

Application

No: 2009/0042

Proposal: Change of use from a derelict Public House to Youth Community Building

Application

Type: Full

Location: Former White Horse Inn, 136 Edgeside Lane, Waterfoot.

Report of: Planning Unit Manager

Status: For Publication

Report to: Development Control Committee

Date: 16 March 2009

Applicant: St Anne's Parochial Church Council

Determination Expiry Date: 31 March 2009

Agent: Mr. David Somers

REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:

Reason for Call-In:

More than 3 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. SITE

- 1.1 The application site, a former two storey stone built Public House with a small car parking area at side and rear yard, is located at the end of a block of terraced residential properties on Edgeside Lane, Waterfoot. There are some outbuildings located within the yard to rear.
- 1.2 The site forms part of the linear residential development on both sides of Edgeside Lane. As such there is a block of residential properties located opposite across the road in front of the site

2. RELEVANT PLANNING HISTORY

- 2007/593: Conversion from Public House with living accommodation into 2 terraced dwellings - Refused
- 2007/764: Conversion from Public House with living accommodation into 2 terraced dwellings - Approved
- 2008/232: Change of use from Public House to Youth Community Building with associated office - Withdrawn
- 2008/358: Change of use from Public House to Youth Community Building including internet café facility - Refused

3. THE PROPOSAL

- 3.1 The proposal involves change of use of the former public house to Youth Community Centre with associated office/internet café. It is proposed that the building would be renovated and re-furnished in the style of a pub. According to the details provided in the application, the building would be used to carry out projects/activities relating to arts, theatre, music, life skills training including household and financial management, confidence building programmes etc. It is proposed that the ground floor of the building would be used for café internet activities and the first floor as offices/meeting/storage rooms. The activities with amplified sound would be limited and confined to the ground floor area only. It is proposed that the party wall with the adjoining dwelling no. 134 Edgeside Lane will be soundproofed at the first floor level.
- 3.2 According to the information provided in the application, different activities would be carried out at different time of the day and evenings. In general, it is anticipated that the proposed activities would be carried out between 9am to 10pm, Monday to Saturday and 10am to 9.30pm on Sundays and public holidays. Although for most part, the building would be used by young people during the evening periods, the proposed activities would also be available to other community groups during the daytime. Depending on the nature of the projects, it is anticipated that between 6 to 40 persons will be attending the

centre at a time. It is proposed that all activities within the building would be supervised by trained volunteers or professionals. According to the applicant, some full time staff including a Manager would be necessary to run the proposed activities.

3.3 It is proposed that the existing car parking area at the side would be used to provide 4 car parking spaces/turning area. The car parking area would be accessed via the existing access from Edgeside Lane. According to the details given in the application, two adults would be on duty at the end of sessions to monitor parking and ensure safety of the persons visiting the building.

3.4 The applicant has submitted 18 letters from the residents of the area in support of the application. The points made are:

- As it stands the building is very unlikely to be converted into housing or to revert to becoming a public house and will continue to deteriorate and create problems for the adjoining houses.
- The proposed development would be one way forward for these premises to be utilised to their full potential.
- The project would offer young people a safe place during the day, after school, weekends and school holidays.
- The project would ensure that young people are able to make a positive contribution to their local communities.
- There is an identified need for an additional provision for young people within the local community.
- The proposed centre would enable a variety of creative and stimulating projects for young people.
- The White Horse Project would provide the youth a place to go and learn key life skills being able to socialize and develop their interests.

3.5 In the support of the application, the applicant points out:

- There is no other suitable building in the community which could be used for our purposes. A venue in Waterfoot is not an alternative for us.
- The proposed project offers a preventative measure against drinking, drug use, crime etc.
- The project would provide the young persons a cosy pub atmosphere without the alcohols.
- The building will not be used for general youth parties or disco's.
- A no tolerance drug policy will be in place, as will a considerate neighbour' directive.
- Young persons would spend time on their homework and examination course work and improve their educational attainment.
- The proposed hard and soft landscaping around the rear and car parking area would enhance the site and provide a transition into the wider urban environment.

4. POLICY CONTEXT

4.1 National Planning Guidance
PPS1 – Delivering Sustainable Development

PPS7 – Sustainable Development in Rural Areas
PPG13 – Transport
PPG24-Noise

4.2 Regional Spatial Strategy for the NW of England (2008)

Policy DP1-9 – Spatial Principles etc
Policy EM1- Environmental Assets
Policy RT4 – Management of the Highway Network

4.3 Rossendale District Local Plan (1995)

DS5 – Development Outside the Urban Boundary & Green Belt
DC1 – Development Criteria
DC4 – Materials

4.4 Other Material Planning Considerations

LCC Parking Standards

5. **Consultation Responses**

LCC (Highways) – Response awaited.

RBC Environment Health – No comments. In view of the information provided in the application regarding the proposed use, opening hours and insulation measures, it is considered that a noise condition would be inappropriate in this respect.

6. **Notification Responses**

A site notice was posted on 9 February 2009 and the relevant neighbours were notified by letter on 9 February 2009 to accord with the General Development Procedure Order. 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.

Six individual letters raising objection to the proposal have been received. The points raised are:

- Affect the current value of my property.
- Edgeside Lane is very congested due to the lack of parking and the amount of passing traffic.
- Extra traffic will cause mayhem on the road, making pollution more problematic and parking an issue for the residents.
- Whilst there may be a necessity for a Centre, it needs to be sited in a more appropriate area.
- The noise levels would rise considerably with more vehicles dropping people off and children up and down going to the Centre.
- The church and school own three properties in the area. They can accommodate the proposed activities in one of their properties.
- Concerned about the noise when children and others will arrive and leave the building.

- Noise levels will be substantially increased if the building becomes a Youth Community Building.
- With increased foot traffic to and from the building, the privacy of the residents would be affected.
- The proposed car park is inadequate for the volume of people likely to attend the building.
- The proposed development is against the Council's pledge to increase affordable housing stock within the area.
- The proposed opening hours for the centre are unacceptable.

7. Planning Issues

The main issues to be considered in the determination of this application are as follows:

- 1) Principle
- 2) Neighbours amenity
- 3) Access/Parking
- 4) Design/Appearance

Principle

In the adopted Local Plan, the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area. However, it is recognised that the application building was previously a public house and forms part of the ribbon development along Edgeside Lane.

PPS7 (paragraph 17) encourages the conversion of buildings outside villages and other settlements for employment generating uses. Since the proposed development will provide an opportunity for employment and given the nature of the proposed used, it is considered that the proposed development is in accordance with the objectives of PPS7 and is therefore acceptable in principle.

Neighbours amenity

The application property is located at the end of block of the terrace properties and adjoins with the dwelling no. 134 Edgeside Lane to the north. In addition, there are a number of residential properties located on the sides and in front of the application property. Whilst in general the proposed activities would take place within the building, it is likely that there would be some noise/disturbance caused by the people attending the centre.

According to the applicant, whilst the majority of the young people would walk to the venue, a small number would come by car. The projects would start and finish at a set time. At the end of the sessions, two adults would be engaged to monitor parking, ensuring the safety of the young people and reducing the impact of any noise/disturbance. The applicants emphasise that these arrangements are in place at other similar centres and have helped reduce the number of complaints from the residents. Whilst is acknowledged that there would be some noise/disturbance caused by the people visiting the building, however, in view of the proposed monitoring measures, it is considered that this would not be to the detriment of the amenities of the residents in the area. Furthermore, it is considered that the proposed insulation of the party wall at the first floor level with the adjoining property would help reduce the impact of

any noise/disturbance likely to be generated by the use of the first floor as offices.

Design/Appearance

No alterations affecting the exterior of the building have been proposed. The parking area at the side would be laid out to provide 4 parking spaces including one for use by a disabled person. A turning area is proposed in front of the parking area. In terms of its design and appearance, it is considered that the proposed development is acceptable.

Highway Issues

The Highway Authority is satisfied that the proposed car parking/turning facilities are adequate and would not be detrimental to highway safety.

8. SUMMARY REASON FOR APPROVAL

The site is located within the Countryside and it is considered that the proposed development would neither undermine the advice given in PPS1 and PPS7 nor be detrimental to visual & neighbour amenity or highway safety. It is therefore considered that the proposal accords with the provisions of PPS1 / PPS7, Policies DP 1-9 / EM1 / RT4 of the Regional Spatial Strategy, and saved Policy DS1 and the criteria of saved Policy DC1 of the Rossendale District Local Plan.

9. RECOMMENDATION Approve

10. 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 92 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with plans numbered 2009/042 received on 3 February 2009.
Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.
3. Prior to occupation of the building hereby approved, the parking and turning facilities shown on the approved drawing shall be provided with a hard, permeable surface and shall thereafter be kept freely available for use for the parking and turning of vehicles.
Reason : In the interests of highway safety and to accord with the criteria of saved Policy DC1 of the Rossendale District Local Plan (1995).
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any order amending or revoking and re-enacting that Order, no development contained within Classes A-G and H of Part One, Schedule Two of that Order shall be carried out without the prior written approval of the Local Planning Authority.
Reason : To enable the Local Planning Authority to retain a degree of control over the development in the interests of visual and neighbour amenity, in

accordance with the criteria of saved Policy DC1 of the Rossendale District Local Plan (1995).

5. All work and other activities hereby permitted shall be confined to the following hours:-

0900 hrs to 2200 hrs, Monday to Saturdays and
1000 hrs to 2130 hrs Sundays and Bank Holidays.

Reason : To safeguard the amenities of the occupiers of nearby residential properties, in accordance with the saved Policy DC1 of the Rossendale District Local Plan (1995).

6. 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 to 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 saved policy DC1 of the Rossendale District Local Plan.

7. The sound insulation of the party wall with no. 134 Edgeside Lane shall be improved in accordance with the method, the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the occupation of the building.

Reason : To reduce nuisance from noise/disturbance to the occupiers of the adjoining dwelling, in accordance with saved policy DC1 of the Rossendale District Local Plan.

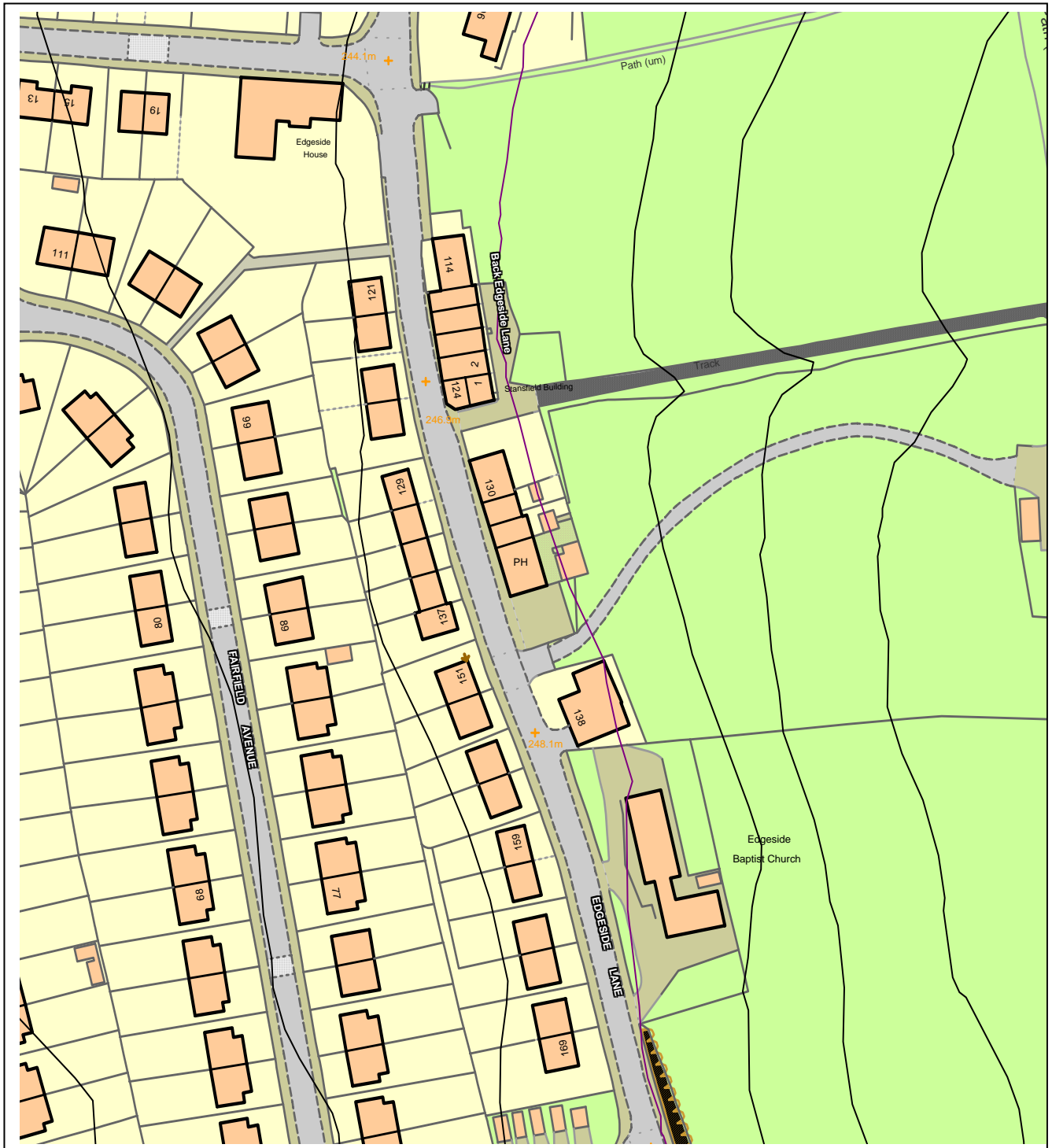
Contact Officer	
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LOCATION PLAN TO BE PROVIDED

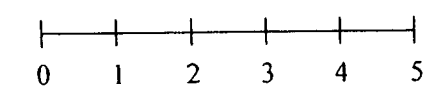
ATTACH ALL APPENDICES AND LIST AS NECESSARY, FOR EXAMPLE

Document Details	Appendix Number
Committee Report dated 16 March 2009	Appendix A
Etc	

Location Plan 2009/0042

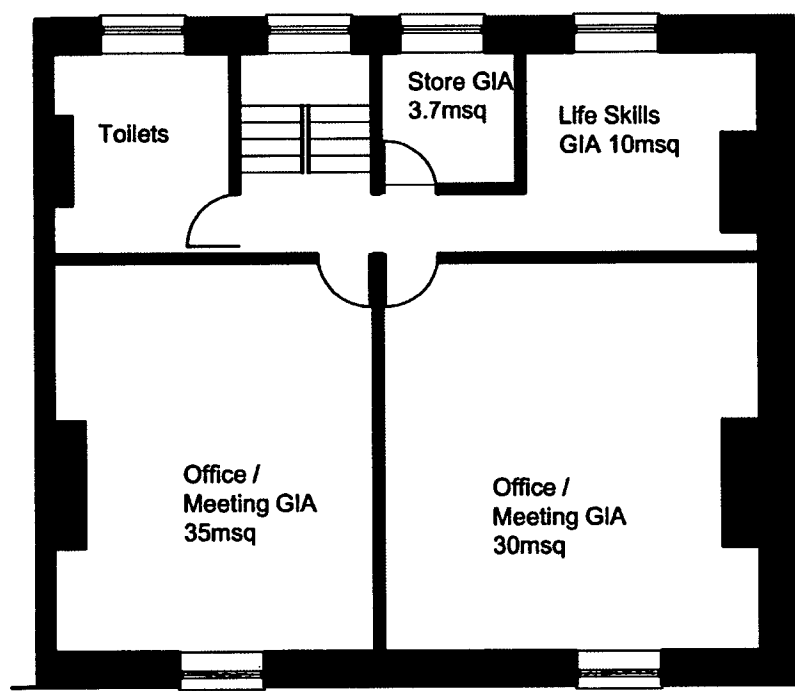


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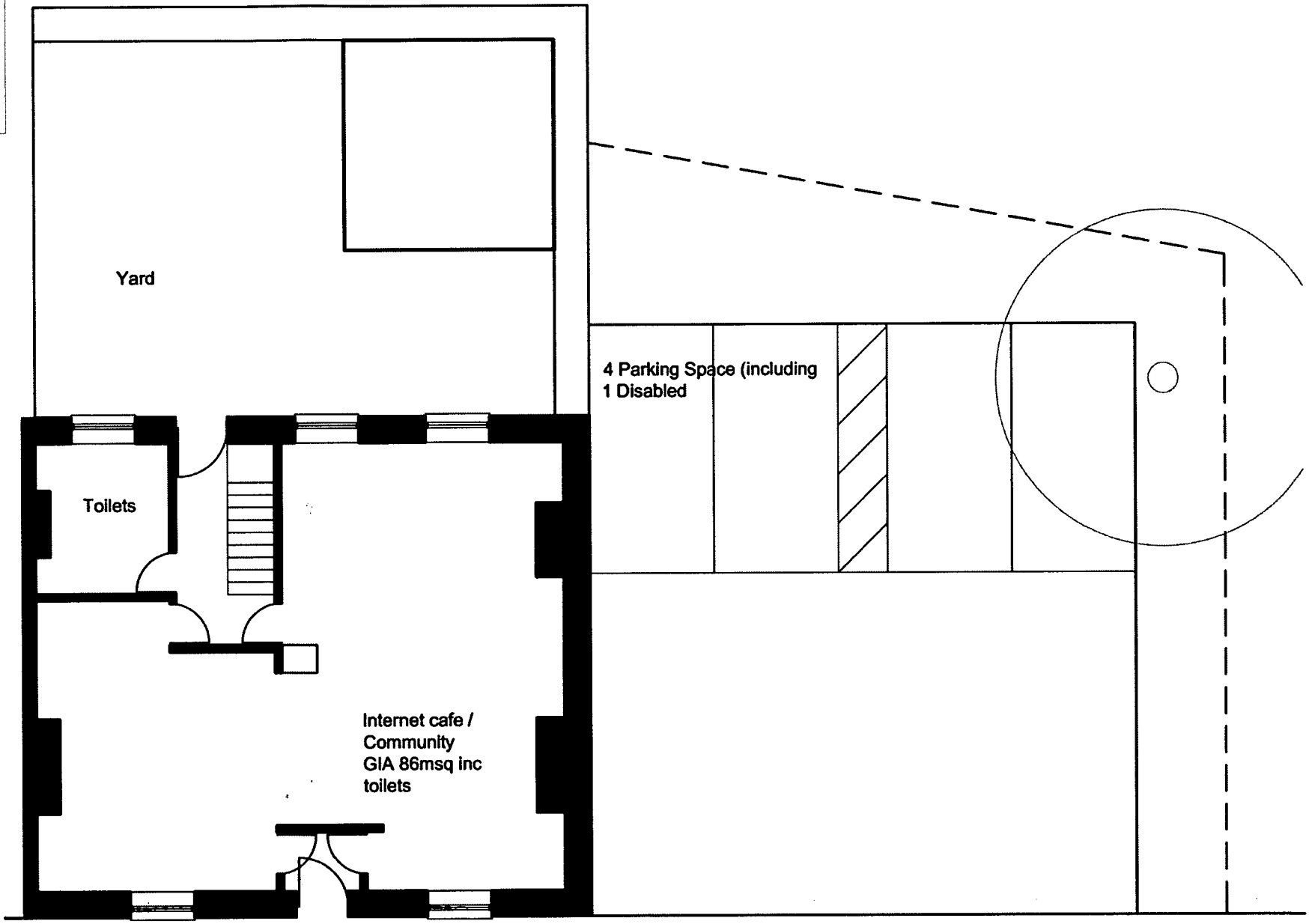


Rosendale City CM

6. Planning Drawings



PROPOSED FIRST FLOOR



PROPOSED GROUND FLOOR

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