	No comments received
Land Contamination	No objection subject to conditions
Historic England	No objection
Lead Local Flood Authority	No comments to make on the application
LCC Highways	No objection subject to condition

RBC Building Control	No comments to make on the application
Growth Lancashire	No objection
RBC Economic Development	Support
RBC Environmental Health	No objection subject to conditions
RBC Tree Officer	No objection subject to condition
RBC Property Services	No comments have been received
United Utilities	No objection subject to condition
Rossendale Civic Trust	Comments provided

7. **NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a site notice was posted and letters were sent to neighbours. A press notice was also published.

9 letters of support and 5 letters of objection have been received, raising the following points in summary:

Support Points

- Should encourage developments such as this which make Bacup a better place
- Social benefits
- Economic benefits
- No worse car parking situation than when the former church was well-attended
- Would be a tourism asset
- Public WC block is a benefit to the town
- Farmers' market is popular and successful
- Makes the building accessible to the public
- Will assist in the conservation of the building
- Support from Bacup Now Community Group
- Proposed design is in-keeping with the building
- Enhances the building
- Proposed holiday-let apartment is sympathetically designed and in-keeping with the building and its grounds
- Will become a community asset
- Cultural benefits open to all people
- Harmonises with the Bacup 2040 plan and the Heritage Action Zone plan
- Suitable noise proofing measures are proposed
- The noise levels will not be as high as when the building was used as a church – with bell ringing at many events – and this has always been a residential area
- Church was otherwise in danger of becoming neglected and run-down
- Facilitates greater community interaction

Objection Points

- Development will cause noise nuisance to local residents
- Inadequate access and parking
- Inadequate waste facilities
- Some works have already been carried out
- Harm to neighbour amenity
- Toilet block too close to existing houses
- Harm to visual amenity
- Inappropriate location for a community / events venue

- Events take place late into the night

8. **ASSESSMENT**

The main considerations of the application are:

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

Principle

The application site is located within the defined urban boundary, where Policy 1 of the Core Strategy seeks to locate the majority of new development.

The currently lawful use of the building is a dwelling house (C3). As proposed, the scheme would retain this use as part of a wider mixed use incorporating a community events space and an additional holiday let apartment.

Policy 7 of the Core Strategy is supportive of the creation of new social infrastructure, such as community events facilities. The policy states that *“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”*.

Policy LT2 of the emerging Local Plan states that *“the creation of new community facilities as part of proposed new developments will be encouraged”*.

It is considered that the proposed scheme accords with the aims of Policy 7 of the Core Strategy and Policy LT2 of the emerging Local Plan, by locating a new community events space in an accessible location within Bacup Town Centre.

Policy 11 of the Core Strategy states that *“retail development, together with other town centre uses, including offices, leisure, arts, culture and tourist facilities, will be focused within the defined town and local centres.”*

Again, by virtue of the site’s location within Bacup Town Centre and the proposed creation of a leisure / arts / cultural facility, the scheme would accord with the aims of Policy 11.

The scheme also accords with the aims of Policy 14 (tourism), which states that:

“Tourism growth will capitalise on leisure pursuits and the unique sense of place within the Valley, including its heritage assets, giving particular emphasis to the east of the Borough.

Tourism throughout the Borough will be promoted by:

- *Events promotion*
- *Taking a positive approach to development of complementary accommodation and hospitality facilities.”*

The proposals broadly accord with Policy LT3 of the emerging Local Plan which states:

“Proposals for the enhancement of existing facilities and activities, as well as the development of new facilities and activities will be considered favourably.”

In relation to the creation of a one-bedroom holiday let apartment, Core Strategy Policy 15 provides support for the creation of small-scale overnight visitor accommodation, particularly where it is located in accessible locations (such as Bacup Town Centre).

In addition, the proposed scheme accords with Policy LT4 of the emerging Local Plan which aims to support the creation of new appropriate high quality visitor accommodation.

Overall, the development is considered acceptable in principle.

Visual Amenity / Heritage Impact

Policy 23 of the Core Strategy seeks to ensure that all new developments *“are of the highest standard of design that respects and responds to local context, distinctiveness and character”*.

Policy 23 of the Core Strategy seeks to ensure any new development is *“compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing”*.

Policy 16 of the Core Strategy seeks to protect, conserve, preserve and enhance Rossendale’s historic built environment including Listed Buildings. The policy contains support for *“maximising the potential for the re-use of buildings of historic or local interest for appropriate uses to ensure their future longevity”*.

Historic England has been consulted on the proposed scheme and commented as follows:

“Historic England has no objection to the principle of the applications on heritage grounds, as we consider that the applications meets the requirements of the NPPF, in particular paragraph numbers 184 and 193.”

The Council’s conservation consultant has commented as follows on the amended plans:

“Overall I think the revised scheme provides better clarity re: the design and the information is sufficient for a proper assessment to be made.

The LPA needs to recognise that changing a former Church into a new use will always likely compromise its significance, especially its interior. Such matters are always going to have to be balanced with the ‘bigger picture’ of the benefits generated by such schemes in providing a sustained new use and safeguarding the (greater) historic and architectural significance of the retained fabric. I think this is the case in point with this application.

Clearly there are aspects of the work which have an impact on features of the building and its significance. The Heritage Statement produced by Buttress recognises that fact. However the harm to the building caused by the COU is less than substantial and as such under P.202 of the NPPF can be balanced by the benefits generated by the scheme.

In this respect I have not changed my view from my original comments on the scheme in that the benefits of the new use outweigh the loss of significance caused by implementing the scheme.

On this basis I feel the proposal would conform to the guidance contained in Chapter 16 of the NPPF and Policy 16 of the Local Plan.”

Overall, it is considered that the scheme will not cause undue harm to the significance of the Listed Building, and is acceptable in line with the recommendations of Core Strategy Policy 16 and Policy ENV2 of the emerging Local Plan.

In line with the recommendations of both the Council’s conservation consultant and the comments of the Rossendale Civic Trust, it is considered necessary to include a condition requiring a record of the building to be made prior to further works taking place.

Having regard to all of the above, the development is considered acceptable in terms of visual amenity / heritage impact.

Neighbour Amenity

Core Strategy Policy 24 requires new developments to be designed to protect the amenity of the area, including residential amenity in terms of light, outlook, privacy, and noise / light pollution.

Several comments have been received from local residents highlighting potential issues with noise disturbance from events held at the building. It is understood that several events have been held at the premises in the past (without planning permission being in place) which have caused noise nuisance late into the night – both through sound escaping from the building and from patrons’ voices once they have left the building late at night. Such events took place without any restriction on the hours of operation of the venue, and without the benefit of any acoustic glazing being installed in the building.

However, the Council’s Environmental Health team has been consulted on the current proposals (which now include full details of the proposed system of acoustic / secondary glazing to be installed, and full details of the extraction / ventilation system to be installed) – and have raised no objection subject to the following:

- That the hours of opening are restricted by planning condition to the following:
 - Monday to Friday – 09:00-21:00
 - Saturday – 09:00-23:00
 - Sunday – 10:00-21:00
- That a planning condition is included requiring the installation of all proposed acoustic glazing prior to further events being held at the venue.
- That a planning condition is included requiring the installation of the proposed ventilation / extraction system prior to further events being held at the venue.

Having regard to the comments of the Environmental Health team, and the ability of the LPA to impose planning conditions requiring the above, it is considered that unacceptable levels of noise disturbance can be avoided by the inclusion of the above. As such, it is considered that the development can be made acceptable in this regard.

Similarly, the development is unlikely to cause undue light pollution.

Subject to the above, the proposal is compliant with the Framework and Policy 24 of the Core Strategy with regards to neighbour amenity.

Access, Parking and Highway Safety

Initially, the Local Highway Authority (LCC Highways) objected to this application, based on it not having been demonstrated by the applicant that there would be adequate vehicular parking to serve the proposed use of the building.

In response to the objection, the applicant liaised with LCC Highways and as a result of those discussions submitted an application to convert a piece of land off Fern Street into additional car parking. That application (2021/0457) was refused by Committee on other grounds (harm to visual and residential amenity) and the proposal was not taken forward.

Since refusal of application 2021/0457, the applicant has liaised with the case officer and again with LCC Highways in an attempt to address the issue of vehicular parking for the proposed use of the building. The outcome of this has been the production of a parking strategy / plan by the applicant, which now forms part of this application.

In relation to the submitted parking strategy / plan, the Local Highway Authority has commented as follows:

“[The Applicant] has submitted the attached document which collates the information together which he has provided. I am satisfied that the traffic generated by the development can be managed, as set out in his plan and that we would withdraw our objection to the proposal.

With active management of the events, co-ordination with nearby venues and communication with customers via the website, as contained in the 'plan' I do not anticipate a severe impact to highway safety as a result of the proposal.

I would request that if the application is approved that the plan is conditioned for as long as the venue is in use.”

The submitted parking strategy / plan can be found on the Council's website here:

<http://publicaccess.rossendale.gov.uk/online-applications/PLAN/2020/0458>

Comments from objectors in relation to parking provision to serve the proposed development are noted. However, having regard to the parking plan / strategy that has been submitted as a result of dialogue between the applicant and the Local Highway Authority, it is considered that there exists adequate public parking provision within walking distance of the building to accommodate visitors and customers.

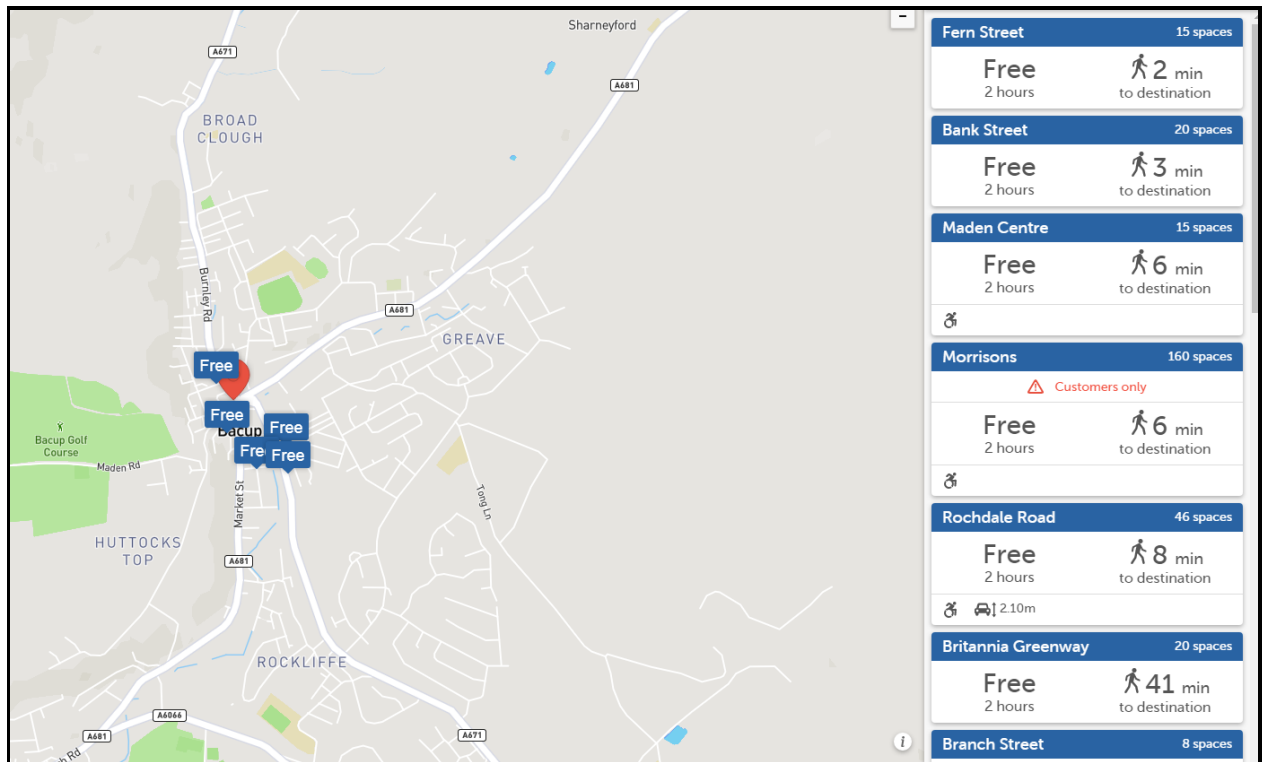
The applicant has carried out surveys of various public parking facilities around Bacup town centre, and the results were submitted to the Local Highway Authority – which is satisfied that adequate space exists to accommodate events parking.

The applicant has produced an internet-based facility / webpage to highlight the various parking options available to visitors and customers and it is proposed that a planning condition should be included on any approval to ensure that all publicity and tickets for events at the venue includes a link to the webpage in question.

The webpage can be found at either of the following addresses:

www.bacuppubliccarpark.com
www.bacuppubliccarpark.co.uk

An extract from the webpage in question is shown below:



Having regard to all of the above, and subject to the condition requested by the Local Highway Authority the scheme is considered acceptable in terms of access, parking and highway safety.

The submitted parking strategy / plan is considered by the Local Highway Authority to demonstrate that adequate public car parking facilities are in place to serve the proposed use of the building, and the document sets out how the applicant will ensure that customers / visitors are directed to those parking facilities.

Conclusion, Use of Planning Conditions and Enforcement

In conclusion, it is considered that the application has now demonstrated compliance with the relevant planning policies and no statutory consultees have outstanding objections to permission being granted.

It is however considered necessary to include several planning conditions, principally for the following reasons:

- To prevent undue noise nuisance to local residents
- To ensure that vehicular parking for events is properly managed
- To ensure that visitors / customers are aware of the location of public car parking facilities within walking distance of the building

In summary, conditions covering the following points are recommended for inclusion to ensure the above:

- Installation of secondary / acoustic glazing within the building prior to any further events taking place.
- Installation of the submitted ventilation / extraction scheme within the building prior to any further events taking place.
- Adherence to the submitted parking strategy / plan for all future events at the venue.
- Inclusion of links to the submitted online public car parking plan on all publicity and tickets for future events at the venue.
- Staff car parking (8 spaces) to be made available on the cobbled area of the site prior to any further events taking place at the venue.
- Restriction of opening hours to those agreed by the Council's Environmental Health team.
- No live / amplified music / sound to be played outside the building.

In terms of ensuring that the conditions are complied with, the Council's Planning Enforcement team has powers to investigate and take action against any breach of conditions.

The Planning Enforcement team has already served notices in relation to events which have been held, and continue to be held, at the venue without planning permission. Further powers are available to the Enforcement team in this regard including bringing prosecutions at the Magistrates' Court to secure compliance with any notices that have been served.

Similarly, such action can be taken if planning conditions are not complied with in future.

9. SUMMARY REASON FOR APPROVAL

The proposed development is acceptable in principle, and subject to conditions would not detract from visual amenity, heritage value, neighbour amenity or highway safety. As such, the scheme accords with the National Planning Policy Framework, Policies 1, 2, 3, 7, 11, 14, 15, 16, 18, 23 and 24 of the Core Strategy DPD and Policies SS, SD1, R3, ENV1, ENV2, LT2, LT3, LT4 and TR4 of the Council's emerging Local Plan.

10. CONDITIONS

1. The development shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

- Application form
- 8920 - (01) 020 A - Site Location Plan
- 8920 - (04) 002 B - Proposed Upper Ground Plan
- 8920 - (04) 003 A - Proposed First Floor
- 8920 - (04) 004 A - Proposed Roof Plan
- 8920 - (04) 005 E - Proposed Landscape Plan
- 8920 - (04) 006 - Proposed Drainage
- 8920 - (04) 020 A - Proposed Site Plan
- 8920 - (05) 001 A - Proposed Site Elevations
- 8920 - (05) 002 A - Proposed Building Elevations
- 8920 - (05) 003 A - Proposed 1 Bed Elevations
- 8920 - (05) 004 - Proposed WC Elevations

- 8920 - (06) 001 A - Proposed Site Sections
- 8920 - (07) 001 A - 3D Views
- 8920 - (07) 002 A - 3D Views
- 8920 - (07) 003 A - 3D Views
- 8920 - (08) 001 - Proposed Lower Ground Floor Plan - Fire Strategy
- 8920 - (08) 002 - Proposed Upper Ground Floor Plan - Fire Strategy
- 8920 - (08) 003 - Proposed First Floor Plan - Fire Strategy
- 8920 - (31) 001 - Secondary Window Location Plan
- 8920 - (31) 002 - Secondary Glazing - Window Types
- 8920 - (31) 003 - Secondary Glazing - Window Types
- 8920 - (43) 001 - Proposed Upper Ground Floor Finish
- 8920 - (43) 002 - Proposed First Floor Finish
- 8920 - (43) 003 - Proposed New Floor Detail
- B&B Door Orientation Plan
- EVO500H Brochure Disabled Lift
- FDS 5778.001 – Kitchen and Servery Area Layout
- Ventilation Strategy – Fusion Hot Ltd (16 Burnley Road, Bacup)
- Staff Parking Area Plan
- Parking Strategy - St John the Evangelist - Bacup

Reason: To ensure the development complies with the approved plans and submitted details.

2. The external one-bedroom apartment hereby approved shall be used for short-let holiday accommodation only. The accommodation shall not be occupied by any one person or group for a period exceeding six weeks in any calendar year. The owner / operator shall maintain a register of occupants for each calendar year which shall be made available for inspection on request by the Local Planning Authority at any such time as requested.

Reason: To define the planning permission and in order to protect the amenities of local residents.

3. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Proposed Drainage Drawing, Ref: 8920-BA-ZZ-00-DR-A-(04) 006, Dated: 07.07.2021. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water will drain to the existing private drainage network on-site.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

4. No events shall take place later than 6pm at the venue hereby approved until all secondary / acoustic glazing has been fully installed in accordance with the approved drawings (Numbers 8920 - (31) 001, 8920 - (31) 002 and 8920 - (31) 003). The approved secondary / acoustic glazing shall be retained and maintained for the lifetime of the development.

Reason: In the interests of protecting neighbour amenity.

5. No further events shall take place at the venue hereby approved until the approved system of kitchen ventilation / extraction has been fully installed in accordance with the approved drawings and details (FDS 5778.001 – Kitchen and Servery Area Layout and

Ventilation Strategy – Fusion Hot Ltd). The ventilation / extraction system shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of neighbour amenity and ensuring that adequate ventilation is in place within the building.

6. The building shall not be open to visiting members of the public outside of the following hours:

Monday to Friday – 09:00-21:00

Saturday – 09:00-23:00

Sunday – 10:00-21:00

In addition, no events (either public or private) shall be held in the building or its grounds outside of the above hours.

Reason: In the interests of protecting neighbour amenity.

7. The approved scheme of landscaping (shown on drawing number 8920 - (04) 005 E) shall be implemented in full prior to any further events taking place at the venue hereby approved. Any planting which is damaged, removed or dies within ten years of being planted shall be replaced in the following planting season by specimens of the same species.

Reason: In the interests of visual amenity and to protect the setting of the listed building.

8. The approved Parking Strategy shall be implemented in full for the lifetime of the development hereby approved. All events taking place at the venue shall be implemented in accordance with the approved Parking Strategy.

All publicity and tickets for events at the venue (either printed or electronic) shall contain links to the www.bacuppubliccarpark.com and www.bacuppubliccarpark.co.uk websites. The websites shall be maintained online and kept updated for the lifetime of the development, and no events shall take place if the websites are not online.

The websites shall always include a link to an up to date mapping system showing the location and capacity of all public car parking facilities within Bacup town centre.

Reason: In the interests of ensuring that visitors and customers are directed to appropriate public car parking facilities and in the interests of highway safety.

9. No further events shall take place at the venue hereby approved until the staff car parking area (8 spaces located on the cobbled surfaced area west of the main building) has been made available for use as such. The staff car parking area shall be retained and kept available for staff car parking for the lifetime of the development.

Reason: To ensure that adequate staff car parking facilities are in place.

10. No further physical works shall take place on the site until the applicant, or their agent or successors in title, has secured the creation of a formal record of the areas of the building impacted by the development to Level 2 as set out in Understanding Historic Buildings (Historic England 2016). The record shall be submitted to and approved in writing by the Local Planning Authority prior to any further works taking place on site.

The above shall be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological / historical importance associated with the Listed Building and the wider site.

11. Notwithstanding any information submitted with the application, the construction of the holiday let accommodation shall not take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority.

The submitted report shall include:

- i) A Preliminary Risk Assessment report (phase 1), including a conceptual model and a site walk over survey;
- ii) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and
- iii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy prior to commencement of development. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination.

12. Pursuant to condition 11 and prior to first occupation of the holiday let accommodation a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination.

13. No live or amplified music shall be played outside of the building at any time.

Reason: In the interests of protecting neighbour amenity.

14. Prior to any works taking place on the construction of the approved holiday let apartment, full details of the proposed facing, roofing, window and door materials (including physical samples) shall be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the above, the holiday let apartment shall be constructed of natural coursed stone to match that used in the main church building, and shall have a natural slate roof. Window and door units shall be of timber construction.

The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the setting of the listed building.

11. **INFORMATIVES**

1. Standard approval informative.
2. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.
3. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.