

Application No: 2011/83

Application Type: Full

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: 21 March 2011

Applicant: Head of Finance & Property
Rossendale Borough Council

Determination Expiry Date:
16 May 2011

Agent: KKA

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

2010/537 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 (Outline)

At its meeting in December 2010 Committee granted Outline Permission for the above proposal and for details of its Access, Scale and Layout, leaving only the matters of Appearance and Landscaping for consideration as part of a later application.

In short, the proposal entailed:

- Little alteration to the internal layout/appearance of the existing building, with minor refurbishment of the existing Ladies Changing Rooms.
- Erection of a 2-storey extension, with pitched-roof, to be sited between the existing building and the shared access-road up to the Golf Driving Range, to accommodate the main entrance, new changing rooms and fitness studio/rooms.
- Re-configuration of the existing car parking area and additional hard-surfaced areas that increased 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 approved 2-storey extension was to measure 11m in width and 37m in length.

The additional hard-surfaced areas were 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 - required 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 would result in loss of approximately a dozen trees.

3. THE PROPOSAL

Following the grant of Outline Permission to Application 2010/0537 the Applicant/Agent have given further consideration to how the additional/enhanced facilities then permitted can be accommodated. As a result of this the Scale and Layout then approved have been somewhat modified. Accordingly, the current application does not seek approval of the Reserved Matters in respect of Application 2010/537, but is an application for Full Permission for the proposal.

The submitted scheme differs from that previously granted Outline Permission as follows:

- Increase in the length of the 2-storey extension proposed by approximately 3m, resulting in its projection further forward (i.e. towards Newchurch Road).
- Reduction in the width of the extension by approximately 0.6m, thereby slightly increasing the extent to which it will stand away from the access road up to the Golf Driving Range.
- Changing the parking layout to include an increase in the number of parking spaces 152, achieved principally by modifying the layout of existing/previously permitted parking areas, and extension of them approximately 8m nearer to the side boundary of 22 Marl Pits, whilst increasing the distance new parking will stand off the boundary of the several residential properties to the south by 8+m.
- Minor changes to the siting of the football pitches to the rear and omission of the lay-by intended between them and the access road up to the Golf Driving Range.

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 & 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

- RBC Submitted Core Strategy DPD (2010)
- KKP Rossendale Leisure Review (2009)

5. CONSULTATION RESPONSES

LCC (Highways)

No comments.

LCC (Rights of Way)

Comments awaited.

RBC (Land Drainage)

No Objection.

Recommends a Condition to ensure submission of drainage details, incorporating sustainable drainage principles, and its implementation.

RBC (Environmental Health)

Comments awaited. It did not have objection to the previous scheme.

6. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order the application has been publicised by way of a press notice on 25/02/11, 4 site notices posted on 18/02/11 and letters sent to the relevant neighbours on 17/02/11.

The resident of 368 Newchurch Road has indicated that, whilst they fully support the project, the submitted drawings indicate no new planting is intended between their property and the parking area proposed by the athletics track. They ask that landscaping/trees are added around the boundary of this parking area.

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 scheme now proposed does not alter the nature or scale of the development recently approved under Outline Application 2010/537. Accordingly it is considered that the application is acceptable in principle.

Visual Amenity

The extension now proposed is not of a siting or scale which will result in it now appearing unduly prominent or intrusive. The same can be said of the proposed parking facilities.

The current application provides additional information about the appearance of the proposed building. Whilst the gables of the new building will contain significant areas of glazing, the pitched-roof and upper part of walls will be clad with metal sheeting/panels and other parts of the external walls rendered, to be of colours to be agreed. I am satisfied the proposed facing materials are appropriate, subject to a Condition requiring approval of the colours of them.

Likewise, I am satisfied that the parking/manoeuvring areas, and outdoor pitches, will not be detrimental to the surrounding area so long as they are appropriately landscaped. The Agent has indicated that the outdoor pitches may now be provided on different levels, thereby reducing the amount of material to be imported to infill the hollow. Conditions are recommended in respect of levels and drainage and to ensure implementation of a landscaping scheme to be agreed.

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. However, I am satisfied that as now proposed the car parking/manoeuvring areas will not be unduly detrimental to neighbours subject to appropriate lighting and landscaping schemes.

Access/Parking

The Highway Authority remains of the view that the local highway network is capable of accommodating the additional traffic the proposal will generate. Nor has it raised any concerns about the intended parking arrangements/pedestrian routes through the site.

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 permission be granted.

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. No development shall take place until samples/colours of the materials to be used in the construction of all external elevations of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
Reason: In the interests of visual and neighbor amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.

3. Prior to the commencement of development hereby approved full details of the of intended levels, drainage and lighting arrangements for the vehicle parking/ manoeuvring areas and the outdoor pitches shall be submitted to the Local Planning Authority for its approval in writing, unless otherwise first agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to first use of the extension or the outdoor pitches, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: In the interests of visual and neighbour amenity and highway safety, in accordance with Policy DC1 of the Rossendale District Local Plan.

4. The site shall be treated in accordance with a scheme of landscaping/boundary treatment which shall be submitted to and approved in writing by the Local Planning Authority before development is started. The submitted scheme shall include full details of: all existing trees and shrubs on bounding the site; indicate those to be retained and how they are to be protected during construction; the trees and shrubs to be planted; the walls/fences/gates and hard-surfaced areas to be provided.

Reason: In the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990 and to comply with Policy DC1 of the Rossendale District Local Plan.

5. The walls/fences/gates and hard-surfaced areas to be provided to accord with the approved scheme of landscaping/boundary treatment shall be carried out prior to first use of the extension or outdoor pitches hereby permitted and any planting in the first planting season thereafter, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or shrubs removed, becoming dead or seriously damaged or diseased within five years of planting shall be replaced with others of the same species/size within twelve months, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and neighbour amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.

6. Prior to first use of the extension or outdoor pitches hereby permitted a Travel Plan shall be 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.

7. 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.

8. 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	
Name	N Birtles
Position	Principal Planning Officer
Service / Team	Development Control
Telephone	01706-238645
Email address	planning@rossendalebc.gov.uk