

Application No: 2006/565	Application Type: Full
Proposal: Erection of Community Centre, associated garage & car park	Location: Land rear of 23-33 Blackwood Court, Stacksteads
Report of: Development Control Team Manager	Status: For Publication
Report to: Development Control Committee	Date: 5 December 2006
Applicant: Stacksteads Riverside Park Group	Determination Expiry Date: 24 November 2006
Agent: Cassidy & Ashton	

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:
Reason for Call-In:

3 or more objections received

Other (please state) Departure/Part of site is RBC owned

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.

APPLICATION DETAILS

1.1 The Site

This application relates to a broadly rectangular-shaped site of approx 0.7ha in area. It is bounded on its north side by commercial properties and houses that front /are accessed from Newchurch Road, to the south by a footpath running alongside of the River Irwell, and to the east by a footpath running to the rear of houses fronting Blackwood Court. The latter footpath connects with Newchurch Road, running for a

distance of approx 15m over the finger of land by which vehicles gained access from Blackwood Road to the garage-court which previously occupied the application site.

Whilst the area occupied by the garage-court, and the vehicular access to it, are flat and open in character, the rest of the site is not so level and contains a large number of shrubs/ trees.

Half the site is owned by this Council and the other half by Lancashire County Council; with respect to that part of the site owned by Rossendale BC, this Council transferred the land to the Stacksteads Riverside Park Group for a term of 225 years on 31 March 2006 .

1.2 Relevant Planning History

In November 2003 Outline Permission was granted to erect a Health Centre on a parcel of land including part of the site of the current application and land to its north side recently developed for residential purposes (2003/651). The permitted building would have had a floor area of 500sq m, employed 10 GP's and support staff, with a 30-space car park accessed from Blackwood Road.

1.3 The Proposal

Permission is sought to erect a Community Centre having a floor area of 600sq m, which the applicant envisages will employ 5 full-time staff and (possibly) up to 20 others on a part-time basis. The U-shaped building proposed will, for the most part, be of 1-storey construction. The ground-floor will contain a crèche, an activity-room, community-room, office, kitchen and toilets. A first-floor (of 230sq m) will contain a further activity room, small meeting room and storage space, the former giving access to a balcony of 35sq m on that elevation of the building facing the river.

This building is to be constructed largely with traditional materials , but be of modern design. The various elements making up the building will have mono-pitched roofs, the highest ridge rising to 11m. The roofs will be covered with grey tiles and the walls faced with artificial stone, with sections clad in timber-boarding.

To the west side of the building will be a parking area for 19 vehicles and a garage capable of accommodating a 12-seater mini-bus. This building will be of a design and facing materials matching the main building, its mono-pitch roof to face south and contain a solar-panel.

As originally submitted the application proposed that the existing unmade drive extending into the site from Blackwood Road be tarmaced to provide a shared surface for vehicles and pedestrians for a distance of approximately 100m. The scheme has since been amended and it is now proposed that the vehicular access be tarmaced, incorporating traffic-calming measures and illuminated by bollard-lighting, with a footway provided to its north side (except for an 8m length near to the access-point where the site narrows).

Immediately to the south of the main building will be an equipped play area and immediately to its east side a terraced amphitheatre. A picnic area is to be provided in the wooded part of the site to the east, accessed by a newly-formed path. Two viewing-platforms are to be formed towards the southern boundary of the application site, to give outlook over the river and to the moorland beyond.

1.4 Policy Context

Rossendale District Local Plan (Adopted 1995)

- DS5 - Development Outside the Urban Boundary & Green Belt
- E4 - Tree Preservation
- E12 - Noise Attenuation
- DC2 - Landscaping
- DC4 - Materials

Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
- Policy 5 - Development Outside Principal Urban Areas, Etc
- Policy 7 - Parking
- Policy 20 - Lancashire's Landscapes
- Policy 24 - Flood Risk

Other Material Planning Considerations

- PPS1
- PPS7
- PPG13
- PPG17
- PPG23
- PPG24
- PPG25
- LCC Parking Standards

2. CONSULTATIONS

LCC(Planning) raises no matters of strategic significance.

LCC(Highways) has no objection in principle to the proposal but wishes : a) suitable visibility-splays to be provided to each side of the up-graded drive at its junction with Blackwood Road; & b) use of any part of the drive having to function as a shared – surface with pedestrians.

RBC(Environmental Health) has made no comments.

3. REPRESENTATIONS

No comments have been received.

4. ASSESSMENT

In dealing with this application the main issues to consider are :

- 1) Principle; 2) Neighbour Amenity; 3) Design & Appearance; & 4) Access/Parking.

Principle

The application site lies just beyond the Urban Boundary of Stacksteads. It is within an area of Countryside, wherein Policy DS5 of the Local Plan states that development will be restricted to that needed for the purposes of agriculture, forestry or other uses appropriate to a rural area. However, the site was most recently occupied by a garage-court and Committee previously considered it appropriate to permit erection of a health centre upon it. In some respects the river which runs along the southern boundary of the site would make a more logical/defensible boundary between the

Urban Boundary/Countryside. I am also mindful that the site is easily accessible on foot from Newchurch Road, along which run relatively frequent bus services, making it reasonably accessible by means of travel other than the private car. Accordingly, I do not consider the development of this site for a use to meet the needs of the local community to warrant refusal for reasons of principle.

Neighbour Amenity

By comparison with the previously-permitted use of the site as a health centre, the use now proposed has the potential to generate a greater degree of activity outside normal working hours and require greater outside illumination. However, subject to retention of the existing trees/shrubs on the northern and western boundaries of the site, I am satisfied that neighbours (most particularly the residential neighbours to these 2 sides) will not experience undue detriment by reason of the intended use or the siting/size/design of the proposed buildings. Conditions are recommended to ensure the retention/reinforcement of boundary planting and ensure control over any system of external illumination to be erected.

Design & Appearance

I am satisfied that the design and facing materials of the proposed buildings are appropriate to the area. Whilst certain of the self-seeded trees that have grown up within the site are to be removed, a substantial proportion of the existing trees/shrubs are to be retained, most particularly those serving as a buffer between the development and housing.

Access/Parking

I am satisfied that the parking provision being proposed accords with the approved Parking Standards. That the submitted scheme does not provide a separate footway down the full length of the drive connecting to Blackwood Road has, quite understandably, drawn adverse comment from the Highway Authority. The way in which the site narrows precludes the applicant addressing this matter. However, this deficiency did not preclude Committee from permitting the previous application for the health centre. Furthermore, many of those on foot are likely to enter/exit the site via a public footpath giving more direct access to Newchurch Road than would be provided by the Blackwood Road approach. Conditions are recommended to ensure pedestrian safety on that part of the shared-drive by means of traffic-calming, illumination, etc.

6. RECOMMENDATION

That permission be granted subject to the following conditions :

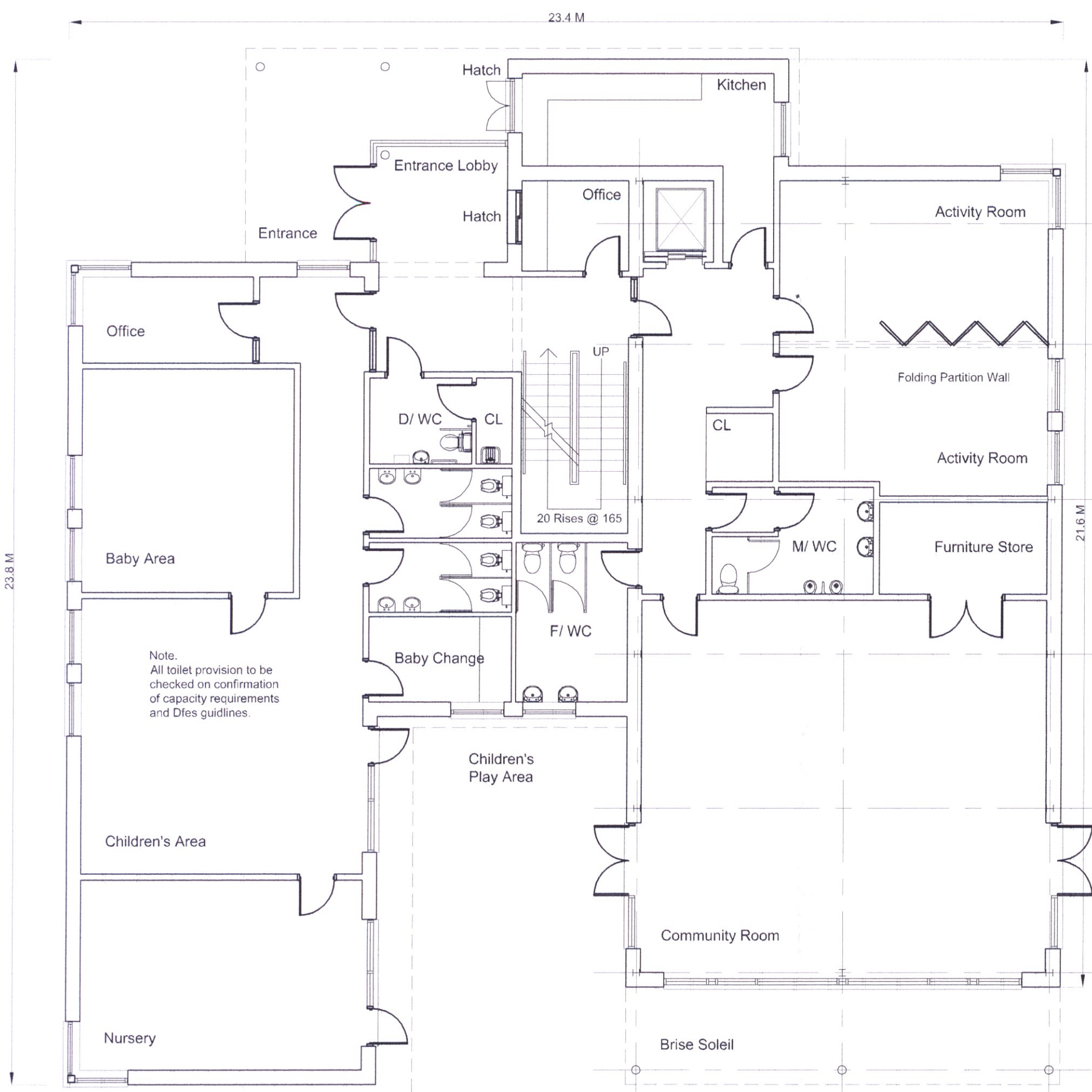
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. *Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.*
2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans. *Reason: To ensure a satisfactory means of drainage, in accordance with the comments of the Environment Agency and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
4. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
5. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any details shown on the previously submitted plans and specification. Any first-floor north facing window shall be obscure-glazed and non-opening unless otherwise first agreed in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials. No system of external illumination shall be erected without the prior written consent of the Local Planning Authority. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
6. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The submitted scheme shall provide details of the protection to be afforded during construction to planting to be retained and of the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. Notwithstanding what is shown on the submitted drawing Parking Spaces 1-6 shall be sited not less than 3m from the site boundary and the path to the Picnic Area not less than 4m from the site boundary. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
7. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the nearest building, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building. Any trees or plants in the

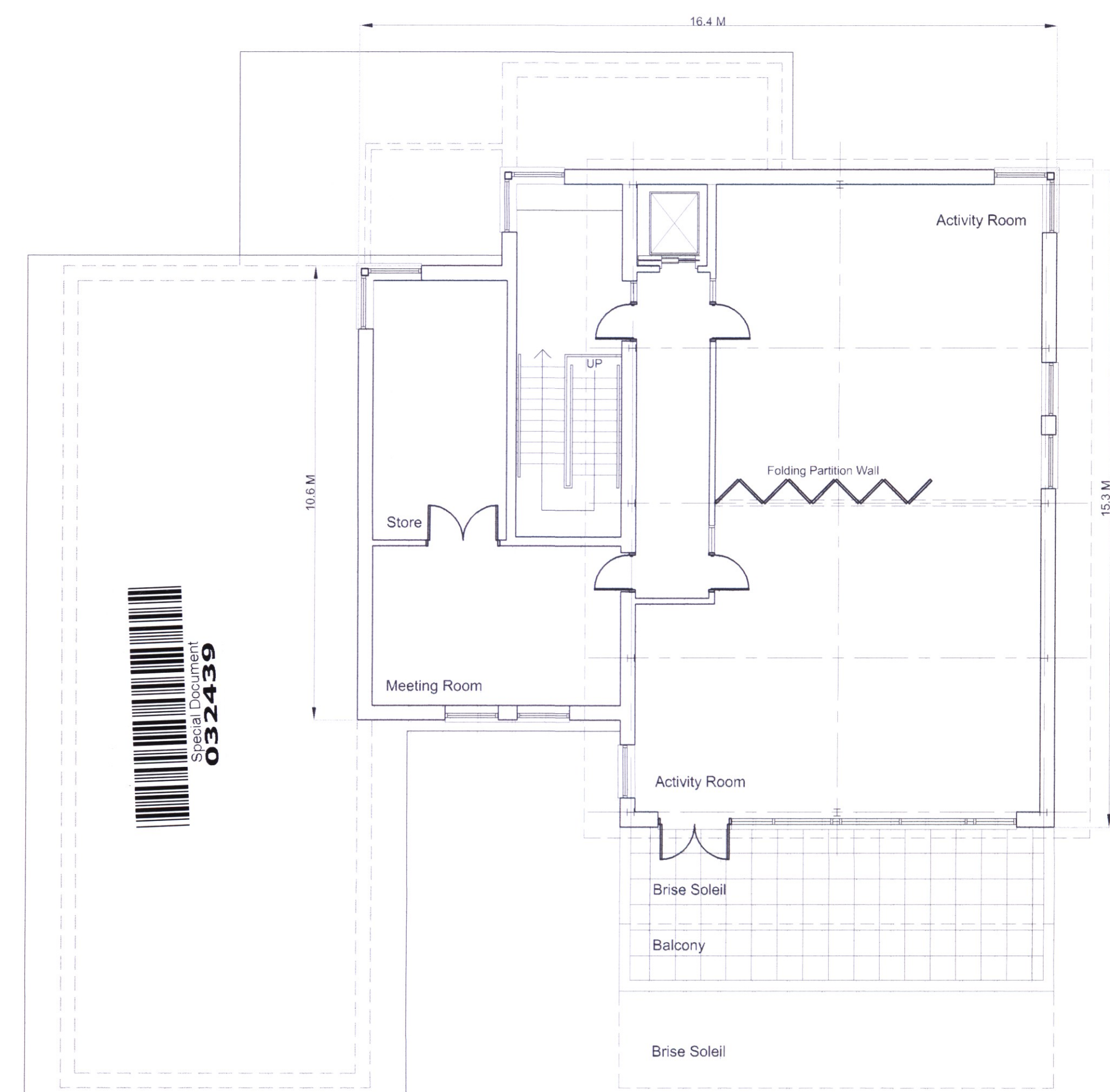
approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

8. Prior to the commencement of development full details/specifications shall be submitted to and approved in writing by the Local Planning Authority in respect of the carriageway to be provided between the Blackwood Road and the principal building, for its traffic-calming, and the associated footway and its illumination. The approved scheme and parking area shall be provided prior to first use of the main building. *Reason: In the interests of highway/pedestrian safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
9. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. *Reason: For the avoidance of doubt and to accord with the criteria of Policy DC1 of the Rossendale District Local Plan.*

Contact Officer	
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Service / Team	Development Control
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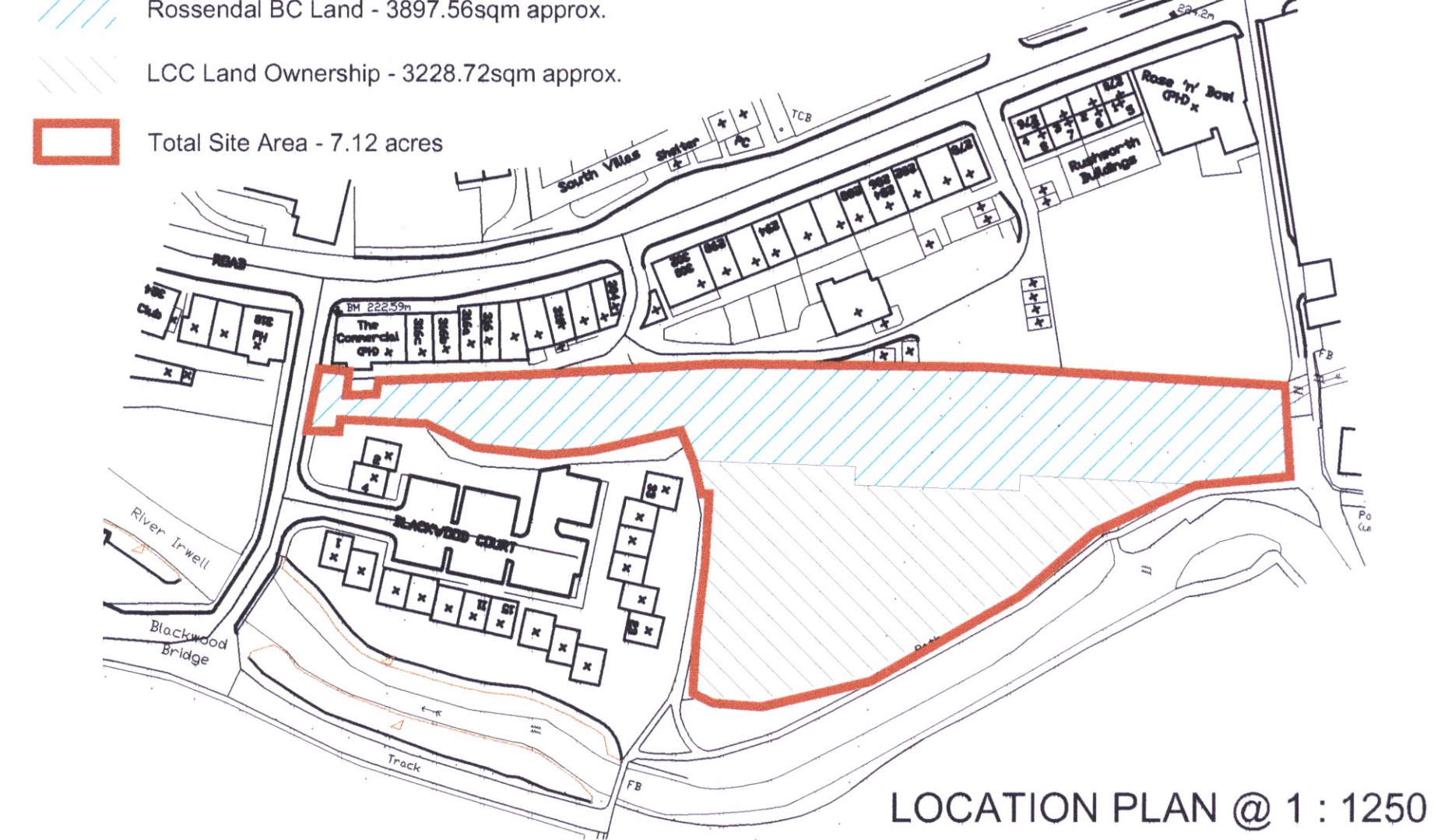
GROUND FLOOR LAYOUT @ 1 : 100



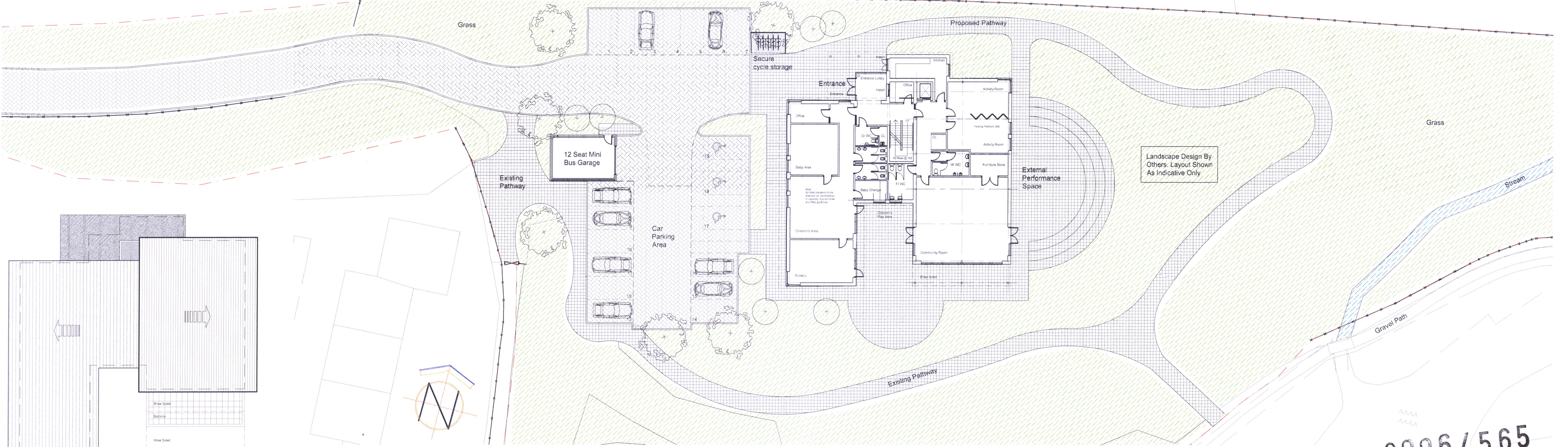
FIRST FLOOR LAYOUT @ 1 : 100



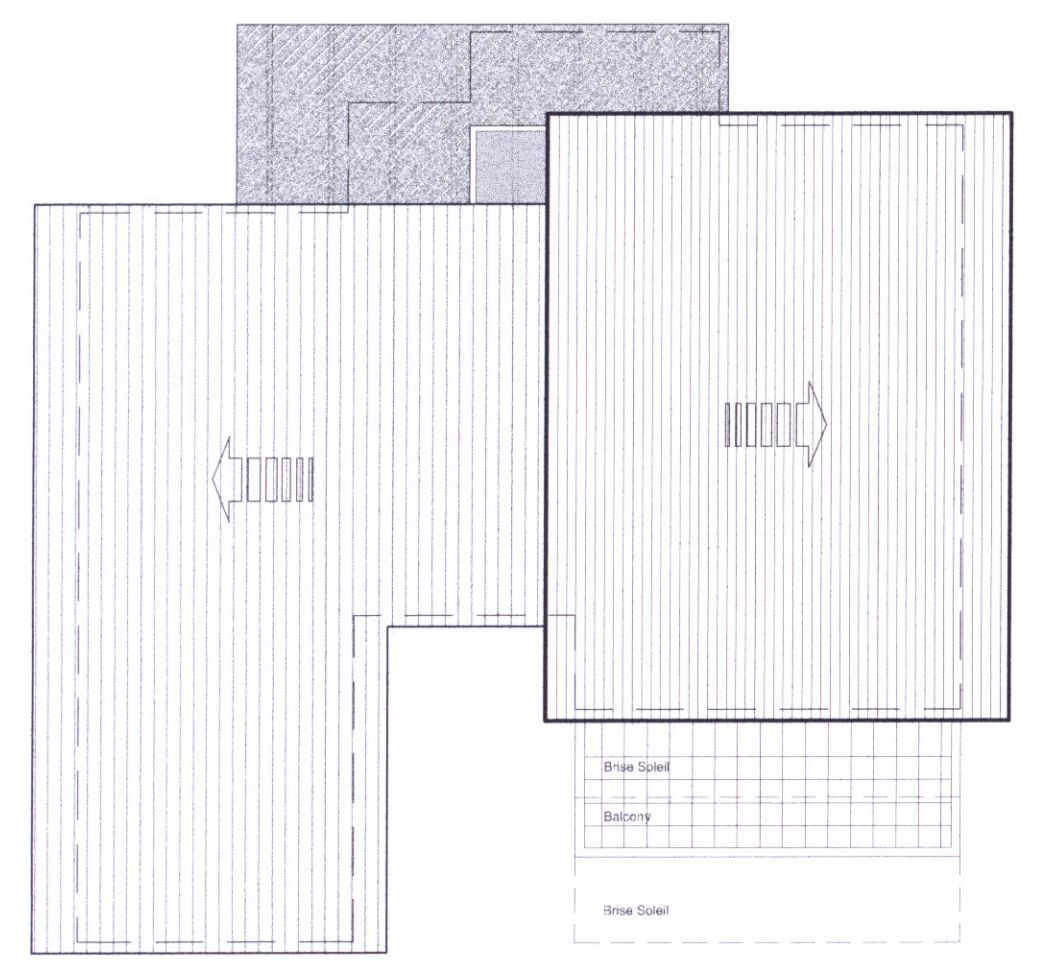
FULL SITE LAYOUT @ 1 : 1250



LOCATION PLAN @ 1 : 1250



SITE LAYOUT @ 1 : 200



ROOF PLAN @ 1 : 200

2006 / 565
29 SEP 2006

Rev.	Initials	Date	Rev.	Initials	Date	Notes:

Project Community Centre Building, Newchurch Rd, Stacksteads, Bacup.		Client Stacksteads Riverside Park Group	
Dwg Title LOCATION PLAN, SITE LAYOUT & FLOOR LAYOUTS	Drawn MG	Dwg No. M2439-01	Rev.
Date Sept.06	Scale as shown		
CASSIDY + ASHTON		C+A	
7 East Cliff Preston Lancashire BL1 3JL Tel: 01772 258356 Fax: 01772 825000 www.cassidyashton.co.uk		1 Regency Chambers Cotton Lane Widnes Warr. Cheshire WA8 0SP Tel: 0151 4236914 Fax: 0151 4236915	