

**Application No:** 2006/153

**Application Type:** LCC Decision

**Proposal:** Construction of 2-storey  
Performing Arts/Etc Block

**Location:** Bacup & Rawtenstall  
Grammar School, Waterfoot

**Report of:** Development Control  
Team Manager

**Ward:** Stacksteads  
**Status:** For Publication

**Report to:** Development Control  
Committee

**Date:** 12 September 2006

**Applicant:** Lancashire County Council

## 1. PURPOSE OF THE REPORT

- 1.1. To inform Committee members of the result of a planning application recently determined by Lancashire County Council.

## 2. RECOMMENDATION

- 2.1. That the report be noted.

## 3. REPORT AND REASONS FOR RECOMMENDATION

- 3.1 At its meeting on 30 May 2006 Committee considered a report in respect of an application to be determined by Lancashire County Council for the construction of a building to the north side of the existing school premises. In accordance with the Officer Recommendation, Committee resolved to object to the application, having concern most particularly about :

- a) the impact a building of the siting/size/design proposed would have on the amenities of immediate neighbours; &
- b) the potential for *“the large number of annual public events, performances and productions”* referred to in the submission to attract additional traffic which may inconvenience local residents and cause them noise and disturbance both during and outside normal school hours.

- 3.2 The Committee’s view was duly forwarded to the County Council. Its Officers reported the application to the County Council’s Development Control

Committee on 27 June 2006, with a recommendation for approval. Nevertheless, its Committee resolved :

*“That the application be deferred to enable further consideration to be given to issues in respect of traffic, the design of the building and its relationship to residential properties, and to allow these matters to be investigated with the applicant.”*

- 3.3 The County Council subsequently sent to me amended/additional drawings, and other documentation, indicating that if this Council wished to comment further it would need to do so prior to re-consideration of the application by its DC Committee on 9 August 2006.
- 3.4 Whilst the size/design of the building had been amended in a number of respects I did not consider these changes to fully address the concerns of this Council.
- 3.5 As the timeframe set by the County Council for a response did not enable the application to be reported back to this Committee I conferred with the Vice-Chair. He concurred with my own view that the County Council should be Advised that this Council still objected to the application proposal. This view Was forwarded to the County Council.
- 3.6 The application was re-considered by the County Council’s DC Committee on 9 August 2006 and was refused for the following reason :

*“The proposal would be contrary to Policy DC1 of the Rossendale District Local Plan by virtue of the scale, location and proximity to residential properties on Booth Road and Mount Avenue, which would lead to unacceptable loss of amenity.”*

#### **4. HUMAN RIGHTS**

- 4.1 **Human Rights Act 1998** implications are considered to be Article 8 which relate to the right to respect for private and family life, home and correspondence. Additionally, Article 1 of Protocol 1 relates to the right of peaceful enjoyment of possessions and protection of property.

#### **5. WARDS AFFECTED**

- 5.1. Stacksteads

#### **6. Background documents:**

- 6.1. Lancashire County Council’s decision letter dated 10 August 2006.

<b>Contact Officer</b>	
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