

Application No: 2008/0036

Application Type: Full Application

Proposal: Installation of mild steel alley gate

Location: Land between 5 Yorkshire Street and the Library off St James Square, Bacup

Report of: Executive Director of Regulatory Services

Status: For Publication

Report to: Development Control Committee

Date: 11 March 2008

Applicant: Rossendale Borough Council

Determination Expiry Date: 13 March 2008

Agent: Groundwork Pennine Lancashire

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation **X**

Member Call-In

Name of Member:
Reason for Call-In:

More than 3 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.

APPLICATION DETAILS

1. SITE AND PROPOSAL

1.1 Background

This application has been submitted by Groundwork Pennine Lancashire on behalf of the Borough Council for environmental improvement works.

1.2 The Site

The application site is located within the Urban Boundary and Bacup Town Centre Conservation Area on the Rossendale District Local Plan. The site is a narrow unadopted street that consists of a cobbled surface and stone pavings. The site also currently accommodates a number of wheeled waste storage bins that are used by local residents. Adjacent to the rear of the Library, a similar gated entrance exists.

1.3 Relevant Planning History

None.

2. THE PROPOSAL

This application seeks consent for the installation of a gated entrance which would be constructed from galvanised mild steel and painted black. The gate would be 2.37m in width and 2.2m in height. It is also envisaged that security of the area would be controlled by a keypad lock affixed to the gate.

3. POLICY CONTEXT

3.1 National Planning Guidance

PPS1 - Sustainable Development
PPS3 - Housing
PPG15 – Planning and the Historic Environment

3.2 Development Plan Policies

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Saved policies of the Rossendale District Local Plan (Adopted 1995)

DS1 - Urban Boundary
DC1 - Development Control
DC4 - Materials
HP1 – Conservation Areas
HP2 – Listed Buildings

4. OTHER MATERIAL PLANNING CONSIDERATIONS

4.1 None.

5. INTERNAL CONSULTATIONS

- 5.1 Conservation Officer – No response to date. A formal response will be included in the late items report.

6. EXTERNAL CONSULTATIONS

- 6.1 Rossendale Civic Society – No response to date. A formal response will be included in the late items report.

7. REPRESENTATIONS

- 7.1 A site and press notice was posted on 8 February 2008 as shown on the site plan. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.
- 7.2 No representations have been received.

8. REPORT

- 8.1 The main considerations of the application are visual amenity, highway safety, and residential amenity.
- 8.2 This proposal seeks consent for the environmental improvement to an area of land within the Bacup Town Centre Conservation Area that currently is used as an access to the rear of dwellings and a domestic waste storage area.
- 8.3 The site is accessed from St James Square and to the rear of properties on Yorkshire Street and consists of a part cobbled and stone flagged surface. The proposal would introduce some environmental improvements to the area and improve the setting of the bins which can be viewed from neighbouring land and detract from the area. The materials that are proposed are considered acceptable. In relation to the site being located within a Conservation Area and adjacent to a Listed Building, it is considered that the proposal would accord with the criteria of saved Policies HP1 and HP2 and in visual amenity terms, the proposal would also accord with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.
- 8.4 In residential amenity terms it would be unlikely to give rise to any loss of light, privacy or overlooking. The proposal also accords with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.
- 8.5 The site is accessed from the adopted highway and is intended to prevent unauthorised access. The proposal would not introduce any additional traffic to the site and is considered acceptable from a highways aspect.

9. CONCLUSION

- 9.1 The installation of the gateway and formalisation of the area would not impact upon issues of visual or residential amenity or any highway considerations. The

scheme would not conflict with the preservation or enhancement of the character of the Conservation Area nor harm the character and setting of the Listed Building. As such, the scheme would conform to PPS 1- Sustainable Development, PPG 15 – Planning and the Historic Environment, Policy 21 – Lancashire’ Manmade and Natural Heritage and Saved Policies HP1 – Conservation Areas, HP2 – Listed Buildings and DC1 – Development Criteria of the adopted Rossendale District Local Plan. There are no other material considerations to outweigh this finding.

10. RECOMMENDATION

10.1 That the Committee approve the application subject to conditions.

11. REASONS FOR APPROVAL/REFUSAL

It is considered that the works proposed on land off St James Square would improve the local environment to the benefit of the local community and would be acceptable in terms of visual and residential amenity and highway safety. Subject to conditional control, the scheme is considered acceptable and would accord with saved Policies DS1, DC1, DC4, HP1 and HP2 of the Rossendale District Local Plan.

12. 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. All materials to be used in the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: To ensure that the development will be of satisfactory appearance and to accord with the criteria of Policy DC1 of the Rossendale District Local Plan.

3. The development shall be carried out in accordance with Drawing No SCBL-01 & 02 received on 17 January 2008.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

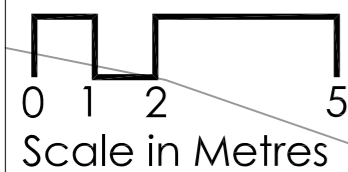
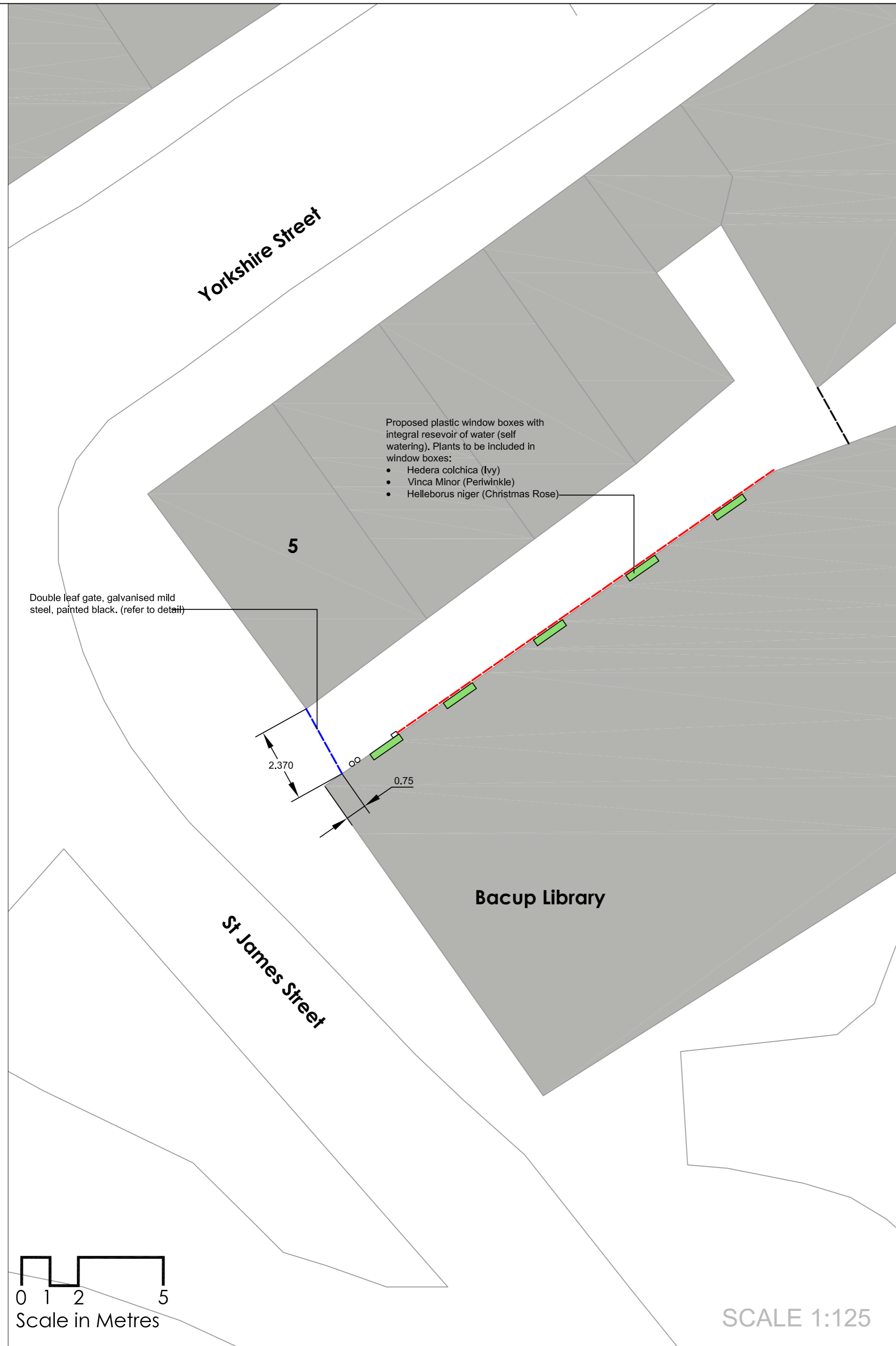
4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.

Contact Officer	
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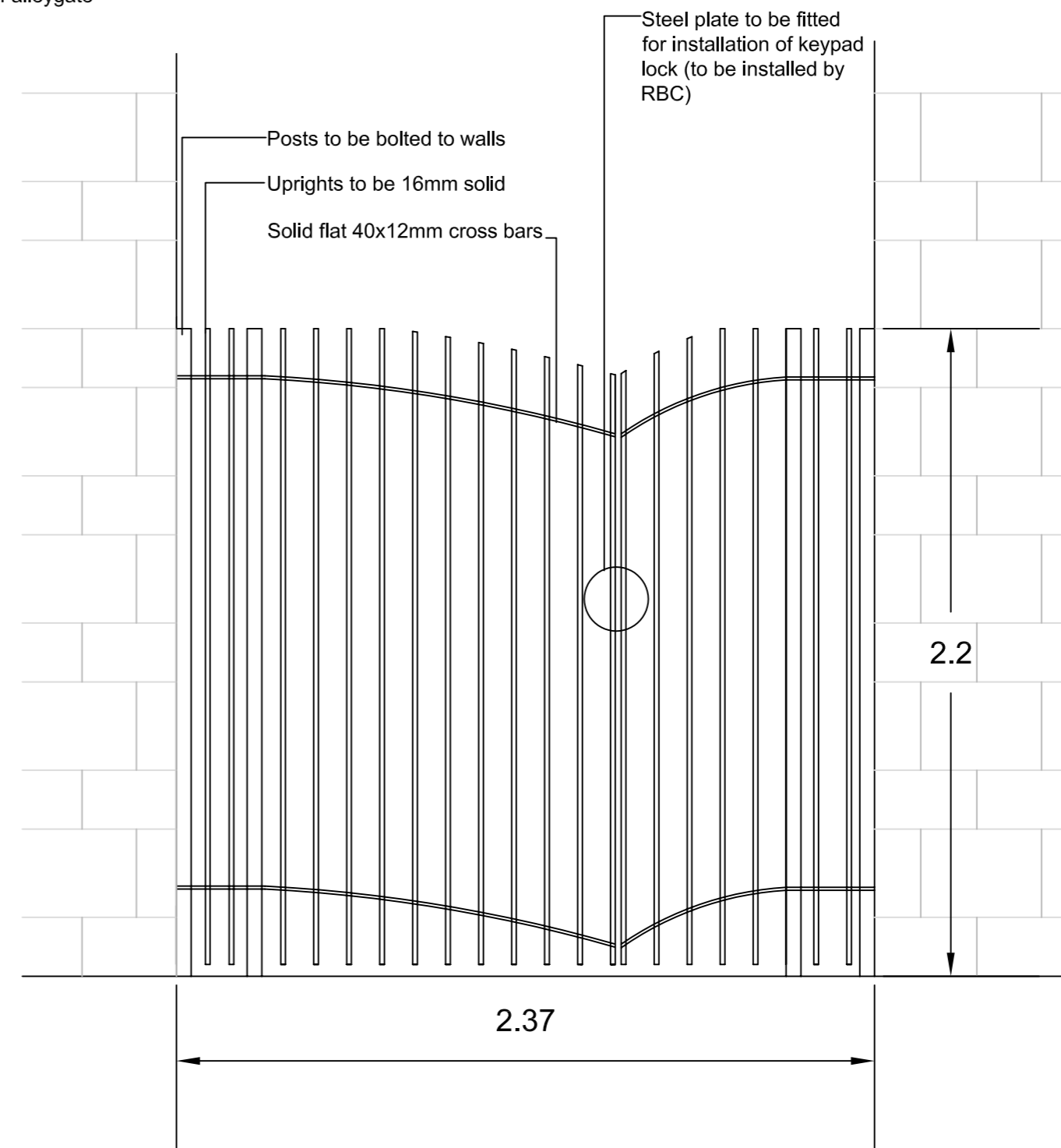
Document Details	Appendix Number
Committee Report dated 1 st January 2007	Appendix A
Etc	

BACUP LIBRARY ALLEYGATE



SCALE 1:125

Elevation of alleygate



Notes:

1. All mild steel to be hot dipped galvanised.
2. All mild steel to be painted black using high build vinyl paint.
3. Minimum width of either leaf of gate to be 1.2m.

SCALE 1:20

Notes
 1) Figured dimensions to be taken. Do not scale dimensions. Contractors must verify all dimensions on site before preparing shop drawings or commencing any work.
 2) Copyright ©. This drawing must not be reproduced without the permission of The Groundwork Trust
 3) Reproduced from 1998 Ordnance Survey mapping with permission of the controller of HMSO.

- Existing alleygate
- Proposed alleygate
- Existing drainpipes attached to library wall
- Grate and external gas pipe running alongside of library wall
- Proposed window boxes

DATE	REVISION NOTES	ISSUE	CHKD

DESIGN	PLANNING	TENDER	CONTRACT

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CLIENT
 Rossendale Borough Council

PROJECT
 Bacup Library alleygate

TITLE
 Layout plan and detail

SCALE	DATE	DRAWING NO.
as shown	16.1.08	SC_BL_02



Existing site showing location of proposed gate



Existing gate at other end of alleyway



Example of an alleygate