

Application No:	2008/580	Application Type:	Full
Proposal:	Formation of additional doorway, new covered smoking area and 3m high boundary fence	Location:	Commercial Hotel, 1 Manchester Road, Haslingden
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	6 October 2008
Applicant:	Mr D Thompson	Determination Expiry Date:	7 October 2008
Agent:	CS TEC Ltd		

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:

More than 3 objections received ✓

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. THE SITE

This application relates to a public house in Haslingden Town Centre, situated on the corner of Manchester Road and Deardengate. The building at present has two doors

facing Manchester Road and none to Deardengate. There is a private parking/service area to the east of the pub, with access from Manchester Road. This parking/service area extends to the rear of the Masonic Hall and other attached buildings fronting Deardengate.

2. THE PROPOSAL

The applicant seeks permission for :

1. The formation of a doorway in the elevation of the building facing Deardengate. It is to be sited adjacent to the doorway to the Masonic Hall and is to be created by modifying an existing window.
2. The erection of a cantilevered slate roof to run for 6m along the east elevation of the application building and project by 3m, to provide a covered smoking area.
3. The erection of a scallop-topped timber fence on top of the existing 1.5m high wall stone wall fronting Manchester Road, and a solid timber gate across the entrance to the parking/service area, thereby creating a 3m high screen between the highway and the smoking area.

3. RELEVANT PLANNING HISTORY

None

4. POLICY CONTEXT

National

PPS1 – Delivering Sustainable Development

PPS6 – Planning for Town Centres

Development Plan

RPG13 - Regional Spatial Strategy for the North-West (2003)

Joint Lancashire Structure Plan (2005)

Policy 1 – General Policy

Policy 2 – Main Development Locations

Policy 7 – Parking

Rossendale District Local Plan (1995).

DS1 – Urban Boundary

DC1 – Development Criteria

DC4 – Materials

Other Material Planning Considerations

LCC – Parking & Access SPD / Parking Standards

5. CONSULTATIONS

LCC (Highways)

No objection

RBC (Environmental Health)

No objection

6. REPRESENTATIONS

The application was publicised by way of letters to 26 properties in the vicinity of the site and a site notice.

Three letters have been received objecting to the proposal on the following grounds:

- Noise
- Anti-social behaviour
- Design
- The scheme is basically a development for a beer garden
- Congregation of people outside of new door
- Security

7. ASSESSMENT

The main issues for consideration are : 1) Principle; 2) Neighbour Amenity; 3) Visual Amenity; & 4) Highway Safety.

Principle

The proposed works relate to the existing lawful use of the premises and that use is appropriate for a location within the Town Centre of Haslingden. The development is considered acceptable in principle.

Neighbour Amenity

The scheme is considered acceptable in terms of neighbour amenity.

Whilst objectors have raised concerns with regards to the resulting noise associated with the scheme, the Council's Environmental Health Officer has no objection.

The neighbouring properties are not residential. I do not consider it inappropriate to permit the pub to have an entrance to Deardengate adjacent to that to the Masonic Hall. Roofing-over the area presently used by smokers, and erecting the screen-fence, are likely to reduce the amount of noise coming from the area and cigarette-ends/etc being deposited in the street.

The concerns expressed by objectors about anti-social behaviour associated with the premises are more appropriately dealt with by the Council's Licensing Department and have been forwarded to it.

Visual Amenity

The scheme is considered acceptable in terms of visual amenity.

The proposed new entrance to Deardengate will not detract from the character of the building, nor the character of the area, so long as appropriate materials are used.

The proposed smoking shelter would be sited in a prominent position in the street scene. However, its roof is to be slated and its impact will be significantly mitigated by the proposed screen-fence. The fence itself will be of 3m in height, but will not appear unduly intrusive in the street-scene as it will span between buildings of greater height.

Highway Safety

The proposed shelter will not encroach onto the highway and will not restrict vehicle movements to and from the pub's car park/service area. There is no objection from LCC(Highways) so long as doors/gates do not open outwards over the highway. A condition to this effect is recommended.

8. SUMMARY REASON FOR APPROVAL

The proposal is acceptable in principle and is not considered likely to detract to an unacceptable extent from visual and neighbour amenity or highway safety. The proposed development is therefore considered to accord with saved Policies DS1 & DC4 and the criteria of saved Policy DC1 of the Rossendale Local District Plan.

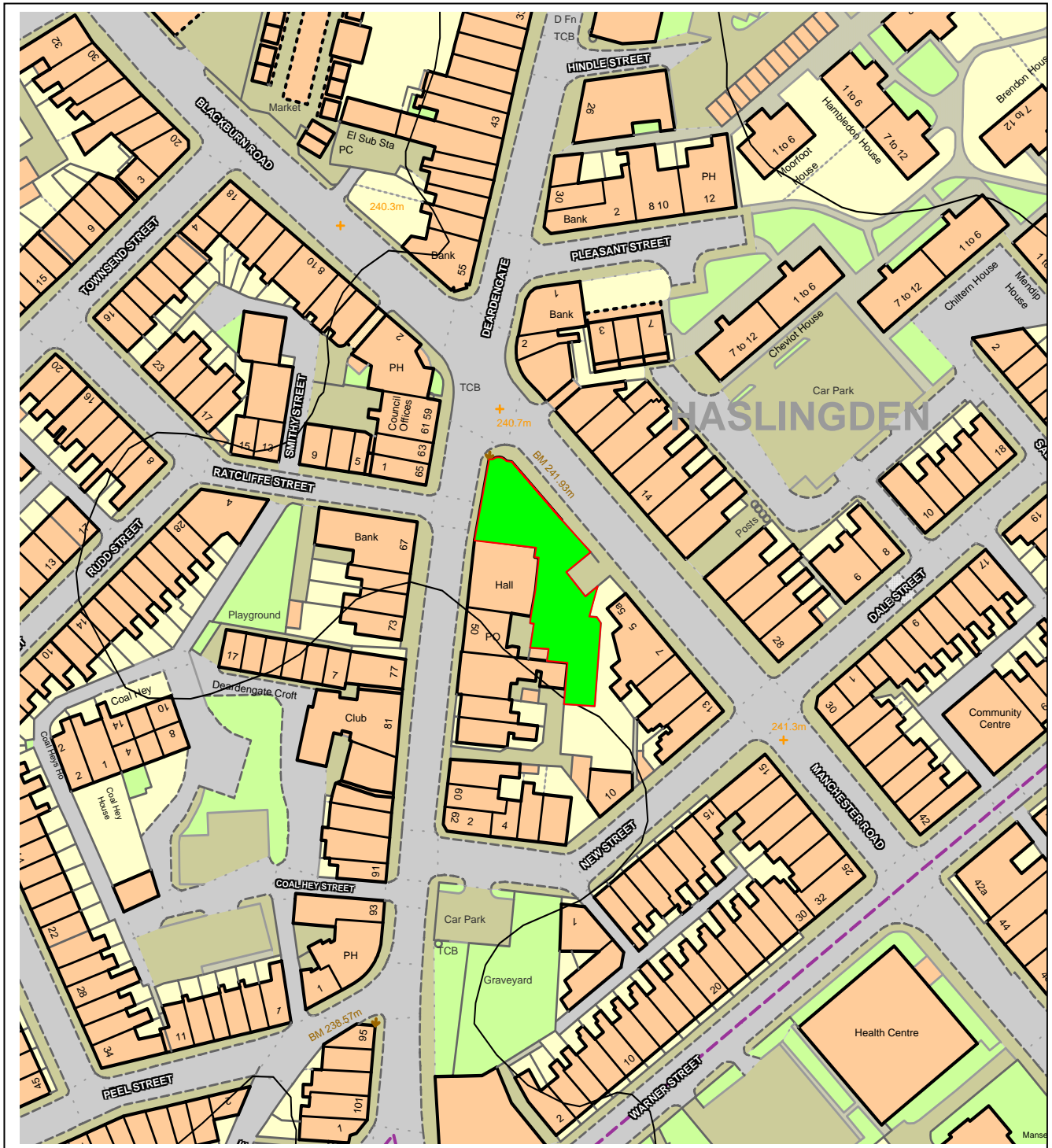
9. RECOMMENDATION

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 shall be carried out in accordance with the plans dated 12 August 2008 unless subsequently amended and approved in writing by the Local Planning Authority. *Reason : To ensure the development complies with the approved plans and for the avoidance of doubt.*
- 3) All materials to be used in the elevations and roof of 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, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.*
- 4) Any construction works associated with the development hereby approved shall not take place except between the hours of 8:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. *Reason: To safeguard the amenities of neighbours, in accordance with PPG24 – Noise and the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*
- 4) At no time shall the doors/gates hereby permitted open outwards onto the highway. *Reason: In the interests of highway/pedestrian safety, to accord with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*

Contact Officer	
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Location Plan 2008/0580



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Proposed Part Elevation To Service Yard / Car Park



Proposed Part Elevation To Manchester Road (Access gate indicated in closed position)



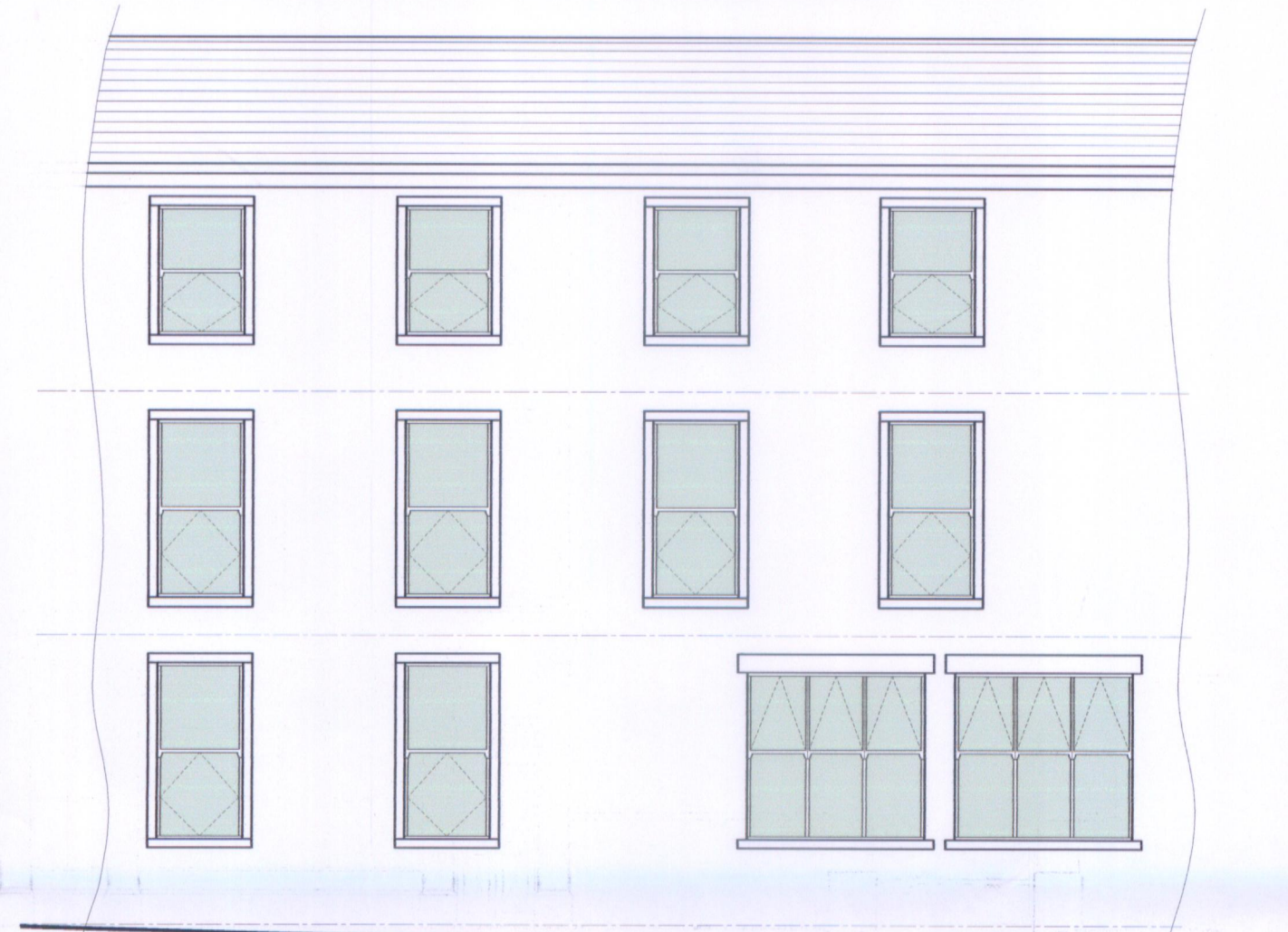
Proposed Part Elevation To Deardengate 1735 approx



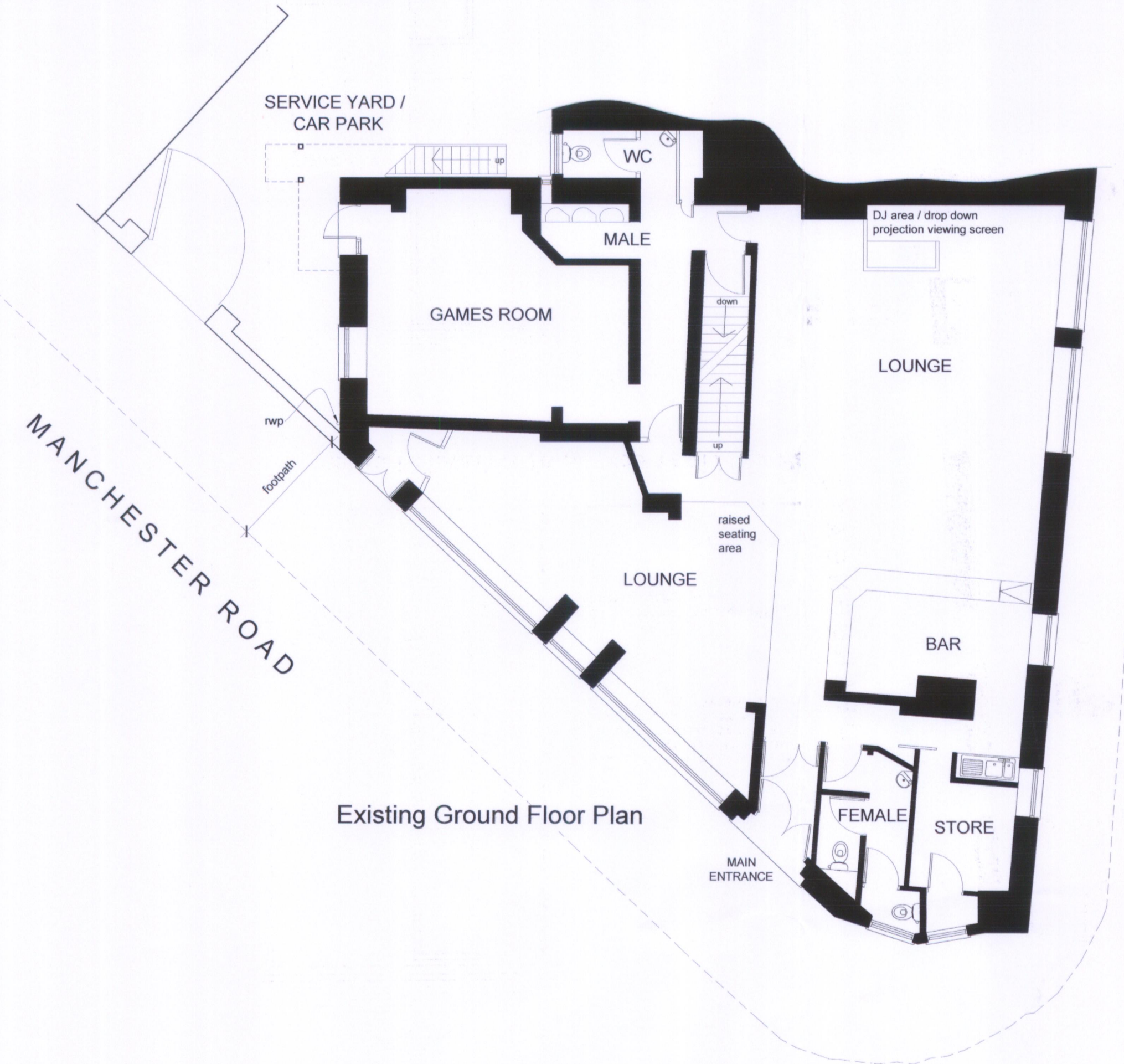
Existing Part Elevation To Service Yard / Car Park



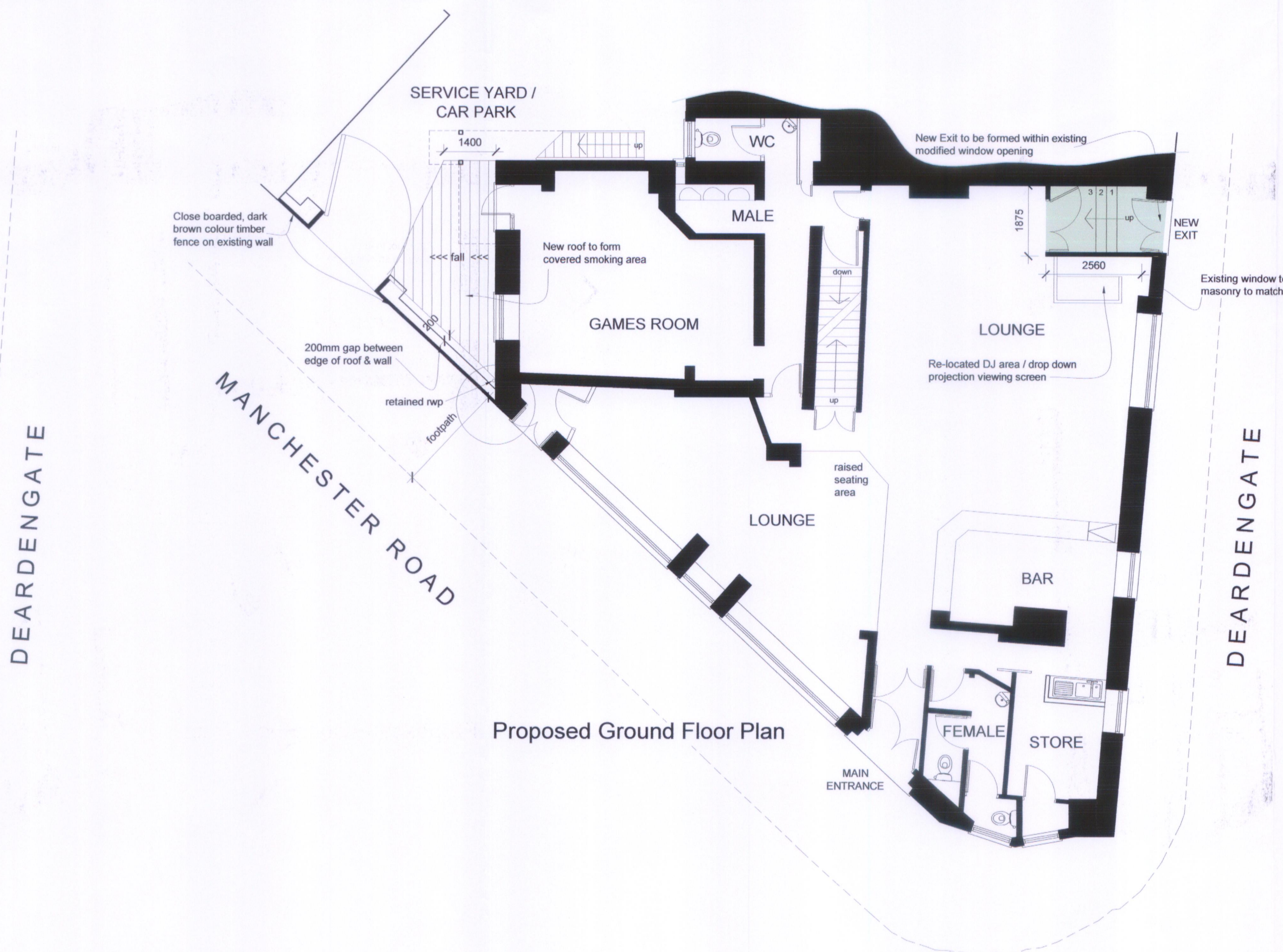
Existing Part Elevation To Manchester Road (Access gate indicated in closed position)



Existing Part Elevation To Deardengate



Existing Ground Floor Plan



Proposed Ground Floor Plan



Location Plan (1:1250)

Rev	Date	Description
C	06/08/08	Service Yard / Car Park area indicated in red to Location Plan. Existing window adjacent New Exit doors to be built up in masonry to match existing.
B	30/06/08	Roof to covered smokers' area revised. Timber fence to Manchester Rd. elevation indicated.
A	24/05/08	Profile of new roof to covered smokers' area modified.

Project:
The Commercial Hotel
1 Manchester Road, Hasligden,
Rossendale BB4 5SL

Drawing Title:
Proposed New Additional Exit &
Covered Smoking Area.
Existing & Proposed Plans / Elevations

Date:
28/03/08

Scale:
1:100

Drawing Number:
TCH-01/01

Revision:
C

12 AUG 2008
2008/580