

Application No: 2010/537

Application Type: Outline

Proposal: Construction of 2-storey extension to east side of existing building, formation of five outdoor pitches on north side & altered/extended parking facilities on south side

Location: Marl Pits Swimming Pool, Newchurch Road, Rawtenstall

Report of: Planning Unit Manager

Status: For Publication

Report to: Development Control Committee

Date: 13 December 2010

Applicant: Head of Finance & Property
Rossendale Borough Council

Determination Expiry Date:
14 January 2010

Agent: Mouchel

REASON FOR REPORTING

Tick Box

Member Call-In

Name of Member:

Reason for Call-In:

3 or more objections received

Other (please state)

X

MAJOR / COUNCIL

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

The application relates to a site of 2.1ha located to the north side of Newchurch Road (C705), which embraces land to the north and south of the Swimming Pool building and a smaller area to the east side of the access road serving it.

The existing building has a floor area of approximately 1,000sq m and is sited approximately 120m to the rear of houses that front Newchurch Road/Heritage Drive. It is fronted by a 40-space car park, the access road to which is shared with the adjacent Sports Club and extends up to the recently-permitted Golf Driving Range.

A Public Footpath crosses the site, from a point to the side of 298 Newchurch Road to a point to the rear of 22 Marl Pits. There are few trees on the land to the front of the existing building other than a few ornamentals, but to the rear there are trees around the boundaries of the site and around a hollow .

The running track and buildings associated with the Sports Club are located immediately to the east of the Swimming Pool building. The principal building associated with the Golf Driving Range is now complete.

Whilst the residential properties in the vicinity are within the Urban Boundary of Rawtenstall, the application site itself lies within Countryside as designated in the Rossendale District Local Plan (1995). The application site is identified as Greenland (to which Policy E1 applies); the small part of the site to the east side of the access road is also identified as Recreation Area (to which Policy E2 applies).

2. RELEVANT PLANNING HISTORY

None.

3. THE PROPOSAL

At this time the application seeks Outline Permission for the proposed development and the details of Access, Layout and Scale; the matters of Appearance and Landscaping have been reserved for later consideration.

The application proposes :

- Erection of a 2-storey extension, with pitched-roof, between the existing building and the shared access-road, to accommodate the main entrance, new changing rooms and fitness studio/rooms.
- Little alteration to the layout/appearance of the existing building, with minor refurbishment of the existing Ladies Changing Rooms.
- Re-configuration of the existing car parking area and additional hard-surfaced areas that increase the total number of spaces to approximately 125, including provision for disabled and parent-&-child parking, with additional cycle/motorcycle spaces.
- Provision of 5 multi-purpose outdoor pitches to the rear of the Swimming Pool building, with lay-by adjacent to the shared access road.

The proposed extension will measure 11m in width and 37m in length, adding to floorspace by approximately 400sq m. The additional hard-surfaced areas are to be located primarily between the existing car park & rear of the residential properties fronting Newchurch Road/Heritage Drive and in a triangular area between the southern end of the running track & shared access-road. Provision of the 5 outdoor pitches - to be of a size suitable for 5-a-side football - will require in-filling of the

hollow presently to be seen to the rear of the Swimming Pool building, and they and the lay-by to be provided will result in loss of approximately a dozen trees.

The application is accompanied by :

- A Design & Access Statement (including illustrative drawings of the building)
- Statement of Community Involvement
- Noise Impact Assessment
- Utility & Energy Statements
- Ecological Report

The Applicant advises that this proposal is in response to the Rossendale Leisure Review conducted last year and supports the Council's pledge to improve health issues through exercise.

4. POLICY CONTEXT

National Planning Guidance

- PPS1 Sustainable Development
- PPS9 Biodiversity & Geological Conservation
- PPG13 Transport
- PPG17 Open Space, Sport and Recreation
- PPS23 Pollution Control
- PPG24 Noise

Development Plan

Regional Spatial Strategy for North West of England (2008)

- DP1-9 Spatial Principles
- RDF1 Spatial Priorities
- L1 Health, Sport, Recreation, Cultural and Education Services Provision
- RT2 Managing Travel Demand
- RT4 Management of the Highway Network

Rossendale District Local Plan (1995)

- DS1 Urban Boundary
- DC1 Development Criteria
- DC4 Materials
- E1 Greenlands
- E2 Recreational Areas
- E4 Tree preservation

Other Material Planning Considerations

- LCC Parking Standards
- RBC Emerging Core Strategy
- KKP Rossendale Leisure Review (2009)

5. CONSULTATION RESPONSES

LCC (Highways)

No objection in principle. However, in respect of the originally submitted layout it advised that :

1. The pedestrian route between Newchurch road and the facility needed to be improved to provide a safer access for those visiting the premises on foot.

2. Proper provision needs to be made for the retention/diversion of the Public Footpath which crosses the site.
3. The layout of the car park is somewhat confusing and needs amendment to give clearer routes for traffic movements to minimise risks.
4. Storage for cycles needs to be included.
5. Consideration needs to be given to the need for coach parking/turning facilities.

An amended Layout Plan has been submitted by the Agent, together with confirmation that they recognise the need to produce a Travel Plan which will cover (amongst other things) the issue of management of coach parking/turning facilities. Comments on this are awaited.

LCC (Rights of Way)

Public Rights of Way must not be obstructed either during the development or after the development.

6. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order the application has been publicised by way of a press notice on 29/10/10, 3 site notices were posted on 22/10/10 and letters sent to the relevant neighbours on 20/10/10.

Rossendale Harriers & Athletics Club

It presently makes use of the grassed triangular area between the southern end of the running track & shared access-road for training purposes and also as part of the finish to various competitive cross-country events. If the proposed car park does not leave a margin of grass of 3m in width adjacent to the running track it will greatly curtail its activities and compromise the present amenities that the site offers.

East Lancashire Service User Network

It campaigns on behalf of people with healthcare/learning disabilities. It has worked with both Hyndburn Leisure Trust and Pendle Leisure Trust to ensure its toilets and changing rooms are designed for use by people with complex needs eg with a toilet suitably equipped and of a size capable of accommodating also a carer, hoist system to aid use of the pool, etc. It commented on these matters at the time of the pre-application Public Consultation and hopes the proposal for Marl Pits will take on-board its comments regarding Changing Places.

Local Residents

Comments have been received from residents of four properties in the vicinity of the site. Whilst two residents indicate support in principle, the following adverse comments are advanced :

- A 2-storey extension will mar the appearance of the existing building and reduce the openness/attractiveness of the area.
- The proposed extension is too close to the access road up to the golf driving range, the creation of which has already resulted in a sudden increase in vehicles travelling at speed on the shared access road, to the detriment of pedestrian safety.

- The areas now to be occupied by parking and the outdoor pitches are presently used and frequented by extremely large numbers of dog-walkers each day and a large number of school children who walk to school.
- The new areas of car parking will be immediately behind their houses and will diminish their privacy / health / wellbeing, most particularly affecting gardens with noise, smell & fumes, and possibly result in additional water draining towards their properties.
- There is scope to provide additional parking without it coming so near to residential properties by extending the existing car park up the west side of the Swimming Pool building.
- Landscaping is needed to shield the car parks from residential properties and from view from Newchurch Road.
- The outdoor pitches are proposed in an area that gets water-logged/floods.
- Hope the development now proposed warrants : provision of bus lay-bys on Newchurch Road; improvement of the junction between Newchurch Road and the shared access-road; measures of traffic-calming and to stop random parking within the site; provision of better external illumination along the shared access road and within parking areas.
- Any development of this site which will add to traffic should not be allowed for at least a year to ensure access to the Golf Driving Range is not interfered with until it is established.

7. PLANNING ISSUES

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

- 1) Principle
- 2) Visual Amenity
- 3) Neighbour Amenity
- 4) Access/Parking

Principle

The site lies within the Countryside, wherein National and Local policy seek to limit new development to that needed for the purposes of agriculture, forestry and other uses appropriate to a rural area.

The proposed outdoor pitches are not inappropriate within a rural area.

The proposed extension is in part intended to accommodate the changing facilities the outdoor pitches require. Nevertheless, it contains space that is not ancillary to the outdoor recreational use and, with a floor area of approximately 400sq m, cannot be considered small. However, the existing Swimming Pool building is no more appropriate within a rural area and this extension to it is for related leisure purposes. Furthermore, the siting of the extension between the existing Swimming Pool building and 2-storey buildings of the Sports Club, mean that it will not unduly erode the open and rural character of the area.

Likewise, the additional areas of hardstanding are not appropriate development in a rural area. However, the application does not seek to provide parking at the site which is unrelated or disproportionate in size to the leisure uses existing/proposed within the site.

Accordingly, I do not consider there to be grounds to refuse the application permission by reason of the Countryside designation of the land. Nor do I consider the scheme to unduly undermine and harm the designation of the land as Greenland/Recreation Area since the proposal does not unduly diminish the open character of the area, existing recreational features or links to the wider countryside.

Visual Amenity

The application seeks Outline Permission, with the matters of Appearance and Landscaping reserved for later consideration. However, it is possible to gauge a proper appreciation of the proposal from the submitted Layout and the details contained in the Design & Access Statement (including its Illustrative Drawings).

I am satisfied that an extension of the siting and size proposed will not appear unduly prominent or intrusive, subject to use of appropriate facing materials. Amendment of the Layout originally submitted has resulted in the parking area extending towards the houses fronting Newchurch Road/Heritage Drive now stopping short of the party-boundary, providing greater scope for additional landscaping. A relatively small number of trees will be removed in order to complete the scheme. However, I am satisfied that in terms of number and visual/ecological value they can be adequately compensated for with new planting. This can be addressed when the reserved matters application for Landscaping is dealt with.

Neighbours Amenity

I am satisfied that the new leisure uses to be introduced, and the scale of activity at the site as a whole, will not result in significantly greater noise/disturbance for any neighbours than at present.

For local residents the aspect of the proposal most likely to impact upon them is the extension of the existing car park southwards. As indicated in the preceding Section, the Layout originally submitted has been amended to short of the party-boundary, provide greater scope for additional landscaping on the party-boundary with the houses fronting Newchurch Road/Heritage Drive.

Whilst the provision of the outdoor pitches and additional parking areas may affect the areas presently used by dog-walkers routes through the site for them and for school children who walk to school through the site will remain.

For the Golf Driving Range/Sports Club care will need to be taken to avoid interference with its access, particularly during construction of the extension/formation of the outdoor pitches and associated lay-by. A condition is proposed requiring submission and approval of a Site Construction Plan to address this issue.

In accordance with the wishes of Rossendale Harriers & Athletics Club the Agent has agreed the new parking area proposed between the southern end of the running track

& shared access-road will leave a margin of grass of 3+m in width adjacent to the running track so as not to curtail its activities.

Access/Parking

The Highway Authority has no objection in principle. I concur with its view that the local highway network is capable of accommodating the additional traffic the proposal will generate. With respect to concerns it expressed about matters of detail in relation to the parking arrangements/pedestrian routes through the site an amended Layout has been received. Comments on this are awaited from LCC (Highways) and will be reported to the meeting.

8. Summary Reason for Approval

The proposed development entails an extension of the range of indoor and outdoor leisure opportunities presently available at the site and, subject to the conditions, will not have an unduly detrimental impact on the Greenlands/Recreation Area, visual and neighbour amenity or highway safety. The proposal is considered to accord with PPS1/PPS9/PPG13/ PPG17/PPG24, Policies RDF1/L1/EM1/RT2/RT4 of the Regional Spatial Strategy (2008), and Policies DS5/DC1/E1/E2/E4 of the Rossendale District Local Plan (1995).

9. RECOMMENDATION

That Outline Permission be granted, subject to the following conditions :

10. CONDITIONS

1. Approval of the details of appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: The application is in outline only and is not accompanied by details of these matters.

2. Application for reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason : In order to comply with Section 92 of the Town and Country Planning Act 1990.

3. The first reserved matters application shall be accompanied by details of intended levels, drainage and lighting arrangements for the vehicle parking/manoeuvring areas. The approved scheme for the provision of parking/manoeuvring of vehicles shall be completed in full prior to first use of the extension hereby approved, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : In the interests of Highway Safety in accordance with Policy DC1 of the Rossendale District Local Plan.

4. No development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

- Appointment of a Travel Plan Co-ordinator
- Travel survey
- Details of cycling/pedestrian/public transport links to and through the site
- Provision of secure, covered cycle parking.
- SMART Targets for non-car modes of travel
- Action plan of measures to be introduced, and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of 5 years

The Travel Plan shall be completed and carried out in accordance with the details approved and shall not be varied unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety and sustainability, in accordance with Policy DC1 of the Rossendale District Local Plan.

5. Prior to the commencement of construction on site, a Site Construction Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Construction Plan shall include : details/timetable of construction; vehicle wheel –cleaning facilities; construction traffic parking & construction compound location; the proposed temporary closure/diversion of any existing parking areas, paths or roadways. The approved Site Construction Plan shall be implemented and adhered to throughout the entire construction period of the development.

Reason: To maintain safe and satisfactory access arrangements to neighbouring premises and through routes in the area during the period of construction, to accord with Policy DC1 of the Rossendale District Local Plan.

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 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 neighbours, in accordance with Policy DC1 of the Rossendale District Local Plan.

Contact Officer	
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