

**TITLE: 2005/181 - ERECTION OF NEW CLUB HOUSE  
(INCORPORATING FUNCTION SUITE)  
RAWTENSTALL CRICKET CLUB,  
BACUP ROAD, RAWTENSTALL**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE - 6 SEPTEMBER 2005**

**BY: TEAM MANAGER - DEVELOPMENT CONTROL**

**APPLICANT : RAWTENSTALL CRICKET CLUB**

**DETERMINATION EXPIRY DATE : 18 MAY 2005**

### **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.

### **Site**

This application relates to the Cricket Ground fronting Bacup Road, and bounded to the west by a Public Car Park, to the north by residential properties and to the east by Rawtenstall Health Centre. At present the principal buildings on the site comprise of :

- a flat-roofed 2-storey building, of brick construction, located in the north-east corner, accommodating the changing-rooms;
- a 1-storey building, of timber construction, located towards the north-western corner, acting as the existing club-house;
- an assortment of smaller, ancillary buildings, used for storage, WC's, etc.

### **Proposal**

Permission is sought to erect an L-shaped building which bridges over the pedestrian access to the ground from the public car park. The proposed building will be of 2-storey construction :

- the ground-floor space (of 180 sq m) to be used for ancillary storage; &

- the first-floor space (of 335 sq m) to accommodate a Members Lounge for 45-people, a Function Suite for 100-people, and the associated bar/kitchen/WC's.

The proposed building will be constructed of stone, with a flat-roof. Its front elevation will contain a series of patio-doors, giving access to first-floor balconies overlooking the pitch. The elevation facing the public car park will contain a number of high-level first-floor windows. The elevation facing towards the terraced-houses on Worswick Crescent will contain no windows.

Construction of the proposed building will necessitate a small area being clipped from the north-west corner of the pitch, demolition of ancillary storage and WC buildings, felling of a 5m high hawthorn tree within the ground and loss a 20m length of the 4+m high Laurel hedge in the raised planting-bed which presently runs between the fence bounding the ground and the public car park. Notice has been served on the Council regarding the marginal encroachment onto the Council's land the proposal entails.

The applicant advises that :

- The existing club-house is in poor physical condition, and its up-keep and running-costs are now a drain on the club.
- It is of such rudimentary construction that when used for functions the occupiers of nearby dwellings complain of noise disturbance.
- The doors and windows of the replacement club-house are positioned to avoid noise nuisance to neighbours, as to will its more robust construction materials.
- It is envisaged that the Members Lounge will be Licensed to serve alcohol until 11pm each night and the Function Room (besides being used for cricket-related activities) will be used for weddings, parties, etc on Fridays and Saturdays until midnight and at other times by local clubs and societies, etc.
- The design and facing-materials of the new building have been selected to respect the surrounding buildings and the site's setting in the Rawtenstall Town Centre Conservation Area.
- Upon completion of the new club-house the old club-house would cease to be used for functions/activities requiring a Licence, the intention being to retain it for spectators to retreat to in inclement weather/for ancillary storage.

### **Consultation Responses**

LCC (HIGHWAYS) raises no objection in principle, but seeks an assurance that the proposal will not give rise to on-street parking problems, the cricket ground presently possessing no off-street parking facilities of its own and none being proposed.

The ENVIRONMENTAL HEALTH MANAGER raises no objection in principle but, in light of past complaints from residents about noise nuisance caused by the use of amplified sound at events in the existing club-house, wishes conditions to be imposed in respect of the construction of doors & windows and the installation of ventilation systems.

### **Notification Responses**

Letters of objection have been received from the occupiers of 6 dwellings in Worswick Crescent (one via Janet Anderson MP). The following reasons for objection have been advanced :

1. The proposed building is unsightly/over-sized/overbearing and will cause residents of Worswick Crescent a loss of light/outlook over the cricket ground.

2. Being of greater capacity than the existing club-house, functions in the new building are likely to create greater noise disturbance at night, the result of a amplified music and rowdiness when people leave.
3. The proposal will encourage more drinking/drunkenness and is likely to result in greater vandalism to cars they park on the public car park/loss of the facility to park their cars here overnight.
4. Devaluation of their properties.

### **Development Plan Policies**

#### **Rossendale District Local Plan (Adopted 1995)**

The application site lies within Rawtenstall Town Centre, as defined by the Rossendale District Local Plan. It is specifically allocated as a Recreational Area, wherein Policy E2 seeks to ensure development :

- a) makes a positive contribution to the recreational opportunities provided; &
- b) retains the predominantly open character of the area.

The application site also lies within the Rawtenstall Town Centre Conservation Area, wherein Policy HP1 sets out the following criteria for assessing proposals against :

- a) townscape features and roofscape;
- b) views within and out of the Conservation Area;
- c) effect upon the character of the Conservation Area;
- d) any trees of importance to the character of the area; &
- e) compliance with DC4 (relating to the use of natural stone/slate).

Policy E12 seeks to ensure development will not lead to unacceptable levels of noise for local residents or other noise-sensitive neighbours.

#### **Joint Lancashire Structure Plan (Adopted 2005)**

- Policy 1 - General Policy
- Policy 2 - Main Development Locations
- Policy 4 - Development in Lancashire's Key Service Centres
- Policy 7 - Parking
- Policy 21 - Lancashire's Natural & Manmade Heritage

### **Other Material Planning Considerations**

- PPS1 - Sustainable Development
- PPS6 - Town Centres
- PPG13 - Transport
- PPG15 - Historic Environment
- PPG24 - Noise

#### **LCC Parking Standards**

### **Planning Issues**

The main issues to consider in dealing with this application are :

- 1) Principle; 2) Townscape; 3) Neighbour Amenity; & 4) Parking.

#### **PRINCIPLE**

I do not consider there to be an objection in principle to the proposed development. Whilst the proposed building is not going to be used exclusively for cricket club related activities, I am satisfied that it retains the essentially open character of the recreational area and it is the cricket-related activities which have dictated in large measure its siting/size/design. It also needs to be borne in mind that use of the

proposed building for functions is not introducing a new use to the site, nor is it inappropriate to a Town Centre site.

## TOWNSCAPE

In accordance with national and local plan policy, it is necessary to consider whether the proposed development will serve to preserve or enhance the character of the Rawtenstall Town Centre Conservation Area.

The ancillary storage building and WC block to be demolished do not make a positive contribution to the character and appearance of the Conservation Area. Accordingly, there is no reason to prevent their demolition. The felling of the mature Hawthorn tree is to be regretted, but I do not consider it to contribute so significantly to the visual amenity of the area that it warrants retention/the protection of a Tree Preservation Order. Landscaping conditions are recommended to secure additional planting at the site.

With respect to the proposed building itself, I am satisfied that it is of a siting/size/design which are in-keeping with its intended purposes and, as viewed from within the ground and from Bacup Road, will contribute positively to the character and appearance of the area. The building will appear quite prominent as viewed from the public car park on Kay Street. However, it is of a scale that reflects the other buildings which bound the car park and is of a design and facing-materials that will ensure it does not appear unduly intrusive or incongruous, viewed against the back-drop of the rising ground/terraced housing on Worswick Crescent. Likewise, I am satisfied the building will not be unduly detrimental to townscape as viewed from Worswick Crescent; I refer more fully to its impact as viewed from here in the Neighbour Amenity section below.

## NEIGHBOUR AMENITY

It is undoubtedly the case that evening-use of the existing club-house does on occasion give rise to noise disturbance for residents of the houses on Worswick Crescent, most particularly due to :

- a) the playing of amplified music in the evening in a building of a sited close to these houses and of a design/construction which does not prevent noise emanating from it; &
- b) the route people must follow from the existing club-house down to the car park.

Whilst the proposed building is no further from these houses and is capable of accommodating more people, the Environmental Health Manager and I are of the view that there is less likelihood of local residents experiencing noise disturbance if the proposed scheme is implemented and the proposed conditions are adhered to. Firstly, the proposed building is so sited and designed that people will be able to exit from it directly to the public car park, rather than have to make their way down a path near to the houses and at much the same level to them. Secondly, it being of very much more robust construction, there is not the same potential for noise to emanate from the proposed building, and the most sensitive elevation of it will possess no window or door openings. To further protect neighbours from noise disturbance the Environmental Health Manager recommends conditions be imposed in respect of the construction of doors & windows and the installation of ventilation systems. Conditions to this effect are detailed below. I have also gained the agreement of the applicant to conditions that will preclude the playing of amplified music in the existing club-house in the evenings once the new club-house is complete and preclude use of certain doors and the balconies in the evenings when any system of sound-amplification is in use.

The proposed building will impinge to a degree upon the outlook from the front windows of a handful of the houses on Worswick Crescent and as viewed from the communal area to the front of them. However, I do not consider the scheme will cause such detriment that refusal of the application would be warranted. Land on the north side of the cricket-pitch rises-up quite steeply towards the terraced-houses fronting Worswick Crescent. When viewed from the house-side, the wall presently bounding the cricket ground varies in height between 1.5m and 1.8m as it steps down the slope towards the public car park. As a result of this proposal, the boundary wall will be increased in height where nearest to the houses to 2.7m in height and be continued towards the car park on the same level; as a consequence of the slope it will attain a height of 4.5m at the bottom of the slope (ie at a point 22m from the terrace of houses). Scope exists for additional planting to be undertaken here to break the view which would otherwise be had of the full height of this wall.

#### **PARKING**

The cricket ground is centrally located/well served by public transport and has functioned to date without its own off-street parking. I do not consider the proposal will give rise to a significantly greater need for parking than at present.

#### **Summary of Reasons for Approval**

The proposed development is considered appropriate in principle for this Town Centre site and, subject to the conditions, is not considered likely to result in significant detriment to the townscape/Conservation Area, the amenities of neighbours, highway safety or any other material consideration.

#### **Recommendation**

That permission be granted subject to the following conditions:

The development permitted shall be begun before the expiration of five years from the date of this permission. *Reason : The condition is required by Section 91 of the Town & Country Planning Act 1990.*

The development shall not be commenced until full details, including representative samples, of the external materials of construction to be used on the roof and walls of the development have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with details approved. Nor shall external shutters to windows or doors be fitted without the prior written consent of the Local Planning Authority. *Reason : To ensure a satisfactory appearance to the development and to accord with Policy DC4 and HP1 of the adopted Rossendale District Local Plan.*

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 approved scheme shall be implemented prior to first use of the building and thereafter maintained. *Reason : To protect the amenities residents of neighbouring properties could reasonably expect to enjoy, and to accord Policy E12 of the adopted Rossendale District Local Plan.*

Between the hours of 8pm and 8am the doors to balconies, and the doors to the Members Lounge facing east and the Function Suite facing south, shall not be opened, nor the balconies used, if any system of sound amplification is in

operation within the building (except in the event of an emergency). *Reason : To protect the amenities residents of neighbouring properties could reasonably expect to enjoy, and to accord Policy E12 of the adopted Rossendale District Local Plan.*

Once the building hereby permitted has been brought into use no system of sound-amplification shall be used in the Existing Club House between the hours of 8pm and 8am. *Reason : To protect the amenities residents of neighbouring properties could reasonably expect to enjoy, and to accord Policy E12 of the adopted Rossendale District Local Plan.*

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained. *Reason : To prevent pollution and to accord with Policy E9 of the adopted Rossendale District Local Plan.*

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, identify any to be retained and the measures for their protection in the course of development, and detail any changes in ground-level proposed and the materials to be used for proposed boundary fences/walls/gates and areas of hardstanding. *Reason : In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.*

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the substantial completion of the building hereby permitted, and any trees or plants which within a period of five 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 visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.*