

Application Number:	2013/0510	Application Type:	Full
Proposal:	Demolition, making good the footprint of the building & its surrounds with reclaimed asphalt plantings & planters, and aesthetic improvements to rear elevation of Town Hall	Location:	Town Hall Annex, Lord Street, Rawtenstall
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	10 December 2013
Applicant:	Rossendale Borough Council	Determination Expiry Date:	3 January 2014
Agent:			

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	Council Land

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. RECOMMENDATION

That Committee approve Permission for the reasons set out in Section 10.

2. SITE

At its meeting in January 2012 Committee considered and approved a scheme for demolition of the Valley Centre Shopping Precinct and its replacement with an interim development comprising a public realm and event space (2011/570 & 2011/581CAC). The approved scheme has been implemented.

This application relates to land to the south, of approximately 0.1ha in area, which is presently occupied by the One Stop Shop building, together land on its south side extending up to and including the rear elevation of the Town Hall building itself.

Now vacant, this 3-storey building of modern (rather than traditional) design and facing materials, has its entrance facing towards a car park accessed from Lord Street and sits slightly below the level of this road and the treed area and car parking area to its north side; there are bike stands to the north side of the building. The tarmaced area to the south side of the One Stop Shop building has upon it a portacabin, but is otherwise laid out for the parking of cars. Beyond this is the old Town Hall. Whilst its frontage to Bacup Road is of some architectural interest, the assortment of additions/alterations to the rear elevation of the Town Hall benefit from being screened from public view by the One Stop Shop building.

Although the One Stop Shop building is set well back from Lord Street and James Street, and from the Valley Centre event space, it is quite visible to the public from them. It is also visible to a degree from Bacup Road, through the junction with James Street. The portacabin and parking area to its south side are largely screened from public view.

The application site is located within the boundary of Rawtenstall Town Centre, as designated by Policy 11 of the Council's adopted Core Strategy, and is also within its Conservation Area. In the Character Appraisal produced in 2011 the One Stop Shop building was identified similarly to the Valley Centre as a 'Building where sensitive redevelopment would be welcome', whilst the old Town Hall is identified as a 'Positive Unlisted Building of High Quality'. The nearest Listed Building to the application site is Longholme Chapel, which is situated behind the funeral directors fronting to the west side of James Street.

3. RELEVANT PLANNING HISTORY

2011/570 Demolition of existing Valley Centre Shopping Precinct, including Astoria Hall
CAC Approved

2011/581 Demolition of existing Valley Centre Shopping Precinct, including Astoria Hall, to be replaced with an interim development comprising a public realm and event space
 Approved

4. PROPOSAL

The applicant advises that following a review of accommodation for its office staff the One Stop Shop building ceased to be occupied in August 2013 - its outdated construction was leading to spiralling maintenance costs. In the hope of securing a tenant, its availability was advertised for a period of more than 6 months, without success. It now presents as a significant risk in respect of vandalism due to its vacancy and worsening condition.

This being the case, permission is sought to :

- demolish the building, together with the wall that extends from it up to the old Town Hall
- remove the portacabin and bike stands

- cover the area exposed by the removal of the building and mish-mash of surrounding surfaces with a new surface of road-planings and place upon it a series of planters
- improve the appearance of the rear elevation of the old Town Hall by : a) removal of the protruding entrance/canopy; b) removal of a redundant flue, fire escape, air-conditioning units & cables/pipes; c) repair of damaged brickwork, woodwork & rainwater goods; & d) re-painting of the entire elevation.

The Supporting Statement accompanying the application states :

“The Council recognises that the town hall annex along with the valley centre complex site represents perhaps its most important borough-wide site for sensitive redevelopment. This is recognised in the Council’s adopted Core Strategy. Indeed the wider site including the square, town hall and annex element has recently been the subject of an architectural design competition. However, the council also recognises that the submission of any specific application for long term redevelopment of the site may be some time off.

The council proposes its demolition within the next 6 months. This demolition will be accompanied by surface works to address any health and safety issues arising from the demolition. It is recognised that a number of trees adjoin the site to the north and east of the building to be demolished. The trees are to be retained. The contractor will also ensure the trees are not damaged by falling debris by the correct use of a high-reach demolition machine to ensure the building and its materials are brought down in a safe controlled manner into its own footprint and away from all trees and structures to be retained.

It is acknowledged that 12 cycle racks will be removed as part of the proposals. However, these are poorly located and are not in good condition. Good quality cycle racks have already been provided in a better location in the main square, closer to the bus stops with better natural surveillance

In addition, it is recognised that the demolition of the Town Hall Annex will reveal the rear of the Old Town Hall to much wider view points from the newly created square (where the Valley Centre complex was situated). Accordingly, in order to preserve and enhance the Conservation area, the Council recognises the need to improve the rear elevation of the old town hall along with ensuring the space left by the demolition also achieves this objective. However, the Council also recognises that such elements are only likely to be needed to cover a transitional period before a long term development solution is put in place.”

5. POLICY CONTEXT

National

National Planning Policy Framework (2012)

- Section 1 Building a Strong Competitive Economy
- Section 2 Ensuring the Vitality of Town Centres
- Section 4 Promoting Sustainable Transport
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

Development Plan

RBC Core Strategy DPD (2011)

- AVP4 Rawtenstall
- Policy 1 General Development Locations & Principles
- Policy 9 Accessibility
- Policy 11 Retail and Other Town Centre Uses.
- Policy 12 The Valley Centre
- Policy 16 Preserving & Enhancing the Built Environment

Other Material Planning Considerations

LCC Historic Town Assessment Report for Rawtenstall (2006)
RBC Rawtenstall Town Centre Conservation Area Character Appraisal (2011)
RBC Rawtenstall Town Centre Draft Supplementary Planning Guidance (2011)

6. CONSULTATION RESPONSES

English Heritage

In respect of the earlier Valley Centre applications it advised that : English Heritage supports the demolition of the Valley Centre, subject to appropriate linking condition and/or legal agreement to secure the implementation of an appropriate scheme of replacement development - albeit a temporary design in the first instance.

Its comments in relation to the current application are awaited.

LCC Archaeology

In respect of the earlier Valley Centre applications it advised that : The application raises no significant archaeological implications.

Its comments in relation to the current application are awaited.

LCC Highways

In respect of the earlier Valley Centre applications it advised that : There is no objection. However, carriageways and footways would need to be temporarily closed and it wished the Bank Street elevation of the Valley Centre demolished early in the programme to ensure bus stops here were re-located for the shortest possible time.

Its written comments in relation to the current application are awaited. However, it has indicated that it has no objection to the proposal, which does not raise the same concerns for adopted carriageways and footways or bus stops/services.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a press notice was published on 14/11/13, four site notices were posted on 18/11/13 and 9 letters were sent to local organisations/neighbours on 18/11/13.

No comments have been received to date.

8. ASSESSMENT

The proposal for demolition of the Valley Centre, and for the interim development of that site as a public realm and events space, required both Planning Permission and Conservation Area Consent. However, the current proposal requires only Planning Permission.

The main issues to consider are : 1) Principle; 2) Heritage Implications; 3) Neighbour Amenity; & 4) Highway Safety.

Principle

Policy 11 of the Core Strategy relates to Retail and Other Town Centre Uses. Amongst other things, it states that :

“Retail development, together with other town centre uses, including offices, leisure, arts, culture and tourist facilities, will be focused within the defined town and local centres.

Major proposals will be directed to Rawtenstall with other large schemes encouraged to locate in the district centres of Bacup and Haslingden.

This hierarchy supports the Council’s vision of achieving a quality retail development at the Valley Centre in Rawtenstall, with ancillary local retail in the other centres. Rawtenstall is also the focus for medium and large scale retail and leisure development.

Retail proposals will be directed to the Primary Shopping Areas (PSA). Proposals for non-retail uses appropriate to town centres will be considered favourably within the town centre boundary, which encompasses but extends beyond the PSA.”

Policy 12 of the Core Strategy reads as follows :

“It is proposed that the regeneration of the Valley Centre will be achieved as follows :

The regeneration of the Valley Centre and adjacent buildings in Rawtenstall is of strategic importance. A high quality masterplan-led design approach is being developed and will include the following elements:

- A focal point for retailers with other supporting other uses appropriate to a town centre,*
- Design which responds to the existing townscape in concept, layout and design detailing and enhances Rawtenstall’s urban grain*
- Street masterplanning and design which provides active frontages*
- A mix of uses that encourages natural surveillance and a safe street environment*

All designs should take into account public transport access, parking provision and public open space provision.”

The plans accompanying Policy 11 identify the Primary Shopping Area of Rawtenstall as including the Valley Centre, whilst the site of the current application is located within the Town Centre, but not the Primary Shopping Area. It should be noted that Policy 12 refers to the regeneration of “*the Valley Centre and adjacent buildings*” as being “*of strategic importance*”. The Character Appraisal for the Rawtenstall Town Centre Conservation Area indicates the One Stop Shop building to be a ‘Building where sensitive redevelopment would be welcome’.

Accordingly, I do not consider there to be an objection in principle to demolition of this building.

Clearly, the thrust of policy is towards securing for the Valley Centre site and this site new built-development that will both add to the vitality and viability of Rawtenstall Town Centre and enhance the character and appearance of its Conservation Area. In the present economic climate I can appreciate why the Applicant considers the chances of securing immediately the comprehensive redevelopment of this site (alone or in tandem with adjacent land) is such that they are proposing the demolition of the building and an interim form of development for it that will not stymie the opportunity for comprehensive re-development in the future.

Heritage Implications

The general duty S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, places on the Council in respect of exercise of its various planning functions towards conservation areas reads as follows :

“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in [the planning acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 contains a corresponding duty in relation to Listed Buildings.

With respect particularly to Rawtenstall Town Centre Conservation Area, information and advice upon its historic growth and its distinctive character and qualities are provided in the ‘Historic Town Assessment Report for Rawtenstall’ published by the County Council in 2006 and the more recently produced Conservation Area Character Appraisal approved by the Council in 2011. In the latter document the Valley Centre and One Stop Shop building are both identified as “Building where Sensitive Redevelopment would be welcome”.

I do not consider the architectural or historic interest of this building to warrant its retention for the reasons set out in the preceding Section. Nor do I consider the treatment intended for the site currently occupied by building and surrounding ground inappropriate as an interim solution; public view of this area is limited to a degree by reason of lying below the level of the land on the west side, its setback from Lord Street and retention of the boundary wall fronting James Street.

Notwithstanding that the One Stop Shop building does not merit retention in its own right as a ‘heritage asset’ its demolition will expose to greater public view from the event space formed on the Valley Centre site (and the adjacent public car park) a section of the rear elevation of the Old Town Hall that is not presently of attractive appearance. Although there are a number of intervening trees that will limit to a degree the view the public would have of the rear elevation of the Old Town Hall, its exposure was the principle concern of the Council’s Conservation Officer.

To address this matter the Applicant has as part of the application proposal set out the works that would be done to improve the visual appearance of the rear elevation of the Old Town Hall, which include removal of the protruding entrance/canopy, a redundant aluminium flue, fire escape, air-conditioning units & cables/pipes, together with the repair of damaged brickwork, woodwork & rainwater goods and re-painting of this elevation. Treatment is intended for parts of the rear elevation that are presently of white-painted brickwork, render or timber-boarding, not stonework.

On this basis, I am satisfied that the removal of the One Stop Building will not result in harm to the character and appearance of the Conservation Area or cause harm to the setting of any Listed Building. I consider it appropriate to attach a Condition to ensure that details are submitted of the colour of the paint to be applied to the rear elevation of the Old Town Hall and also the preparation of the surfaces to which it is to be applied.

Neighbour Amenity

Whilst the demolition work will cause a degree of disturbance, this will be of limited duration and I am satisfied that the finished scheme will not result in unacceptable detriment for any neighbours.

Highway Safety

The demolition works this proposal entails will be of less duration than those associated with the demolition of the Valley Centre and will not necessitate temporary closure of adopted highways/bus stops. The Highway Authority has raised no objection to the proposal.

9. SUMMARY REASON FOR APPROVAL

The building to be demolished does not make a positive contribution to the character and appearance of the Rawtenstall Town Centre Conservation Area and, subject to the conditions, the proposal will not result in unacceptable harm to the character and appearance of the Conservation Area or the setting of any Listed Building, the amenities of neighbours or highway safety, nor stymie wider regeneration aims of the Council for Rawtenstall Town Centre.

10. RECOMMENDATION

That Permission be granted subject to the Conditions below.

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. Within 3 months of demolition of the Town Hall Annex the groundworks and works to improve the appearance of the rear elevation of the old Town Hall as indicated on the submitted drawings/in the submitted supporting statement shall be completed, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the locality, in accordance with, in accordance with Policies 1 / 16 / 23 / 24 of the adopted Core Strategy DPD 2011.

3. Notwithstanding what is shown on the submitted drawings/in the submitted supporting statement, prior to the commencement of demolition, there shall have been submitted to and approved in writing by the Local Planning Authority :

- a) A method statement in respect of the demolition works to be undertaken, including details of the means by which the boundaries of the site will be screened, harm to existing trees bounding the site will be avoided and where any site cabins/compound will be located; &
- b) Full details of the paint(s) to be used for painting of elements of the rear elevation of the Old Town Hall, including its colour(s) and also the preparation of the surfaces to which it is to be applied.

Reason: To protect the character and appearance of the locality, in accordance with, in accordance with Policies 1 / 16 / 23 / 24 of the adopted Core Strategy DPD 2011.