

<b>Application No:</b> 2006/583	<b>Application Type:</b> Full
<b>Proposal:</b> Erection of split-level Community Centre, including Baptist Church	<b>Location:</b> Land adj 193 Burnley Road, Weir
<b>Report of:</b> Development Control Team Manager	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 9 January 2006
<b>Applicant:</b> Weir Community Partnership	<b>Determination Expiry Date:</b> 18 December 2006
<b>Agent :</b> DS One Architects Ltd	

**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**    X

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.

**APPLICATION DETAILS**

**1.1 The Site**

This application relates to a site on the east side of Burnley Road (A682), 40m to the south of its junction with The Moorlands. Formerly occupied by a Baptist church, the site has a 20m wide frontage to the main road and a depth of 21.5m, the latter part stepping down in level by approximately 2m. The site is

bounded on its south side by a public footpath and on its other sides by residential properties.

## **1.2 Relevant Planning History**

On 18 September 2002 permission was granted for erection on the site of a Multi Purpose Church/Community Centre (2002/476), according broadly with outline permissions granted in 1998 and 2001. This permission remains 'alive' and enables construction on the site of a 1-storey building with a floor area of 268 sq m and parking to the side and rear for 18 cars.

## **1.3 The Proposal**

Rather than implement the existing permission an alternative scheme of development has been submitted, to provide 312 sq m of accommodation by utilising the split in levels across the site, with elements of 2-storey building. The resulting building will appear to be of 1-storey construction as viewed from Burnley Road, but of 2-storey construction as viewed from the rear.

The building is to be constructed with a mix of traditional and more modern materials (stonework with elements of horizontal timber-boarding and render), but be of modern design (having a series of slated mono-pitch roofs, the highest ridge rising to 8.5m).

The 1-storey element of the building to be seen from the main road would contain a Main Hall is to be located to the rear and be of approx 11m x 13m, with a double-storey height. Ancillary space is to wrap around it on two sides. The space to the south side is to be occupied by kitchen/toilets, with a community lounge/toilets/office above. On the front will be a couple of meeting rooms over a sunken storage area.

As originally submitted this building was to be setback from the main road so far it meant that no parking spaces were to be provided to the rear and no more than 9 spaces were possible to the front of the proposed building.

The Highway Authority and local residents expressed great concern about the on-street parking this proposal would give rise to. As a consequence, the applicant has amended the Site Layout. The siting of the building now proposed being nearer to that previously permitted has enabled parking to be provided to the rear of the building as well as the front, with 18 spaces in total.

The applicant has also submitted a letter indicating that owners of land at Old Clough Stables, New Row (approx 200m from the site) are willing for it to function as an 'overspill' car park for 15 cars.

## **1.4 Policy Context**

### Rossendale District Local Plan (Adopted 1995)

- DS1 - Urban Boundary
- DC1 - Development Control
- DC4 - Materials

### Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
- Policy 5 - Development Outside Principal Urban Areas, etc
- Policy 7 - Parking

Other Material Planning Considerations

PPS1

PPS7

PPG13

LCC Parking Standards

**2. CONSULTATIONS**

LCC (Highways)

No objection, subject to conditions to ensure implementation of the amended access/parking arrangements.

RBC Environmental Health

No objection.

**3. REPRESENTATIONS**

Objections to the originally submitted scheme were received from 16 local residents. The principal reasons for objection were :

- The original intention was for a church to be re-built here (to which there is no objection) / there are more suitable vacant premises for a community centre.
- Without restriction on hours and alcohol consumption local residents will experience late night noise/disturbance.
- The Main Hall should have non-opening/acoustically-glazed windows to avoid noise nuisance.
- Youths will congregate here and cause late night noise/disturbance.
- Lack of off-street parking will result in parking/hazard on the main road/local streets; The Moorlands/Burnley Road junction is already an accident spot.
- Loss of property value.

Occupiers of 193 Burnley Road, the house immediately to the south of the application site, objected to the original scheme. They are the most affected by the change in Site Layout but have confirmed in writing that they have seen the amended scheme and are now satisfied with the parking provision and have no concerns about overlooking.

A reconsultation exercise has been carried out and residents / objectors have until the 5<sup>th</sup> January 2007 to comment on the amended plans . Members will be updated about any further comments received in respect of the amended scheme. The recommendation within the report will be reconsidered in light of any objections / comments received on the amended scheme .

**4. ASSESSMENT**

In dealing with this application the main issues to consider are : 1) Principle; 2) Design & Appearance; 3) Neighbour Amenity; & 4) Traffic/Parking.

Principle

The application site lies within the Urban Boundary of Weir, wherein development of a scale and nature proportionate to the needs of the settlement is acceptable. Being mindful also of the extant permission for erection on the site of a Multi Purpose

Church/Community Centre, I am satisfied that there is no objection in principle to the proposed development.

#### Design & Appearance

The proposed building will not appear unduly prominent or intrusive in the street scene. While more bulky than the houses in the vicinity, and of more 'modern' design, it is to stand further back from Burnley Road than the house to each side. Likewise, I am satisfied that the proposed combination design and facing materials for the building is appropriate to the area.

#### Neighbour Amenity

The use intended for the proposed building is not materially different to that which would result from implementation of 2002/476, the Main Hall then proposed to be approximately 10m x 10m.

That the proposed building will be of 2-storey construction to the rear, and of less traditional design/materials, means it will certainly draw the eye more than would the previously-permitted building when viewed from the rear of the houses to its north and east. However, the houses on the north side have particularly long rear gardens and the houses to the east will not look directly towards the application site.

The siting/size of the proposed building will most affect occupiers of 193 Burnley Road, the house on the south side of the application site. However, this house has its garage nearest to the application site and there is an intervening public footpath, which is bounded by a 1.5m high wall. While the proposed building does have windows in its south elevation those serving rooms on the upper floor are at a level to preclude outlook down into this neighbour's garden and those windows serving rooms on the lower floor will be below the level of the boundary wall.

Although the Environmental Health Manager has powers he may exercise to ensure that residents do not experience noise nuisance as a result of events within the building (particularly those involving the use of sound-amplification systems), it is appropriate to control by way of conditions the doors/windows installed in the building, together with the mechanical ventilation systems likely to be required and also any system of external illumination.

#### Traffic/Parking

Whilst I can appreciate the concerns expressed by neighbours about the likelihood/consequences of on-street parking on Burnley Road, the current proposal will not result in a need for parking which is significantly greater than would implementation of Planning Permission 2002/476. Furthermore, as amended, the application proposes no less off-street parking than the previously-permitted scheme. As amended, the Highway Authority raises no objection to the application and I do not consider refusal of the application on highway safety grounds could be substantiated.

## **7. 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. Prior to the commencement of development details of the external doors, windows and mechanical ventilation systems to be fitted shall be submitted to and approved in writing by the Local Planning Authority; the submitted details shall identify those doors which are fire doors (and as such shall not be opened except in the event of an emergency) and those windows which are to be obscure-glazed &/or non-opening. The approved scheme shall be implemented prior to first use of the building and thereafter maintained. Nor shall any system of external illumination be installed without the prior written consent of the Local Planning Authority. *Reason : To protect the amenities residents of neighbouring properties could reasonably expect to enjoy, and to accord with PPS1 and 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. The development shall only be carried out using the approved external facing materials. *.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 intended bin store, 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. *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 first occupation of the 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. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan, together with provision for an additional 4% of spaces for motorcycles and 10% of spaces for cycle parking in secure/covered facilities. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles. *Reason: To ensure adequate on site provision of car parking and manoeuvring areas in and accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
  
9. Before the development hereby permitted is first occupied, the existing access on the highway frontage of the site shall be permanently closed and the remainder of the wall shall be reduced to and be permanently maintained at a height not greater than 1 metre above the crown level of the carriageway of Burnley Road before the development hereby permitted becomes operative. *Reason: In the interests of highway safety and to accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

**Note for Applicant**

Under the Highways Act 1980 Section 184, the County Council only the Highway Authority or a contractor approved by the Highway Authority can carry out works within the highway. You are advise to contact LCC Environment Directorate prior to commencement.

<b>Contact Officer</b>	
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NOTES:  
 CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK ON SHOP DRAWINGS  
 DO NOT SCALE FROM THIS DRAWING  
 ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY  
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REV	AMENDMENT	DATE	CHKD



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CLIENT  
 Weir Community Partnership

PROJECT  
 Doals Community Centre

DRAWING TITLE  
 Site Plan

SCALE 1:500@A4 DRAWN BY epa CHECKED DATE 13/07/06

DRAWING No 0156/01/01 REVISION

PLANNING