

**Application No:** 2009/514

**Application Type:** LCC Consultation

**Proposal:** Erection of 2-storey building (containing 6 classrooms) & electrical transformer house, and associated landscaping

**Location:** Bacup & Rawtenstall Grammar School, Glen Road, Waterfoot

**Report of:** Planning Unit Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 14 December 2009

**Applicant:** LCC Children & Young People Directorate

**Determination Expiry Date:** 16 December 2009

**Agent:** LCC Property Group

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation Member Call-In**

**More than 3 objections received**

**Major Application**

**Other**

**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.

**1. Background**

This Council's comments are sought by Lancashire County Council on an application which falls to it to determine.

## **2. Site**

Bacup & Rawtenstall Grammar School occupies an extensive range of buildings that was most recently added to with the construction of a Sports Hall, for which permission was granted by Committee in October 2004 (2004/495). The Sports Hall building is situated on the south side of the cul-de-sac head at the east end of Mount Avenue. It comprises of a 13m high building, measuring approximately 19m x 41m, with a 1 storey lean-to on its north side, and is clad in re-constituted stone/grey tiles.

Immediately to the north of the Sports Hall (within the ownership of the school and recently fenced-off and cleared of most of its trees) is an irregularly-shaped piece of land having an area of approx 0.15ha, which slopes down from east-to-west and from south-to-north. This rather unkempt area is bounded on its west side by the cul-de-sac head of Mount Avenue and a tarmaced footpath leading to Booth Street, to the east of which are bungalows at a lower level; to the north side by the back-gardens of houses fronting Booth Road; and to the east/south-east by the side/back-gardens of properties fronting Wolfenden Green.

## **3. Relevant Planning History**

1997/224 - Erection of Nursing Home

Refused and dismissed on Appeal on the grounds of proximity, dominance and overlooking of neighbouring residential properties.

2006/143 - Erection of Performing Arts Block

At its meeting on 30 May 2006 Committee considered a report in respect of this application to be determined by Lancashire County Council and, in accordance with the Officer Recommendation, Committee resolved to object on the following grounds:

1. the impact a building of the siting/size/design proposed would have on the amenities of immediate neighbours; &
2. the potential for *“the large number of annual public events, performances and productions”* referred to in the submission to attract additional traffic which may inconvenience local residents and cause them noise and disturbance both during and outside normal school hours.

The application was considered by the County Council’s DC Committee on 9 August 2006 and, contrary to the Officer Recommendation, was refused for the following reason :

*“The proposal would be contrary to Policy DC1 of the Rossendale District Local Plan by virtue of the scale, location and proximity to residential properties on Booth Road and Mount Avenue, which would lead to unacceptable loss of amenity.”*

## **4. Proposal**

In order to dispense with 6 temporary classrooms, permission is sought to erect an L-shaped 2-storey building measuring 19m x 27m x 8m in height. It is to contain 6

classrooms, 2 offices, a meeting room and toilets, with set of stairs at each end. Above a plinth of natural local stone, the external walls of the building will be clad with cedar-boarding and panels of sand-cement render, topped by shallow-pitched sedum roof.

It is also intended to erect an electrical transformer house to serve the school. To be sited towards the northern boundary of the site, it is clad with cedar-boarding and have a mono-pitch roof, and is to measure 2m x 3.5m x 2.7m high.

In support of the proposal the Applicant states :

- The site is within the Urban Boundary of Waterfoot.
- The building is needed in order that the school has the teaching accommodation to meet the 'basic needs' requirement set out in Government guidance, and will not add to the number of children or staff at the school.
- The proposal has been designed with regard to Policies DC1 & DC4 of the Rossendale District Plan and the conclusions that the Inspector came to in respect of the Nursing Home Appeal referred to above.
- To limit the overall height and impact of the building a gentle 5deg mono-pitch sedum green roof is proposed and sensitive combination of wall materials.
- Generally walls facing housing to the north and east sides have limited fenestration to minimise overlooking.

## **5. Policy Context**

### **National**

PPS1 - Sustainable Development  
PPG13 - Transport  
PPG 24 - Noise

### **Development Plan Policies**

#### **Regional Spatial Strategy (2008)**

DP1-9 Spatial Principles  
RDF1 Spatial Priorities  
L1 Health, Sport, Recreation, Cultural & Education Service Provision  
RT2 Managing Travel Demand  
RT4 Management of the Highway Network  
EM1 Environmental Assets

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

DS1 - Urban Boundary  
DC1 - Development Control  
DC4 - Materials

### **Other Material Planning Considerations**

4NW Draft Partial Review of the RSS  
LCC Parking Standards  
RBC Core Strategy

## **6. ASSESSMENT**

As previously indicated, this is an application to be determined by Lancashire County Council, upon which this Council's comments are sought.

### Principle

In the adopted Local Plan the application sites lie within the Urban Boundary of Waterfoot. Accordingly, there is no objection in principle to the proposed development.

### Visual Amenity

The proposed building is far from small. However, I do not consider it is of a siting/scale to detract unacceptably from the street-scene. The nearby Sports Hall is of greater height/bulk.

However, whilst the Sports Hall is of plain design/materials, the proposed building is of a combination of materials. I am somewhat concerned that those facing materials are of too greater contrast. I consider it would be appropriate to request the County Council to Condition the facing materials to ensure the palette of colours used is appropriate.

### Neighbour Amenity

Unlike the proposed Arts Centre, the development now proposed is not likely to generate additional traffic which may inconvenience local residents and cause them noise and disturbance both during and outside normal school hours.

The question which needs to be asked is whether the proposed building is of a siting/size/design/facing materials to detract unacceptably from the amenities occupiers of neighbouring dwellings could reasonably expect to enjoy. In this regard, I am satisfied that care has been taken to minimize the height of the building and avoid windows in positions that will allow undue overlooking. Accordingly, whilst the proposed classroom block will change the outlook from a number of properties to a significant degree I do not consider it will cause an unacceptable loss of light/outlook/privacy for any neighbours. As indicated in the preceding section, it is appropriate to request the County Council to Condition the facing materials to ensure the palette of colours used is appropriate.

I am also somewhat concerned about the siting of the intended electrical transformer house so close to houses fronting Booth Road. I consider it appropriate to request the County Council to investigate whether a more suitable siting can be found for it and, if not, ensure no grilles/vents are located on that elevation facing north and landscaping is undertaken to minimise its visual intrusion.

### Access/Parking

In order that the proposed classrooms do not result in increased teacher/pupil numbers at the school I consider it would be appropriate to request the County Council to Condition any Permission to require removal of the 6 temporary classrooms this building is intended to replace once it has been brought in to use.

## **7. Recommendation**

That the Council County be advised that this Council does not wish to object to the proposed development. However, it requests that the County Council :

1. Condition the Permission to require removal of the 6 temporary classrooms this building is intended to replace once it has been brought in to use.
2. Condition the facing materials to ensure the palette of colours used is appropriate.
3. Investigate whether a more suitable siting can be found for the electrical transformer house and, if not, ensure no grilles/vents are located on that elevation facing north and landscaping is undertaken to minimise its visual intrusion.

<b>Contact Officer</b>	
Name	Neil Birtles
Position	Principal Planning Officer
Service / Team	Development Control
Telephone	01706-238645
Email address	planning@rossendalebc.gov.uk