

<b>Application Number:</b>	<b>2015/0476</b>	<b>Application Type:</b>	Full
<b>Proposal:</b>	The redevelopment of the site for a bus station and retail/café units (Use classes A1,A2,A3,A4,A5 or B1), including associated facilities, car parking and landscaping, demolition of former police station, town hall annex, public toilets and part demolition and works to the old town Hall, within the Rawtenstall Conservation Area.	<b>Location:</b>	Rossendale Borough Council Offices/Bus Station/Police Station, Bacup Road, Rawtenstall
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	23 <sup>rd</sup> February 2016
<b>Applicant:</b>	Rossendale Borough Council	<b>Determination Expiry Date:</b>	18 <sup>th</sup> February 2016
<b>Agent:</b>	Miss Annabel Partridge – NJL Consulting		

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

### 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 9.

## 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) in Rawtenstall town centre. The approved scheme has been implemented.

This application relates to land immediately to the south and south east of those works which is presently occupied by the former Town Hall, One Stop Shop building (Town Hall annex), Police Station, public toilets and the existing bus station. It also includes a section of St James Street leading to the work place parking for a number of shops to the rear of Bank Street and the undertakers; Bacup Road for the section between St James Street and Kay Street between the bus station and the former town hall, and also Lord Street, North Street and Annie Street which run through the site.

The Former Town Hall itself has an attractive traditional stone frontage to Bacup Road but has been subject to a number of unsympathetic alterations and extensions to the rear elevation which are currently largely screened from view by the town hall annex. Between the annex and the old town hall is a small former employee car park largely screened from view. The Bus Station on to Bacup Road built as a temporary structure now has a dated and tired appearance. The Town Hall Annex and public toilets also now appear tired and dated in the street scene as does the police station which has a stark appearance when considered in the context of nearby traditional buildings. The site also consists of a car park accessed from Lord Street (tarmacked) and which sits below the level of this road and is accessed via a ramp and the treed area and car parking area to its north side which is flagged. Twelve underused cycle racks can be found adjacent to the town hall annex, largely screened by the building and a retaining wall to the flagged car park. The floorscape around the buildings is a mix of somewhat dated materials including tarmac, flags and rounded stones. A small number of mature trees can be found adjacent to the town hall annex and on the corner of St James Street and Bacup Road.

The application site is located within the defined Urban Boundary, in addition to being within the boundary of Rawtenstall Town Centre, as designated by Policy 11 of the Council's adopted Core Strategy. It is also within its Conservation Area. The Conservation Area Character Appraisal was adopted as a material planning consideration in 2011. The Town Hall Annex, police station, bus station and the public toilets are identified in the appraisal as Buildings 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.

The application site forms part an area designated by Rossendale Core Strategy Policy AVP4 which includes proposals for amongst other things the redevelopment of the former valley centre site that will complement its conservation area setting and Rawtenstall's townscape, where pedestrian links and cycle access to the Railway Station will be improved / made direct and attractive and Rawtenstall Bus Station will be rebuilt to provide high quality passenger facilities and a landmark new development in the town centre. Policy 12 of the Core Strategy indicates redevelopment of the Valley Centre and adjacent buildings is of strategic importance.

### 3. RELEVANT PLANNING HISTORY

- 2014/0538 Demolition of the town hall, One Stop Shop (Town Hall Annex), former police station, bus station, public toilets and removal of existing car parking areas (30 spaces) and construction of a new bus station with retail at ground floor and offices above, and provision of associated parking (56 spaces) and landscaping  
Withdrawn
- 2013/510 Demolition, making good the footprint of the building & its surrounds with reclaimed asphalt planings & planters, and aesthetic improvements to rear elevation of Town Hall  
Approved but not implemented
- 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 and implemented
- 2011/570 Demolition of existing Valley Centre Shopping Precinct, including Astoria Hall  
CAC  
Approved and implemented

### 4. PROPOSAL

This full application which has been submitted on behalf of the RTB partnership is for the redevelopment of the site for a bus station and retail / café units use classes A1,A2,A3,A4,A5 or B1 along with associated car parking and landscaping. The proposals will require the demolition of the former police station, town hall annex, public toilets and partial demolition and works to the old town hall.

The component parts of the development are described in supporting documentation by the developer below:

#### Bus Station

The bus station building will be located towards the centre of the site. The building will be a modern design, clad in glass. It will comprise a single storey, ground floor area utilised for the bus station (Use Class Sui Generis) and retail units, Use Class A1 (shops), A2 (professional services - eg Estate Agent, Solicitors) A3 (restaurant), A4 (drinking establishment) A5 (Takeaway) or B1 (office). The internal area for the bus station will comprise 722 sq.m with the gross building area measuring 766 sq.m. The majority of this area will be utilised as circulation space, with seating areas for waiting passengers. A manned information point will be located at the centre of this space to assist bus station customers. Ancillary amenities associated with the use of the bus station will also be provided at ground floor level comprising toilets for members of the public and separate toilets for bus station staff/bus drivers, an office for the bus station manager, a drivers' welfare area, a cleaners store room and a plant room. The facilities are considered necessary for the operation of the bus station and are ancillary to its main use.

Eight bus parking bays and running lanes are to be provided adjacent to the southern elevation of the building. Adjacent to each of the parking bays will be a door that will provide access to the bus station. A canopy will cover the area adjacent to these doors, to provide a covered access point for passengers. The area between the doors and the buses will be raised so that there is level access from the buses to the bus station building. This raised kerb area will follow along the front of the building to provide protection for the building from overrunning buses. This will be supported by appropriate bollards to the front of each bus.

Pedestrian access to the bus station will be via eight entrances. Six entrance points will be located on the northern elevation and a single entrance point will be located on each of the east and west elevations. The external areas for the bus station comprise eight bus parking bays and running lanes for the buses, with an access route to the south of these. The forecourt will be located adjacent to the southern elevation of the building, for maximum accessibility from Bacup Road. A lay over area for the buses will be provided to the south of the forecourt, near to Bacup Road. Bus access to the bus station will be from Bacup Road, via a T-junction. Egress will be via Annie Street, onto Bacup Road via a T-junction. A plant room will be located on the ground floor (measuring 4 sq.m). Separate store rooms will also be available for use by the retail units.

### Works to the Town Hall

It is proposed that part of the Town Hall is demolished as part of these proposals. The area to be demolished comprises an extension built in approximately 1910 and a late 19<sup>th</sup> adjoining century block to the west. Works to the Town Hall are proposed to facilitate its reoccupation for B1 use. Greenvale Homes has confirmed they are looking to move into the Town Hall building if permission is granted. The building was last in operation as offices associated with Rossendale Borough Council. It therefore benefits from B1 Use and a change of use planning application is not necessary to enable occupation of the Town Hall for office use. It is proposed to erect a single storey extension to the west of the town hall which will act as an entrance foyer for the building's use.

### Retail/Café Units

Three small scale retail units (Use Class A1, A2, A3, A4, A5 and B1) will be located at ground floor level within the bus station comprising 154 sq.m in total. The applicant indicates these will provide facilities e.g. café or retail kiosk, for those using the bus station, similar to the services found in most public transport interchanges. One of these units will be located in the north west corner and measure 37 sq.m. Two will be located in the north east corner of the bus station and measure 45 sq.m and 72 sq.m. Each unit will have a dedicated entrance and egress to outside of the bus station, enabling movement and access both from outside and within the bus station.

### Parking

The development will include the creation of two new public car parks. A car park of 34 spaces will be created towards the north of the site on land bound by Kay Street, North Street and Annie Street. This car park will be brought forward as a multifunctional space that can be utilised to hold events occasionally, linking to the public open space to the west. Vehicular access to the car park will be obtained from Kay Street via North Street and egress will be via Annie Street onto Kay Street. It will operate as a one-way route in a northwest-southeast direction.

A second car park will be provided on the site of the current bus station. This will include 25 spaces. It will be accessed from Bacup Road. Pedestrian crossings across Bacup Road will link this car park to the bus station. The public car park accessed from James Street will provide 44 spaces, which represents a reduction of 1 space from the current position. Overall, the proposals will result in an increase of 24 off street public car parking spaces.

The Town Hall public car park will be lost (16 spaces) and a new car parking will be located adjacent to the Town Hall (10 spaces) for the private use of Greenvale Homes. Taking into account on street car parking, the development will result in an overall net increase of 12 public car parking spaces. The application site currently includes 12 taxi spaces. These will be lost as part of the development and RBC has identified strategic locations to replace these spaces at Longholme Road (6 spaces) and in the Kay Street car park (3 spaces).

Cycle parking will also be provided on site. This includes the provision of 7 'Sheffield style' stands and 4 secure cycle 'bins'. Currently the site does not include formal cycle parking and therefore this is a net increase.

### Landscaping

All but two of the trees on site are to be removed to facilitate the development. Retained trees are located at the Kay Street/Bacup Road junction. Hard and soft landscaping will be provided throughout the development, including the provision of trees, with a line of trees proposed along the Bacup Road frontage, adjacent to the Town Hall. Details of the landscape strategy for the development are set out in the Design and Access Statement submitted with the application. It includes the use of a colour pallet of high quality hard landscaping materials to denote different areas and areas of planting to enhance the development at key locations.

### Demolition

The proposals include demolition of the Town Hall Annex (The former One Stop Shop), the former Police Station, the existing bus station and the public toilets. The proposals also include the partial demolition of the Old Town Hall relating to the less ornate extension built in approximately 1910.

### Supporting Statement

The developer has submitted a wide range of documents in support of this revised planning application. These include a range of layout and elevational drawings and a:

- Planning & Regeneration Statement
- Design & Access Statement

And a variety of studies including:

- A Flood Risk Assessment prepared by Betts Hydro.
- A Phase 1 Geo-Environmental Desk Study prepared by Capita.
- A Transport Assessment and Stage 1 Road Safety Audit prepared by Capita.
- A Town Hall Heritage and Impact Assessment, and a Conservation Area Appraisal and Impact Assessment, both by Purcell.
- An Air Quality Assessment prepared by Wardell Armstrong.
- An Arboricultural Report prepared by Urban Green.
- A Bat Survey (and Method Statement) prepared by The Bat Consultancy.
- A Noise Assessment Report prepared by RS Acoustic Engineering Ltd.
- A Statement of Community Involvement.

The developer has also outlined the background to the purpose of the RTB Partnership, its Masterplan for the area and its pre-submission consultation arrangements. This includes as follows:

The RTB Partnership was formed in 2013 and comprises RBC, Together Housing and Barnfield Investment Properties. Its remit is to work together to facilitate regeneration, betterment, economic growth and social development across Rossendale. The redevelopment of The Valley Centre and its surroundings is a priority project for the Partnership and it has been working over the past three years to bring forward a scheme for this area that will offer substantial benefits to Rawtenstall, whilst also being a commercially viable proposition, to ensure it has longevity. RBC itself has been working to unlock this site for many years. The Council acquired the site in November 2011, in order to regain control of this key regeneration area. It subsequently demolished the Valley Centre in 2012 and brought forward the temporary Town Square on the site. This removed the eyesore that the Valley Centre had become and provided a public open space to benefit the local community. This space has proved popular with local people, who are now keen for a space to be retained on this site. However, the square was only ever intended to be a temporary measure whilst an appropriate strategy was developed for bringing forward this site. This resulted in the RTB Partnership, who came together as a group of organisations that together could actually deliver development in Rossendale, including at the Valley Centre area. A masterplan for the area was developed and it was re-branded Spinning Point. Lancashire County Council (LCC) funding for a new bus station in Rawtenstall was confirmed last year and these

funds provided the stimulus to bring forward the first phase of the Spinning Point development. The bus station will be operated by LCC and so the project team and RTB Partnership have worked closely with LCC to ensure that the design of the bus station and the external areas meet its requirements and those of the bus operators that will be using the station.

### The Masterplan

The RTB Partnership appointed DAY Architectural Ltd to develop a Masterplan for The Valley Centre area in 2013, following a design competition. Since that time, DAY Architectural Ltd has been working closely with the Partnership to formulate a Masterplan for the area which meets the objectives of all parties. This has resulted in the Spinning Point Masterplan which covers an area encompassing the application site and the site of the former Valley Centre, along with some surrounding car parks and landscaping areas.

The Masterplan proposes to create new focus for activity in Rawtenstall Town Centre whilst linking to the existing Town Centre and wider area. It is proposed that the area is brought forward in a number of phases:

- Phase 1: The application proposals.
- Phase 2: Mixed commercial and residential development linking to Bank Street and Kay Street.

The phased delivery is intended to bring forward a new high quality and multipurpose public open space, which will be at the heart of the Masterplan area and link through to the existing town centre. The applicant considers the Masterplan may evolve to a certain extent over time to reflect market demands. It provides the context for each Phase of the development, so that it can be considered cohesively, rather than on a step by step basis.

### Pre-submission Consultation

The applicant has sought to address criticisms of its previous submission which was withdrawn. It has revised its proposals and has undertaken extensive pre-submission consultation including exhibitions. It advises that feed-back has been broadly positive. It has also undertaken pre-application engagement including with Historic England. It advises that the feedback has directly informed the design of the proposals. It confirms the proposals have also been subject to a peer review.

## **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)  
Lancashire Local Transport Plan – A Strategy for Lancashire (2011-2021)  
East Lancashire Highways Masterplan (2014)

## **6. CONSULTATION RESPONSES**

### **Forward Planning**

The policy context for this site is provided by relevant policies of the National Planning Policy Framework (NPPF), National Planning Practice Guidance, the adopted Rossendale Core Strategy (2011) which are considered to remain compliant with the National Planning Policy Framework 2012 and the Local Transport Plan – A Strategy for Lancashire 2011 and the East Lancashire Highways and Transport Masterplan (2014). Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, in this case the Rossendale Core Strategy 2011, unless material considerations indicate otherwise.

### **NPPF**

The NPPF is clear that there should be a presumption in favour of sustainable development. It includes core principles to secure high quality design, promote vitality of urban areas and a good standard of amenity, and to conserve heritage assets in a manner appropriate to their significance. Account should be taken of and support local strategies to promote health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.

Applications for main town centre uses should be located in town centres, and opportunities for sustainable transport modes should be taken up and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

In more detail, section 7 of the NPPF requiring good design indicates decisions should not impose architectural styles or particular tastes or stifle innovation, originality or initiative, but should promote or reinforce local distinctiveness. Decisions should address the connections between people and places and the integration of new development into the built and historic environment. The NPPF indicates authorities should have local design arrangements in place to provide assessment and support to ensure high standards of design and refer major projects for national design review. Early engagement on design is recognised as a benefit and the authority should have regard to the recommendations of the design review.

Paragraph 65 of the NPPF advises authorities should not refuse planning permission for buildings or infrastructure which promotes high levels of sustainability because of concerns about incompatibility within an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic social and environmental benefits).

Section 12 sets out the approach for assessing applications in determining planning applications in relation to conserving and enhancing the historic environment. It sets out through various paragraphs how proposals should be considered having regard to weighing up any harm and the benefits of the proposal.

Finally, pre-application engagement and front loading is encouraged and the NPPF recognises it can result in improved outcomes for the public.

### Core Strategy

The site lies within the urban area where policy 1 (General Development locations and principles) seeks most development to be located. The overall development approach sets out in policy 1, proposals should seek to make best use of under-used and vacant land and buildings, to complement and enhance its surroundings and to maximise access by public transport, cycling and walking.

Policy AVP4: Sets out the area vision for Rawtenstall and its immediate surrounding areas. The subsection of AVP 4 relating to the town centre and this specific part of the town centre states amongst other things that that it aims for:

- The redevelopment of the Valley Centre as a mixed use project that will complement its Conservation Area setting, enhance Rawtenstall's Townscape and provide accessible, attractive new streets and spaces for all users, particularly pedestrians.

and that in respect of accessibility and community facilities

- Rawtenstall bus station will be rebuilt to provide high quality passenger facilities and a landmark new development in the town centre

AVP 4 also seeks to maximise the potential useage of sustainable modes of travel and improve cycle access to Rawtenstall Town Centre and Railway Station.

Policy 8: This relates to transport proposals and states that with reference to buses the Borough Council in conjunction with key partners such as Lancashire County Council and the bus operators that the development of a new bus station in Rawtenstall Town Centre will be pursued.

Policy 9: (Accessibility) promotes design and improvement of streets and the wider urban environment as attractive places for all users to be given high priority.

Policy 11: (Retail and Other Town Centre Uses) identifies retail development and other town centre uses, including offices will be focused within defined town centres

Policy 12: (The Valley Centre, Rawtenstall) indicates the regeneration of the Valley Centre site and adjacent buildings, is of strategic importance. The policy requires a focal point for retailers with 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 master-planning and design which provides active frontages, a mix of uses and that design should take into account public transport access, parking provision and public open space provision. The supporting text to the policy envisages the redevelopment of the Valley Centre which will incorporate a range of uses including retail, a public open space and car parking and that the redevelopment of the bus station will enhance the southern gateway to the site.

Policy 16: (Preserving and enhancing Rossendale's Built Environment) seeks to protect, conserve, preserve and enhance Rossendale's historic built environment including for listed buildings and conservation areas by having regard to a range of criteria in considering proposals. These include:

- *Promoting the positive management of the Borough's heritage assets, avoiding unnecessary loss and requiring appropriate mitigation of any negative impacts.*
- *Ensuring that all development is:*

*a. Located in a way that respects the distinctive quality of the historic landscape*



*and setting and retains or enhances the character and context.*

*b. Of a high standard of design, reinforcing the local distinctiveness of Rossendale*

- Encouraging innovative new design(s), where it responds to the character, scale and setting of historic buildings and areas.*
- Maximising the potential for the re-use of buildings of historic or local interest for appropriate uses to ensure their future longevity. However where this is not possible/appropriate, considerate and sensitive redevelopment will be supported, subject to advice from the Council's Conservation Team and English Heritage [Historic England].*
- The Council will support those schemes and proposals which contribute to conservation-led regeneration, particularly where they exploit the regeneration potential of the textile mill-towns and traditional architecture of rural villages within Rossendale."*

Policy 23: (Promoting High Quality Design and Spaces) seeks to ensure that Rossendale's places and buildings are attractive, safe and easy to use. The Core Strategy seeks to do this by ensuring proposals meet a range of criteria related to:

- Promote the image of the Borough, through the enhancement of gateway locations and key approach corridors*
- Are of the highest standard of design that respects and responds to local context, distinctiveness and character*
- Contribute positively to local identity and heritage in terms of scale, density, layout, materials and access*
- Use locally sourced sustainable, high quality and innovative materials appropriate for the development and its surroundings*
- Engage with their surroundings and provide adequate natural surveillance for neighbouring Streets and spaces*
- Incorporate well defined and recognisable routes, spaces, interchanges, landmarks and entrances..... that provides convenient movement that are well connected to public transport, community facilities and services....*
- Incorporates car parking design that is integrated within the existing public realm and other pedestrian and cycle route*
- Protect important local and longer-distance views*
- Promoting high quality landscaping and construction for streets and public spaces."*

Policy 24 states applications will be given positive consideration subject to:

- Positively contributes to the townscape, historic environment, local distinctiveness, landscape, biodiversity and provision of "Green Infrastructure"*
- Is compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing"*
- Incorporates public spaces, landscaping, useable open space and public art*
- Contributes to public safety...*
- Provides direct walking, cycling and public transport access and addresses parking (all modes) and servicing issues as part of the overall design quality including through travel planning.*

Local Transport Plan 2011 – 2021 – A Strategy for Lancashire

Identifies as a key priority that the strategy seeks to develop bus stations and interchanges where these can be a catalyst to town Centre regeneration. Rawtenstall is specifically identified as a town where this intervention would be appropriate.

### East Lancashire Highways and Transport Masterplan

Identifies proposals for Rawtenstall Bus Station to tackle problems of deprivation, community resilience, increase healthy behaviour and to reduce carbon footprint. It further identifies that the existing bus station is dated, peripheral and no longer fit for purpose. There is commitment in the strategy to redevelop the former valley centre and adjacent police station, one stop shop and former town hall with proposals to include a new bus station. The masterplan notes the County Council has committed £3.5 million to meet the cost of the new 8 stand bus station. Finally, the strategy notes public transport improvements are needed to address increased commuting and to ensure public transport is fit for purpose. A key step identified to improve public transport in the strategy is for a new bus station in Rawtenstall.

### Conclusions on principle

Having regard to all of the the above, it is considered that the proposals accord with the NPPF and the Development Plan for the area as indicated in the Core Strategy. The proposal includes provision of a new bus interchange, retail uses and office use (for the old town hall) within Rawtenstall town centre and so is not only sustainable development in terms of use and location, but also accords to the key locational Core Strategy policies 1, 8, 11, 12 and AVP 4. In further detail it is noted the proposals and the various elements of the supporting documentation includes:

- retention of the oldest part of the old town hall for office use – a heritage asset which has been vacant for many years.
- provision of a bus interchange recognised as a catalyst in the Core Strategy and other local strategies such as Local Transport Plan 2011-2021 and the East Lancashire Highways Transport Masterplan
- Proposed retail and office uses which accord with the Core Strategy.
- Assessment by the highway authority who do not object to the proposals
- Includes public realm improvements for pedestrians, cycle provision and improved public transport provision
- Assessment by way of a design review which is broadly supportive
- Assessment in relation to heritage impact and harm by Historic England and the Council's conservation officer with conclusions reached that do not result in objection to the proposals.

The proposals have also been subject to:

- Significant pre-application discussions and pre-submission consultation with the community. The scheme has subsequently evolved and been revised to take account of comments where possible and justified having regard to the balancing of in some cases competing views.

The more detailed aspects of the proposals in terms of promoting high quality design and spaces, complementarity to its surroundings, local character, setting and access are considered elsewhere in this report having regard to the comments of the consultees, design review and assessment by the case officer in relation to the relevant criteria of policies 1, AVP4, 8, 11, 12 and policies 16, 23 and 24 of the Core Strategy.

However, I am content that the proposals for the reasons set out above are acceptable in principle.

### Historic England

Historic England has provided a detailed response and a useful summary as follows:

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Rawtenstall Town Centre Conservation Area is significant for its retention of well-preserved buildings, features and spaces, containing the typical historic components of a former mill town. This revised scheme is for phase 1 of re-development of the former Valley Centre and Town Hall Site for a bus station. The scheme now seeks to retain the principal part of the Town Hall and a tenant has been found for this previously vacant building. Public realm enhancement is also proposed. While the development would result in some harm, some of which has been mitigated by landscaping proposals, there are also public benefits in the provision of a bus station and the public realm enhancement, together with the potential for further potential for enhancement of the conservation area in phase 2. It is for the LPA to assess the harm against the public benefits of the scheme. We believe the scheme would be neutral in its impact on the character and appearance on the conservation area. We therefore have no objection to the proposals.

**RBC Conservation Officer**

The site lies within the Rawtenstall Town Centre Conservation Area, and falls within the setting of Grade II listed buildings including Ilex Mill, Longholme Methodist Church, Longholme Parsonage, Nat West Bank and the Queens Arms Hotel.

The site falls within the area defined in Rossendale Borough Council's Rawtenstall Town Centre Conservation Area Appraisal as Character Area 4, Bacup Road. The appraisal, adopted as a material planning consideration in 2011, defines the character of this area as a mix of mainly late 19<sup>th</sup> century development on either side of Bacup Road, with some earlier 18<sup>th</sup> century buildings. There is a variety of building types: religious, commercial, residential and industrial (p44).The appraisal notes that the former town hall is in need of improvement (p46).

The character of the conservation area is derived in part from the development of the textile industry in the 19<sup>th</sup> century. The range of civic, religious and substantial mill buildings reflect the prosperity of the town during the industrial era. The diverse range of buildings and architectural variety is unified by the use of sandstone, and the dense siting of buildings close to the pavement edge and continuous building line creates strong linear views along Bacup Road facing east. Facing west, the buildings are arranged with larger plots and the effect is less linear with open spaces, as at Longholme Methodist Church which is set back with generous gardens and mature trees to the front. There are several fine buildings both listed and unlisted of note within the conservation area.

The development site is focussed around the Bacup Road area, and addresses the street frontage, spreading directly north to encompass the area between James Street and Lord Street towards the site of the now demolished Valley Centre. The bus station is sited to the north of Bacup Road behind the former town hall, but the frontage of the proposed bus station addresses the area that was taken up by the Valley Centre, facing north. The rest of the area included in the development site is proposed as an open square incorporating a mix of traditional local stone and additional paving. The bus apron will be visible from Bacup Road. A single storey extension is proposed to the remaining town hall block to the western elevation in a contemporary style.

The development site includes positive unlisted buildings of high quality (defined in the Rossendale Borough Council Rawtenstall conservation area appraisal Map 2), the former town hall and 4-6 Bacup Road. Within the immediate setting of the development site are positive unlisted buildings of high quality, the former Liberal Club and attached building, also The Crown Public House and Kay Street Baptist Church.

The former town hall dates to 1876 and began as a share exchange before being extended to the west to join the former tramway offices in the late 19<sup>th</sup> and early 20<sup>th</sup> century. The tramway offices were part of a larger tramway depot which stretched north into the development site in the late 19<sup>th</sup>

century. The town hall was occupied until 2008 and is now classed as “heritage at risk” as it is vacant and in need of repair.

Bacup Road, being relatively straight, provides a series of views west to east from the Queens Arms, encompassing Longholme Parsonage, Longholme Methodist Church, running past the town hall and terminating at Ilex Mill.

### **Legislation relevant to this application**

#### **Planning (Listed Buildings and Conservation Areas) Act 1990**

##### **Section 72 (1)**

In determining planning applications, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

##### **Section 66 (1)**

Local planning authorities shall have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

#### **National Planning Policy Framework (NPPF) relevant to this application**

##### **Section 12, Preserving and Enhancing the Historic Environment**

###### **Paragraph 128**

*“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance.”*

###### **Paragraph 131**

*“In determining planning applications, local planning authorities should take account of:*

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness.”*

###### **Paragraph 134**

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*

###### **Paragraph 135**

*“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

#### Paragraph 136

*“Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.”*

#### Paragraph 137

*“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”*

#### Paragraph 138

*“Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”*

### **Rossendale Borough Council’s Core Strategy DPD Policies relevant to this application**

#### AVP4: Strategy for Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

##### “Town Centre

*The vision for Rawtenstall, Crawshawbooth, Goodshaw and Loveclough will be achieved through the following:*

*The redevelopment of the Valley Centre as a mixed use project that will complement its conservation area setting, enhance Rawtenstall’s townscape and provide accessible, attractive new streets and spaces for all users, particularly pedestrians.*

##### Heritage

*Rawtenstall, Goodshawfold and Loveclough Fold Conservation areas will be protected from inappropriate development and opportunities taken for enhancement.”*

#### Policy 16: Preserving and Enhancing Rossendale’s Built Environment

*“The Council will protect, conserve, preserve and enhance Rossendale’s historic built environment including Listed Buildings, Conservation Areas, Registered Parks and Gardens, Scheduled Ancient Monuments, archaeological sites, historic landscapes and locally identified buildings, sites and structures. These heritage assets all contribute to the local distinctiveness and character of the area. Their futures, including their settings will be safeguarded and secured by:*

1. Promoting the positive management of the Borough’s heritage assets, avoiding unnecessary loss and requiring appropriate mitigation of any negative impacts.

5. Ensuring that all development is:

a. Located in a way that respects the distinctive quality of the historic landscape and setting and retains or enhances the character and context.

b. Of a high standard of design, reinforcing the local distinctiveness of Rossendale

6. Encouraging innovative new design(s), where it responds to the character, scale and setting of historic buildings and areas.

7. Maximising the potential for the re-use of buildings of historic or local interest for appropriate uses to ensure their future longevity. However where this is not possible/appropriate, considerate and sensitive redevelopment will be supported, subject to advice from the Council’s Conservation Team and English Heritage [Historic England].

8. The Council will support those schemes and proposals which contribute to conservation-led regeneration, particularly where they exploit the regeneration potential of the textile mill-towns and traditional architecture of rural villages within Rossendale.”

Policy 23: Promoting High Quality Design and Spaces

“The Council will ensure that Rossendale’s places and buildings are attractive, safe and easy to use, by ensuring that all new developments:

- Promote the image of the Borough, through the enhancement of gateway locations and key approach corridors
- Are of the highest standard of design that respects and responds to local context, distinctiveness and character
- Contribute positively to local identity and heritage in terms of scale, density, layout, materials and access
- Protect important local and longer-distance views
- Promoting high quality landscaping and construction for streets and public spaces.”

Policy 24 Planning Application Requirements

“In addition to adhering to the policies of this Plan as a whole, applications will be given positive consideration subject to all the relevant requirements below being properly addressed in the supporting documentation. These requirements will include whether the development:

4. Positively contributes to the townscape, historic environment, local distinctiveness, landscape, biodiversity and provision of “Green Infrastructure”

5. Is compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing”

## Review of the Town Hall Heritage and Impact Assessment

This document identifies the level of significance of the town hall proposed to be retained and its extensions proposed for demolition. The significance of the building(s) has been identified using nationally recognised heritage values set out in Historic England's *Conservation Policies, Principles and Guidance* (2008). The proposals are accorded a positive, negative or neutral impact on the former town hall's significance.

The document identifies that the first four bays of the former town hall were built in 1876 as an exchange building and social club, and that in 1890 the building was used by the local authority and extended westwards in facsimile in another 3 bays. A 1910 extension linked the existing tramway offices to the west to the rest of the town hall (p18).

On page 15 of the document it is stated:

*"The later 2-3 storey extension on the western side of the Town Hall is less visually interesting than the gabled end, but helps to enhance and preserve the linearity of views along Bacup Road...Views east and west along the northern side of Bacup Road demonstrate the typically 2-3 storey, stone built buildings which are a feature of the Conservation Area and which help to place the Town Hall within its historic context"* (p15).

Later the document states:

*"The principal elevation is the most significant elevation of the building. The eastern half with its distinctive gables is considered to be of higher significance than the western half of the elevation. This distinction between the two ends of the building has been made because it is felt that the gabled end of the building is a more balanced and visually interesting façade. As such it makes a greater contribution to the Conservation Area than the somewhat unbalanced and more restrained western half. However, the strong linear frontage of the western end of the building is an important feature of the streetscape."* (p27).

The proposed retained part of town hall dating to 1875 and including the 1890 identical extension is considered in the document to be of high significance, the later western blocks of medium significance (p27-30).

The proposed demolition of the western part of the former town hall is defined as being of medium to low impact to the remaining portion of the town hall (p47). Low impact is defined as *"The alterations harm to a minor extent the heritage asset or the ability to appreciate its significance values."* Medium impact is defined as *"The alterations harm to a clearly discernible extent the heritage asset or the ability to appreciate its significance values"* (p46).

Overall heritage considerations relating to the proposals on the significance of the town hall and its later extensions are set out on page 34.

The proposed extension to the west is defined as neutral in terms of impact on the town hall (p49): *"The alterations do not affect the heritage asset or the ability to appreciate its significance values"* (p46). The proposed bus station is considered to be of medium beneficial impact to the town hall (p49), defined as *"The alterations enhance to a clearly discernible extent the heritage asset or the ability to appreciate its significance values"* (p46).

All other proposals included in the submission are considered to be of either high or medium beneficial impact (pages 48-49).

## **Review of the Conservation Area Appraisal and Impact Assessment**

This document sets out the impacts on the wider conservation area and listed buildings that may be affected by the proposal.

The analysis of Bacup Road identifies that *“buildings fronting Bacup Road are generally closely sited forming a linear frontage running long much of street [sic]. Buildings front directly onto the pavement and lend Bacup Road a particularly linear quality which frames views east and west”* (p16).

The demolition of later extensions to the town hall is defined as having a low-medium adverse impact on the character of the conservation area as it will remove a key visual feature of the streetscape (p37).

The assessment considers that the extension to the town hall will have a neutral impact on the conservation area, arguing that it *“will partially preserve the line of the former eastern end of the building. This is considered to help mitigate the loss of fabric caused by breaking through a new opening into the western gable end of the town hall building”* (p37).

All other aspects of the proposal are considered to be neutral or beneficial, including the bus station (medium beneficial impact), which the document argues will address a new frontage to Bacup Road, the new contemporary design with sympathetic materials will create a modern addition to the townscape yet with massing and scale that will conform to the character of the surrounding buildings (p38).

Public realm proposals are defined as having high beneficial impact, providing a clear processional route running north to south whilst enhancing views of the streetscape and hills. Views towards the listed Nat West Bank on Bank Street will be enhanced according to the assessment. The document states that no listed buildings will be detrimentally impacted on by the proposals due to their proximity to the town hall (p38). The expected impact on setting of the adjacent listed buildings is discussed in the analysis section of this report.

The document asserts that the most significant impact will be on the linearity of Bacup Road afforded by its current continuity provided by the Town Hall extension, and that mitigating the impact with a line of semi-mature trees will reduce some of the visual impact and help to maintain the long views from either end of the street (p40).

The assessment of impact set out in the submission’s Town Hall Appraisal and Impact Assessment, and Conservation Area Appraisal and Impact Assessment, state that the removal of the later albeit less architecturally significant blocks to the west of the town hall proposed as retained will be of low-medium impact on the town hall and conservation area.

The proposal is therefore in accordance with paragraph 128 of the NPPF (*In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting*).

## **Conservation Officer comments on the Historic England Response**

Historic England believes that the scheme will be neutral in terms of impacts on the conservation area and welcomes the retention of the principal part and most architecturally distinctive element of the building, and refurbishment and repair as an integral component within the wider scheme. The response states that the refurbished town hall, with a contemporary entrance porch to the



west, would help to retain a degree of continuity of frontage along Bacup Road, anchoring the corner onto Annie Street and helping to define important routes to the south of the site.

The response states that the demolition of the later town hall extensions would cause some harm but notes the inclusion of a wall and trees to mitigate resultant loss of enclosure along Bacup Road. The response emphasises importance of high quality materials and welcomes inclusion of locally sourced stone.

### **Conservation Officer comments Victorian Society Response**

An objection is raised to the demolition of the later extensions which are defined in Rossendale Borough Council's conservation area appraisal as positive. The response states the loss of these structures would therefore be harmful by removing buildings that contribute to the character of the conservation area, and also fragment the strong streetscape of Bacup Road and erode a large section of what is an important plot linking significant buildings and sites that lie to both east and west.

### **Analysis of proposal**

Setting is defined in the NPPF as *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”*

### **Proposed demolition of former town hall extensions**

The Design and Access Statement submitted with the scheme demonstrates investigation into a range of potential alternatives on page 42, prior to adoption of the Drive-in reverse-out bus station and site configuration proposed in this scheme.

The most architecturally significant part of the town hall building is the 1876 four bay share exchange and the three bay 1890 extension which mirrors the original building. This part of the town hall is three storeys and has a strong presence in the street scene viewed from Bacup Road facing east and west. Viewed from the south, the architectural qualities of the building, particularly the roofline, draw interest to the street scene and add variety and vibrancy to the conservation area.

A rich collection of architectural styles is observed in the town hall with Classical influence to the window arrangement, and a substantial Romanesque style former doorway. Windows on first and second floor are elongated and regular, and the detailing above at each floor is a vibrant addition to the street scene. The ground floor lintels possess a pinched arch carved in relief; the detailing above windows at first floor is Italianate in appearance with a double semi-circular arch above a carved slender column acting as transom between the lights. The second floor is within the roof space and is separated from the first floor by a string course with heavy corbels. The second floor possesses a row of regular dormers which add interest to the skyline and complement the roofline of the adjacent Crown Hotel. The sandstone is coursed, pitch-faced ashlar which adds further interest to the principal façade. The eastern return elevation on Lord Street anchors the building in the street scene.

The former town hall, originally the share exchange, the facsimile extension, the 1910 extension to the west and the former tram offices are all identified as positive on the Rossendale Borough Council conservation area appraisal Map 2. The town hall appraisal divides the building into its

separate build dates and defines the most significant elements of the blocks, with the easternmost 7 bay building being of high significance, the later extensions of medium significance.

Viewed from the west, the additional buildings do appear as extensions of lesser architectural quality. This may be because they possess a more utilitarian appearance. However viewed individually some attractive architectural features are contained within these later extensions: the former tramway offices retain a stone shopfront and there is a fine decorate door architrave in the central 1910 block. Due to the loss of enclosure and linearity, and loss of limited architectural features, the scheme will cause some harm to the character and appearance of the conservation area (less than substantial harm).

Ilex Mill is visible from the town hall being sited close to the pavement on Bacup Road. Its massing and scale creates a strong presence in the street scene, which is framed by the linearity of the town hall blocks. The proposal will also cause less than substantial harm to the setting of Ilex Mill as the linearity and continuous building line facing west encompasses and frames views towards Ilex Mill. Facing east towards the town hall from Ilex Mill, the town hall extensions are visible and the loss of linearity, loss of enclosure and concurrent development will also be visible. The gap site will appear as an interruption to this continuous building line but there is less linearity facing east as existing plots such as Longholme Methodist Church presents a green frontage to the street, albeit enclosed by railings. The planting of trees in this area as proposed may mirror and enhance this aspect of the street scape providing the specimens are chosen carefully.

The setting of The Queens Arms Public House will not be affected by the proposals due to its siting. It is not possible to view the Queens Arms and the development site concurrently due to the distance between them. Longholme Parsonage will be affected to some extent by the proposals due to the siting at the edge of the pavement along Bacup Road, and its relative proximity to the development site. The setting of Longholme Methodist Church will also be affected by the development due to its close proximity. Views from the west to the east towards the development site from the churchyard of Longholme Church and Parsonage are currently fairly negative due to the need for improvement to the easternmost end of the town hall (former tramway offices) which appears truncated with a mixture of render and unsympathetic alterations to the side and rear (see photo 1) . This suggests the appearance of a back street where principal elevations would be expected. This is the result of demolition of the former tramway depot. Redevelopment of this area will provide an enhancement to the setting of these listed buildings provided the extension design, bus station design and public realm design is carefully detailed. Longholme Methodist Church is also visible from within the development site (north of Bacup Road) due to its positioning. The setting of Longholme Methodist Church and NatWest Bank will be enhanced by demolition of buildings identified as negative on Rossendale Borough Council's Rawtenstall conservation area appraisal Map 2.

Buildings identified as negative include the 1960s Town Hall Annex (One Stop Shop), public toilets and former Police Station. The One Stop Shop is designed in a Brutalist style. Read in conjunction with the rest of the street scene, it appears incongruous due to its siting behind the historic town hall extension. It appears out of scale with its design, being small in footprint and height despite being three storeys. This reduces its architectural impact significantly. It is also dwarfed by the surrounding architecture. For the above reasons it adds to the negative setting of this part of the conservation area.

#### Proposed bus station

The bus station is proposed on the site of the former tramway depot, set back from the street frontage, enabling the remaining town hall block to be viewed without visual competition from the station which has a large footprint in comparison. The design of the building is contemporary but appears to echo the gabled roofs of the area and saw-tooth weaving sheds typical of Rossendale. The use of a metal roofing material will not draw undue attention away from the town hall viewed from Bacup Road and the colour (dark grey) means this will blend in well visually with the historic building roofs which are predominantly of grey natural slate. The columns to the station are proposed as natural locally sourced sandstone. The massing is reduced by the use of glazing which lightens the building visually. The use of sympathetic materials will help to blend the modern building with the character of the historic building stock and conservation area in general. The visual impact of the 8 bay bus apron is reduced in part by the construction of a dividing wall and the use of trees to act as a screen. However it is essential that the trees chosen are complementary to the character and appearance of the conservation area and reflect the native deciduous trees found in this area in order for this are not to appear out of place with the rest of the street scene.

The design is in accordance with policy AVP4 (Town Centre and Heritage; that redevelopment of the valley centre site will complement the conservation area setting, and the conservation area will be protected from inappropriate development). The design is also in accordance with Policy 16 of the Rossendale Borough Council Core Strategy DPD (5. Ensuring that all development is a) Located in a way that respects the distinctive quality of the historic landscape and setting and retains or enhances the character and context, and b) Of a high standard of design, reinforcing the local distinctiveness of Rossendale, and 6. Encouraging innovative new design(s), where it responds to the character, scale and setting of historic buildings and areas.)

The design is also in accordance with Policy 23 of the Core Strategy (the highest standard of design that respects and responds to local context, distinctiveness and character; Contribute positively to local identity and heritage in terms of scale, density, layout, materials and access; Promote the image of the Borough, through the enhancement of gateway locations and key approach corridors). The design is also in accordance with Policy 24 (4. Positively contributes to the townscape, historic environment, local distinctiveness, landscape, biodiversity and provision of “Green Infrastructure”; 5. Is compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing).

The removal of the Sycamore tree on Bacup Road adjacent to James Street is proposed to accommodate the proposed bus route into the site. Whilst this contributes to the street scene and echoes the verdant planting at Longholme Methodist Church this opens up views of the wider site. However the loss of this tree must be mitigated by sympathetic planting, particularly when viewed from the west facing east.

### Proposed extension to the town hall

The single storey extension proposed to the western elevation is contemporary in design and provides a visual link between the architecture of the bus station and the town hall. It is small-scale and subservient but further detail is needed on materials and design which must be carefully controlled by condition to ensure it has a strong presence in the street scene without appearing out of place. This is in accordance with Policy 16 of Rossendale Borough Council’s Core Strategy DPD (6. Encouraging innovative new design(s), where it responds to the character, scale and setting of historic buildings and areas).

### Public Realm

The indicative public realm scheme shows addition of a wall parallel to Bacup Road on the site of the town hall extensions proposed for demolition. A line of four trees is also proposed (noted above). Subject to walling material and coursing, and type of tree, whilst this may go some way to mitigate the harm caused by the removal of the extensions in terms of loss of enclosure, the loss of continuous building line will still be apparent in this location and in the framing of Ilex facing west which will be reduced to some degree.

The proposed materials include use of natural locally sourced Scoutmoor sandstone paving which is found historically throughout this area and on adjoining Bank Street to the north of the site. Scoutmoor paving is proposed along parts of James Street, Annie Street and Lord Street, which will provide an enhancement to these areas. Samples Andover Washed create a palette that reinforces the natural stone's palette with grey and sandy brown tones. This is in accordance with Policy 23 of Rossendale Borough Council's Core Strategy DPD (promoting high quality landscaping and construction for streets and public spaces).

The impact of the loss of trees to the rear of the town hall is difficult to quantify due to the proposed layout and configuration of buildings in this area. However, any planting scheme must reinforce the character and appearance of the conservation area through the use of deciduous native trees to reflect those found in the surrounding areas (eg Longholme Methodist).

Trees included to the east and west of the bus apron and to the east of the square should help to soften and add interest to open areas. It is essential that the trees are chosen carefully to ensure these reinforce the character and appearance of the conservation area.

In considering the duty set out under Sections 72 (1) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraph 138 of the NPPF (*Loss of a building...which makes a positive contribution to the significance of the Conservation Area...should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134...taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area*), the proposal represents less than substantial harm to the conservation area, triggering paragraph 134 of the NPPF, which sets out that less than substantial harm must be weighed against public benefits of the proposal.

It is considered that some harm (less than substantial) will be caused to the setting of Ilex Mill. The setting of Longholme Parsonage and Longholme Methodist Church will be enhanced by the proposal, providing that trees along Bacup Road are chosen carefully that are appropriate to the surrounding character of the area.

### Heritage Benefits

Heritage benefits of the scheme include the refurbishment and reuse of the most significant part of the town hall, which will result in the building being no longer classed as "heritage at risk." This fulfils policy 16 of Rossendale Borough Council's Core Strategy DPD (points 7 and 8, maximising potential for reuse to ensure long-term longevity; and contributing to conservation-led regeneration, particularly where they exploit the regeneration potential of the textile mill-towns).

The proposed demolition of the One Stop Shop, former police station and public toilets, all identified in the Rossendale Borough Council conservation area appraisal as buildings that would benefit from redevelopment (conservation area appraisal Map 2), will provide an overall enhancement to the conservation area. This is in accordance with Policy AVP4 of the Rossendale Borough Council Core Strategy DPD. Views west to east will be enhanced by this demolition. Views towards the site are currently fairly negative from within the Bacup Road part of the conservation area, and from the setting of Longholme Methodist Church and Parsonage as they

encompass the western side of the town hall extension which creates a back street appearance on a main road where attractive frontages would be expected.

The demolition of these negative structures is in accordance with paragraph 131 of the NPPF (*In determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness*). It is also in accordance with *paragraph 137 of the NPPF (Local planning authorities should look for opportunities for new development within Conservation Areas ... and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably)*.

The use of local Scoutmoor sandstone paving will provide an enhancement to the conservation area in general and improve the paving in specific areas that are in need of improvement, most notably along pavements on Lord Street, Anne Street and Kay Street. This is in accordance with Policy 23 of Rossendale Borough Council's Core Strategy DPD (promoting high quality landscaping and construction for streets and public spaces, Are of the highest standard of design that respects and responds to local context, distinctiveness and character; Contribute positively to local identity and heritage in terms of scale, density, layout, materials and access; Promote the image of the Borough through the enhancement of gateway locations and key approach corridors).

The reuse and refurbishment of the town hall, improvement to several public realm areas and design of the proposed bus station is also in accordance with Paragraph 131 of the NPPF "*The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.*"

### Summary

For the reasons set out above, the proposal is in accordance with policies AVP4 and Policies 16, 23 and 24 of the Rossendale Borough Council Core Strategy DPD and paragraphs 128, 131, 134, 135, 136, 137 and 138 of the NPPF.

### Recommended conditions (wording to be finalised)

1. Details of tree species and number to be agreed in writing and installed in accordance with agreed details.
2. Planting time of trees to be considered and time at which these should be provided (eg prior to first occupation).
3. Paving to include use of Scoutmoor natural sandstone.
4. Paving to include "Charcon Andover washed Light Grey," "Charcon Andover Washed Silver Grey", "Charcon Andover Washed Anthracite Charcoal", "Charcon Andover Washed Dark Grey".
5. Window design to all elevations of the remaining town hall shall not be imitation sashes that open outwards, hinged at the top. Detail to be submitted to Rossendale Borough Council and agreed in writing prior to installation. Windows to be installed in accordance with approved details.

6. Roofing material to the town hall extension and bus station to be agreed in writing and installed in accordance with the approved details. Zinc/standing seam is appropriate.
7. The stone cladding/ashlar to the proposed bus station shall be “Fletcher Bank” Sandstone sawn to a smooth finish. No artificial stone shall be employed in this development.
8. Details of all glazing to bus station including any obscured glazing or coloured or tinted glazing to be submitted for approval in writing and installed in accordance with agreed details.
9. Scaled elevations and sections of proposed town hall extension to be submitted for approval in writing, including glazing and any proposed coloured or tinted glazing, obscured glazing, window and door design. To be installed in accordance with approved details.
10. Details of design of wall to Bacup Road to be submitted and agreed in writing including coursing, coping detail, material, extent and height / a sample panel shall be constructed and agreed in writing. Wall shall be constructed in accordance with agreed details, eg prior to first occupation of town hall.



Photo 1: View west to east along Bacup Road to western elevation of town hall extension and One Stop Shop





Photo 2: View from Ilex Mill (right) facing west towards site



Photo 3: View from Longholme Parsonage and Church towards town hall in centre, with views towards Ilex Mill on right.



Photo 4: Views encompassing Longholme Pasonage (left) Longholme Methodist and town hall to right.



Photo 5: Views to east from Bacup Road illustrating current negative view of town hall extensions and proximity of Ilex Mill to right.

### **Lancashire County Highways**

Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. With this in mind, the present and proposed highway systems have been considered and areas of concern that could cause problems for pedestrians, cyclists, public transport, motorists and other vehicles in and around the area have been identified.

The following comments relate to the Transport Assessment (TA) and Road Safety Audit (RSA) dated November 2015 prepared by Capita and subsequent information detailing the swept path analysis and traffic signal modelling. The Design and Access Statement dated November 2015 prepared by Day Architecture and the accompanying plans relating to the proposed highway works.



There have been extensive pre-application discussions between LCC and the developer, the borough council and the associated consultants on this major application whereby all matters were discussed in detail. The transport consultant Capita have submitted multiple revisions following detailed discussions.

### The development

The proposed bus facility is comprised of an eight-stand DIRO (Drive In Reverse Out) bus station, one bus lay-over bay and a new station building with concourse and ancillary accommodation, inclusive of several retail units.

The former Town Hall will be partly demolished and refurbished to provide commercial office space. The demolition of the Police Station and existing bus station sites are proposed for off-street car parks that will provide 52 spaces plus 7 blue badge disabled spaces.

The bus station in Rawtenstall is dated, peripheral and lacks the facilities which are required for the public. The site is confined with poor access, requiring buses to cross onto the opposing lane of traffic on egress, with Bacup Road separating the Station from the central retail area with poor pedestrian and cycle provision.

The DIRO design for the Bus Station which together with the direct access onto Bacup Road minimises the impact on timetabling, bus routing and conflict between buses, pedestrians and cyclists.

This design has been adopted in the neighbouring East Lancashire Towns of Accrington, Blackburn and Burney with success.

There was a previous Bus Station proposal in 2013 which had an alternative design called a Drive In Drive Out (DIDO) which requires a more linear arrangement.

Both design arrangements are acceptable on safety grounds and are suitable to accommodate the needs of the public and provide enhanced, modern public transport facilities.

A Bus Station Management Strategy and Bus Station Code of Conduct will be implemented at the site in line with all Lancashire County Council bus stations. The above strategy and code of conduct will manage movement of all modes around the bus station. The strategy will include the following:

- mechanisms to ensure that unauthorised vehicles do not enter the site,
- mechanisms to ensure that vehicle speeds within the site are appropriate,
- bus station servicing procedures including any proposed time restrictions on service vehicles entering the Bus Station apron

The Management Strategy and Code of Conduct will form part of the contract between the appointed managers of the bus station (selected through appropriate tendering procedures) and are also agreed with any bus operators using the station.

In parallel to this, a "Site Movement and Safety Strategy" and a "Site Access, Deliveries and Servicing Strategy" should also be developed. This is to ensure safety is maintained within and external to the site and to maintain flow within the development and on local roads when the development is operational. These documents should include;

- Details of servicing agreements for refuse collection for both the bus station and surrounding premises, including agreed times of collection.

- Details of agreements with surrounding properties concerning access for deliveries, including Mansergh Corn Mill, former Liberal Club and The Crown (PH) where access will be restricted.
- Details of safety mechanisms to be put in place for all delivery/servicing vehicles having to reverse in/out of the delivery areas. This is in order to improve safety and reduce vehicle/pedestrian conflict within the site.

Measures to restrict the public from entering/accessing all bus station service areas have been incorporated into the design. These measures include restraint barriers, and automatic doors linked to an induction loop system, where appropriate. It is noted that swept paths have been a key consideration throughout all of the bus station design stages. A bus station mock-up has been tested for manoeuvring buses within the site and the developer is satisfied from an internal bus movement perspective.

Local Transport Plan 2011-2021

*Section 5 - Improving Access into Areas of Economic Growth and Regeneration*

(Page 13) Develop bus stations and interchanges where these can be a catalyst to town centre Regeneration.

*Section 5 - Providing Safe, Reliable, Convenient and Affordable Transport Alternatives to the Car*

(Page 21) Work with bus and rail operators to invest in new public transport services, including new bus routes, stations, and greater capacity, where there is a proven economic or regeneration benefit.

Traffic impact

It is proposed to alter the direction and flow of the vehicular traffic on the network in the vicinity of the development site and this is acceptable and subject to the necessary agreements being in place with LCC, including detailed design and safety audit and statutory consultations where required.

Kay Street, which is currently one way for its entire length with vehicles travelling from south east to north west, will become two-way between Bacup Road and the most southerly access point into the large public car park. This will enable vehicles to enter and exit the large public car park onto Bacup Road and to the wider network whether travelling east or west. Currently vehicles can only exit the car park and turn right towards Bank Street, however it is noted that occasionally vehicles do contravene the One Way order. This will provide some offset for the closure of Lord Street to general traffic which is currently only lightly trafficked and provides a route south onto Bacup Road.

The large public car park to the rear of Kay Street currently has three vehicular access points, the proposal to close the middle access point (located between 18 – 20 Kay Street) will enable an enhanced pedestrian route to be created from the car park, across Kay Street, along Annie Street to the Bus Station.

The section of Lord Street between Annie Street and Bacup Road, which is currently one way for vehicles travelling from north to south will form the exit for the Bus Station and will be restricted to buses and service vehicles. The remaining section of Lord Street will be formally stopped up as highway and will be encompassed within the footprint of the Bus Station. There may be a small

increase in traffic travelling north along Kay Street as a result however there is minimal impact on the highway network and the additional traffic does not raise any highway safety concerns.

Annie Street, which is currently two way will become one way with vehicles travelling north east to south west. It will serve the new public car park on the site of the Police Station which will be demolished as part of this application and access and servicing for the Corn Mill (Manserghs).

The junctions of Annie Street/Lord Street and Lord Street/Buller Street will be restricted with lockable bollards to restrict access to service vehicles only.

North Street, between Lord Street and Kay Street, will be formally stopped up as highway and will partly be encompassed within the development site and will remain in part to serve as a secondary access to the new public car park on the site of the Police Station which will be demolished as part of this application.

The trip rates, growth factors and modelling results are reasonable and raise no concern in relation to the capacity or congestion on the adjacent highway network.

### Collisions

The personal Injury Accident (PIA) record submitted with the TA indicated that there were no patterns emerging over the previous 5 year period. It is accepted that the Bus Station will require improved pedestrian and cycle facilities which are proposed within this application.

A stage 1 Road Safety Audit (RSA) has been completed and the concerns raised can be addressed at the detailed design stage, should the application be approved a follow on stage 2 RSA will be required.

### Proposed Highway Improvements

It is acknowledged that the provision of the new bus station will be of great benefit to the public and it provides a facility to enhance the sustainable means of transport for the residents of Rossendale and the wider area.

A puffin signalised pedestrian crossing facility on Bacup Road is proposed to replace the zebra crossing as part of the signalisation of the Lord Street / Bacup Road junction with advance cycle stop lines.

A refuge has been included on Kay Street at the junction with Bacup Road to aid pedestrians travelling along Bacup Road due to the increased two way vehicle movements at the junction.

The footways of James Street, Annie Street and Lord Street will be widened to improve the pedestrian links and the western footway of James Street will be a shared cycle/pedestrian footway.

A traffic calming scheme for Bacup Road is proposed to reduce vehicle speeds whilst enhancing the street scene, which is will benefit all highway users, particularly pedestrians and cyclists.

Overall the development proposes benefits to the highway network that will increase sustainability, accessibility and highway safety.

### On-street parking

There will be a loss of on-street parking spaces on Lord Street, Annie Street, North Street and James Street amounting to 25 limited waiting spaces and 4 disabled parking spaces to accommodate the vehicle movements associated with the development.

The limited waiting parking bays on Kay Street outside properties 33 – 45 will remain unchanged, however the limited waiting bays alongside the former Police Station will be reduced to provide adequate visibility from the car park exit at North Street.

The increase in off street provision will counteract this loss and does not raise a highway concern.

A review of the on-street parking provision on the highways adjacent to the development will be undertaken by Lancashire County Council and will be subject to a separate informal and statutory formal consultation process with the business owners and residents who will be effected by the proposal. Consideration for blue disabled badge holders, motorcyclists and taxi ranks will be included.

### Off-street parking

Overall the number of off street public parking spaces will increase as part of the proposal by 24 spaces. The Town Hall will have an additional dedicated car park of 10 spaces.

The James Street car park should accommodate the long stay commuters to minimise the vehicle movements and potential conflicts with turning buses on James Street. I would recommend that a review of the public car parks is undertaken by the developer in conjunction with the Borough Council to look at the long and short splits, directional signage and enforcement to maximise the provision.

### Cycle provision

The provision of a cycle contraflow on the one-way section of Kay Street will be subject to separate formal statutory consultation process, detailed design and road safety audit prior to implementation. A concern regarding the signage proposed was raised on the stage 1 Road Safety Audit (RSA) and this will be addressed at the detailed design stage.

The proposed signalised junction of Bacup Road / Lord Street will see advanced stop lines for cyclists. This was raised as a concern within the stage 1 Road Safety Audit (RSA) as the vehicle swept path analysis showed the bus crossing the cycle area. The matter has been investigated and a solution can be provided at the detailed design stage to eliminate the concern by moving the stop lines back and providing additional vehicle detection loops at the junction.

The western footway of James Street will be a shared cycle/pedestrian space to allow cyclists to connect to the cycle parking from the Valley of Stone Greenway.

The proposed cycle stands and lockers are located adjacent to a main pedestrian thoroughfare and close to the bus station apron providing visibility and security. The siting and number of cycle stands/lockers proposed is acceptable for the 1<sup>st</sup> phase of this development. I have recommended that a condition be placed on any approved application for a scheme to be submitted for approval for the cycle store. This will allow further design requirements to be discussed regarding the detailed design, visibility, security and signage for the facility.

It will be necessary for the former Town Hall building to have a secure, covered cycle store of its own to serve the staff and I would ask that this is conditioned on any approved application.

## Trees

The Sycamore tree located on the western footway of James Street significantly narrows the footway width due to its size and creates a pinch point for pedestrians which is detrimental in this location where a level of pedestrian footfall is expected.

In addition, the crown of the tree overhangs the carriageway of James Street and the branches are likely to strike the high sided double decker buses which are accessing the Bus Station.

Therefore, it is recommended that the tree is removed prior to the opening of the Bus Station.

The three new large trees to be planted along the Bacup Road frontage (between James Street and the former Town Hall) should be a suitable type and size and be planted with a root containment system, to ensure that the roots and/or leaves/sap do not interfere with the highway. It is recommended that the developer submits the details for approval by the LPA prior to the ordering of any trees.

## Stopping up of highways

The highways named North Street (part), Lord Street (part) and a small area of James Street (due to the road realignment) will require formally stopping up under the Town & Country Planning Act. I am aware that this process has already commenced and is a matter solely between the applicant and the Department for Transport. I can confirm that the Highway Authority have been consulted separately by the Department for Transport and have raised no objection to the proposal.

## Off-site highway works

Section 278 agreements (S278) are appropriate where improvements/alterations are required in the public highway, paid for by the developer (costs to include design fees, safety audits, amendments to street lighting and traffic signalling equipment and all other risks associated with the highway improvements required by the development so that public funds are not used in the provision of these features).

It is expected that, for the development to be acceptable in highway and transport terms, works must be secured through a S278 Agreement and must be agreed with LCC.

The palette of materials proposed for the treatment of the highways is yet to be agreed by Lancashire County Council. Further discussions are required at the detailed design stage.

Briefly the S278 works are to include:

- Signalisation of Lord Street / Bacup Road junction including removal of zebra crossing at this location
- Provision of pedestrian refuge on Kay Street at the junction of Bacup Road with associated kerb re-alignment, footway works, railing and TRO/sign review for 2 way traffic between Bacup Road and the closest access to the car park.
- Widening of James Street and Annie Street with the land to be dedicated for adoption within the 278 agreement (Joint S38).
- Carriageway/Footway treatment on Bacup Road, James Street, Annie Street, Lord Street and Kay Street.
- Access control measures on Annie Street and Buller Street for service vehicles only (lockable bollards)
- Controlled pedestrian crossing facility on Bacup Road.

- Uncontrolled pedestrian crossing point on Kay Street and physical closure of the vehicular access to the car park between 18 and 20 Kay Street.
- A Traffic Regulation Order, sign and road marking review of all the roads within and adjacent to the site, access controls for service vehicles only Annie Street and Buller Street
- Removal of the highway tree on James Street.
- Removal of bus shelters where required on James Street and Bank Street
- Associated street lighting and surface water drainage works.

In conclusion, I would raise no objection to the proposed development subject to the amendments outlined above and I would recommend that the following conditions are stated on any approved application.

### Conditions

1. The development hereby permitted shall not be commenced until a formal stopping up of the highway named North Street, part of Lord Street and part of James Street is granted under Section 247 of the Town & Country Planning Act 1990 shown on the approved plan named 'Highway adoption and Stopping Up' 083519-CAP-PW-DR-C-006b Rev I02.
2. No part of the development hereby approved shall commence, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
  - i) The parking of vehicles of site operatives and visitors
  - ii) The loading and unloading of plant and materials
  - iii) The storage of plant and materials used in constructing the development
  - iv) The erection and maintenance of security hoarding
  - v) Wheel washing and road sweeping facilities
  - vi) Measures to control the emission of dust and dirt during construction
  - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
  - viii) Details of working hours
  - ix) Routing of delivery vehicles to/from site
  - x) Site Manager contact details
3. No part of the development hereby approved shall commence until a construction phasing project plan is submitted to and approved in writing by the Local Planning Authority.
4. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

5. No part of the development hereby approved shall commence until a scheme for the retaining structure adjacent to the highway and Bus Station apron has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the retaining structure are acceptable before work commences on site.
6. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 4 has been constructed and completed in accordance with the scheme details. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
7. No part of the development hereby approved shall be occupied or opened for trading until a "Bus Station Management Strategy and Code of Conduct" shall be submitted to and approved in writing by the Planning Authority. Reason: In order to maintain safety within and external to the site when the development is operational.
8. No part of the development hereby approved shall be occupied or opened for trading until, a 'Site Access, Deliveries and Servicing Strategy' and a 'Site Movement and Safety Strategy' shall be submitted to and approved in writing by the Planning Authority. The strategy to cover access for all deliveries, service vehicles and emergency services and contain agreed routes and access times for deliveries to be outside 7:30 and 18:00 Monday to Saturday and 10:00 and 16:00 Sunday only and safety mechanisms put in place for reversing of delivery vehicles adjacent to bus apron and access roads. Any changes to these operating hours would need to be agreed. The strategy to satisfy the safety audit of the internal layout. Reason: In order to maintain safety within and external to the site and flow within the development and on local roads when the development is operational.
9. No part of the development hereby approved shall be occupied or opened for trading until the highway Sycamore tree located on the western footway on James Street has been removed.
10. No part of the development hereby approved shall be occupied or opened for trading until a scheme has been submitted and approved by the LPA for the provision of the cycling facilities as proposed for the bus station and former Town Hall. A review of the cycle facility for the Bus Station should be carried out 5 years after the opening of the development and increased if necessary.

### Informative

The grant of planning permission will require the applicant to enter into a Section 278 Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk) in the first instance to ascertain the details of such an agreement and the information to be provided.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

## Greater Manchester Ecology Unit

### Summary

The report identified an ecological constraint in respect bird nesting habitat. An internal and external bat assessment of the buildings to be demolished found no evidence of bats. No evidence of roosting, foraging or commuting bats was found during adequate emergence surveys of the building concerned.

### Bats

A bat assessment was carried out for the building on site. The buildings were assessed as having negligible roosting potential. No evidence of bats roosting was found. I am satisfied with the findings of the assessment and surveys. Please apply the following informative to any permission.

***Whilst the building to be demolished has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. Please ensure that all persons working on the site are familiar with the Bat Method Statement (Angela Graham Bat Consultancy Service 27/10/15 Revised 12/11/15). If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.***

### Nesting Birds

The site will result in the loss of a number of semi mature trees which have some potential nesting bird habitat. Landscape plans have been provided which outline adequate replacement for the loss of the trees in question ( One associates document N218-GA-1001) Please apply the following informative to any permission.

***No trees or shrubs should be removed between the 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance. If active nests are found, then works must wait until the nest is deemed inactive.***

### Biodiversity enhancement

In line with Section 11 of the NPPF, we would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These could include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Any new planting associated with the development should, where possible, be of native origin.

## Environment Agency

We have no objection in principle to the proposed development and would like to make the following comments:

We have reviewed the following report that was submitted with this application:

☐ Phase I Geo-Environmental Desk – Spinning Point, Rossendalen (Ref: CS077230) Capita, November 2015.

We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the



proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

### **Condition**

Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

### **Condition**

No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

### **Condition**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

### **Reasons**

To prevent the pollution of controlled waters from potential contamination on site. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

## Advice to applicant

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution;
- treated materials can be transferred between sites as part of a hub and cluster project; and
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.

## Lead Local Flood Authority

The Flood and Water Management Act 2010 sets out the requirement for LLFAs to manage 'local' flood risk within their area. 'Local' flood risk refers to flooding or flood risk from surface water, groundwater or from ordinary watercourses.

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority (LPA) whether any such recommendations are acted upon. It is ultimately the responsibility of the Local Planning Authority to approve, or otherwise, any drainage strategy for the associated development proposal. The comments given have been composed based on the current extent of the knowledge of the LLFA and information provided with the application at the time of this response.

The Lead Local Flood Authority has **no objection** to the proposed development subject to the inclusion of the following conditions, in consultation with the Lead Local Flood Authority:

### Condition 01: Development is in accordance with the submitted FRA

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

1. *Limiting the surface water run-off generated by the critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This discharge rate is to be agree with United Utilities if entering their system.*

The mitigation measures shall be fully implemented prior to commencement and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

## Reason

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1. *To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.*
2. *To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.*
3. *To reduce the risk of flooding to the proposed development and future occupants.*

**Condition 02 – No Occupation of Development until completion of SuDS in accordance with agreed SuDS Scheme and Management & Maintenance Plan**

No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

**Reasons**

1. To ensure that the drainage for the proposed development can be adequately maintained.
2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

**Condition 03 - Surface Water Lifetime Management and Maintenance Plan**

No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

**Reasons**

1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development
2. To reduce the flood risk to the development as a result of inadequate maintenance

3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

## **United Utilities**

With reference to the above planning application, United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

### **Drainage Comments**

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

A public sewer crosses this site and we may not permit building over it. We will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewer.

### **Drainage Conditions**

United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

***This site must be drained on a separate system, with only foul drainage connected into the foul sewer unless otherwise agreed in writing by the Local Planning Authority. Surface water should discharge to surface water sewer network Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.***

### **Water Comments**

Strategic water mains and trunk mains cross the site. As we need access for operating and maintaining them, we will not permit development in close proximity to the main.

You will need an access strip of no less than 6 metres, measuring at least 3 metres either side of the centre line of the pipes below 12in in diameter, and no less than 12 metres, measuring at least 6 metres either side of the centre line of the 15in diameter trunk main in Bacup Road.

The applicant must comply with our standard conditions, a copy of which is enclosed, for work carried out on, or when crossing aqueducts and easements.

***Please see the attached plan. The mains highlighted in red are strategic and must be protected for the duration of the construction/redevelopment. The mains highlighted in orange are needed but may be diverted to fit in with the development. The mains highlighted in green may possibly be abandoned either in part or wholly depending on current and possible future connections.***

This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense.

Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works

incidental to any of those purposes. Service pipes are not our property and we have no record of them.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

We can readily supply water for domestic purposes, but for larger quantities for example, commercial/industrial we will need further information.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

If the application is approved, the applicant should contact United Utilities regarding connection to the water mains or public sewers.

### **General comments**

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

### **Electricity North West**

We have considered the above planning application received on 3/2/16 and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

- 1 x LV feeder Pillar on Town Hall side of Lord St at junction of Buller St – suspect this will have to be removed and LV cables x 4 diverted.
- 2 x HV Cables on Annie St and Lord St – These may be affected by any changes in roads and levels.
- LV Cables on North Street - These may be affected by any changes in roads and levels.
- The Centre Substation (454016) appears to remain unaffected but care must be taken during construction and demolition works to ensure the sub is not affected and 24Hr access is maintained at all times.
- Numerous Services to Streetlamps and Buildings which will have to be disconnected.
- It is recommend that if the applicant has not already done so, contact should be made with the ENW Connections / Diversions team to discuss the various requirements before work on site commences.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

### **LCC Archaeology**

Thank you for your consultation on the above planning application. We do not consider that there will be any significant buried archaeological remains on the proposed development site which need to be taken into account during the planning process. The main heritage issue is therefore the impact on the historic standing buildings and the Rawtenstall Conservation Area. The application comes with a Heritage Statement by Purcell, which provides an assessment of the development and significance of the building. There is also a separate Conservation Area Appraisal and Impact Assessment (again by Purcell). These assessments are a significant improvement on the documents that accompanied the previous application and go a long way to addressing our concerns with the original withdrawn scheme (14/2014/0538).

In general we would agree with the conclusions reached by the assessments but would raise two potential issues and make a recommendation for a planning condition. Firstly the development proposals include the replacement of the existing UPVC windows:

*The refurbishment will be sympathetic and complimentary to the historic fabric, interventions will include the cleaning and making good of all external facades along with new aluminium sash windows to visually recreate the original style.*

[DAS p.57]

No details are given of these 'sympathetic' new windows and care will need to be taken to avoid simply changing one unsuitable material for another more fashionable one. If timber windows (which could also be designed to '*conform with required regs*' [HS p.48]) matching the originals seen in the 1891 photograph are not to be used then this detail needs to be checked and agreed before construction is permitted.

Secondly, as noted in the DAS quote above, it is proposed to clean the stonework. The Heritage Statement questions the value of this and notes that this can in fact damage the stonework (HS p.48). We would agree with that assessment and note that it can lead to significant long-term problems. We would also recommend that further consultation with conservation experts are required. If cleaning is necessary then simple 'pressure washing' is likely to be the worst option available and alternative methods need to be considered.

Finally, whilst the Heritage Statement includes a number of useful plans and photographs, it does not purport to be a formal record of the buildings as they currently stand. We would recommend that, prior to any demolition, a formal record to Level 2-3 (Historic England 2006 *Understanding Historic Buildings*) is made by an experienced professional contractor. It would be useful for a phase of this work to be undertaken during or after the removal of any modern suspended ceilings etc. so that original features that are presently obscured can be properly recorded. The recording can easily be required by a 'negative' planning condition, the following wording is suggested:

**Condition:** No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

**Reason:** To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.

This is in accordance with National Planning Policy Framework paragraph 141: "*Local planning authorities should ... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*".

**Environmental Health**

There are no objections in relation to the application on noise or air quality however I recommend the following conditions are attached to any permission granted-|:

No burning on site during the demolition phase

Standard daytime hours of operation condition for the demolition and construction phases

In respect of the toilets provision for the interchange, anything other than a café I see no problem from an EH perspective of using the public facilities. For a Café, it would largely depend on the methods of preparation and food handling tasks and would be a case by case basis.

These comments have been forwarded to the developer. In response, floor plan has been received demonstrating that toilet provision can be accommodated within part of the storage spaces provided for the retail units.

**RBC operations**

Final comments awaited.

**RBC Tree Officer**

Arboricultural report – all in accordance with BS 5837 (2012). To facilitate development nine trees and two small groups of trees on the site, as shown on the tree removal plan, will have to be removed. Given their position and constraints posed by necessary demolition and ground levels, this removal is tolerable and can be mitigated by replacement planting in the new scheme. It is important that trees retained on site (T20 and T21) are adequately protected through the development process. If trees are protected by either TPO or conservation area, separate consent for tree work will not be needed if the works are necessary to implement a full planning permission.

**Conditions** – 1) All tree work to be to BS 3998 (2010) in the interests of safety and for benefit of those trees retained as detailed in the arboricultural report.

2) All trees to be retained both on site and immediately adjacent should be protected by fencing in accordance with BS 5837 (2012) as detailed in the arboricultural report.

Landscape scheme – several drawings (such as N218-GA-1001 PO9) have been submitted to show the public realm on which ornamental planting comprising trees and shrubs etc are shown and the design and access statement provides a descriptive rationale. There is, however, insufficient detail. There are no plant species, sizes, numbers, specification for soil, cultivation, planting, staking, mulch etc. However, there are 25 trees shown indicatively underplanted with ornamental species which I consider to be a realistic proposition. The necessary detailed scheme could be submitted by **condition**.

I have not commented on the bat survey and associated method statement as I understand that you have consulted a dedicated ecologist.

### **Police Architectural Liaison Officer**

This planning application consultation is for the erection of new bus station with retail at ground floor and offices above. I have conducted a crime and incident search of this policing incident location and during the period 25/02/2014 to 25/02/2015 there have been recorded crimes in this location including assault and burglary.

In order to reduce the opportunity for crime and disorder at this scheme and as it is a major development within the Town Centre I make the following security recommendations:-

#### **Security Recommendations**

I have liaised with the Architect for this scheme who has provided me with a detailed analysis of the security proposals for this scheme, including CCTV, lighting, alarm system and glazing proposals. All of the details are supported.

Due to the fact that this is a major development within the public domain I recommend that it is developed to full Secured By Design security standards. The Design and Access states that 'it will be an attractive place to live where tourists visit and employers invest'. It is crucial that the opportunity for crime and disorder are designed out of the scheme. Guidance on Secured By Design can be obtained from the above office or at [www.securedbydesign.com](http://www.securedbydesign.com).

All doors and windows in each individual element of the scheme should be of enhanced security tested and certificated to PAS 24/2012/LPS 1175 or equivalent security standards. All glazing should be laminated particularly in the ground floor shop fronts and the bus station elevations. The Architect has indicated to me that the glazing will be 6.8mm laminated.

The retail units windows and doors should be protected with a grille or shutter arrangement such as Security shield/guard.

The front of the retail units should be secured with ant-ramraid bollards so as to protect them from a vehicular attack. The Architect has advised that bollards are located along the southern



edge of the building between bus stops 1-8. Bollards are also situated along James Street and the Kay Street car park.

□ The entire scheme should be well illuminated with dusk till dawn British standard lighting units. Lighting of outdoor areas should be carefully considered so that it avoids wasted energy and does not make an area more attractive to a potential offender. The new car park area should also be illuminated with British Standard 5489 lighting columns. The full lighting scheme will be produced at the detailed design stage of the development.

□ The scheme should be covered by a comprehensive CCTV system. This should provide coverage of the public areas of the scheme eg the bus station as well as the individual retail and office units. The retail units should be covered by CCTV that provides a clear head and shoulders shot of all persons entering the premise. CCTV provides formal surveillance of an area which can be used as evidence in a Court of Law as well as helping to modify a potential offender's behaviour and reducing the fear of crime amongst users of an area.

□ The retail units and the offices should be protected with an intruder alarm system. These should be monitored via an Alarm Receiving Centre.

Further security advice can be obtained from the above office or at [www.securedbydesign.com](http://www.securedbydesign.com).

In response, the architect for the scheme provided the following response:

### **Roller Shutters**

*These will ultimately be down to the views of the client and local planning department, the likelihood is that if they are a requirement they will be located internally behind the glass to protect the visual amenity of a prominent public building.*

### **Entrances**

*Entrances are clearly visible throughout the bus station and surrounding wider context and benefit from passive natural surveillance. Pedestrian access into the bus station is via level access directly off the pedestrian walkways. The bus route lays down and picks up along the southern edge of the building allowing passengers to wait and board in a safe, active and secure environment.*

### **Public realm and Passive Surveillance**

*The philosophy for the enclosure of the site addresses the key pedestrian and vehicular access points at important nodes. Passive observation is offered by the retail units and the users of the bus station with windows flanking the public realm, overlooking the new public square and also into the proposed pedestrian concourse. The proposed buildings help to create a safer pedestrian environment by defining / overlooking key routes thus enhancing the overall safety for the whole area.*

*The design process to date has adhered to the over-riding principles of 'Secured by Design', and we intend to integrate a well thought out and considered approach to the security of the building based on this, although we are not looking to gain certification as it is not essential to the brief.*

*A simple plan form has been developed that eliminates the necessity for deep reveals within the elevations that could potentially be used as hiding points. Building site lines have been kept as simple as possible. We have created external spaces that increase natural surveillance. Recesses create congregation points, which are a focal point for crime and anti-social behaviour, possibly leading to littering, graffiti, vandalism and arson, so we have eliminated these from our building plan.*

*The buildings have been orientated to maximise natural daylight opportunities. We demonstrate a safe and secure environment with an equal weight being given to both environmental design and physical security and with principles of designing out crime fundamental to the success of our scheme. The present site plan clearly defines areas of development, with clear vehicular and pedestrian access routes into and out of the site. Communal areas allow natural supervision.*

*Pedestrian routes pass through the site and communal areas introduce defined and well monitored routes in and around the site. The desire is to create a vibrant, well used and well overlooked series of spaces with pedestrian walkways around the site and clear entrance areas and destination points that are carefully considered and clear to understand.*

### **Building fabric security**

*The building design takes into account the need to prevent features that aid scaling or climbing. They are sited away from the building, so that they do not act as climbing frames onto the building. Much of the external walling is finished in glazing or cladding systems as a building of this type would be.*

*The design avoids access to low level roofs. All rainwater pipes will be either flush fitting with rectangular profile or internal, the proposed canopies are cantilevered from the face of the building.*

*Bollards are located along the southern edge of the building between stops 1 – 8, whilst the primary intension for the bollards is to prevent buses overrunning the kerb edge and hitting the building, they will also act as anti-ram raid devices. Further to this bollards are located in key positions along James Street, and the Kay Street carpark to prevent un-controlled vehicular access to the proposed public square. This ensures that the north, east & western facades of the building are protected.*

### **CCTV**

*CCTV will be provided within the concourse, and externally to oversee bus-stand areas, pedestrian approach. Systems will be ceiling mounted within the station concourse and post-mounted externally.*

### **Lighting**

*The proposed bus station and apron will benefit from both internal and external lighting which will identify and emphasise the building's presence at night. Lighting will be designed to as to ensure pedestrian and vehicle safety and should meet lux-level guidelines. Further to this within the detailed design stage it will be important to ensure that any glare and/or mirror effect of glazing is minimised.*

### **Glazing**

*A suitable security standard will be used for all external doors. They will incorporate an alarm or warning facility for external doors, where appropriate. Glazing specifications to be confirmed. Indicative spec: 6.8mm clear laminated inner pane, 16mm black spacer, argon filled, 6.8mm toughened clear outer pane. Non glazed emergency escape doors and frames will be manufactured from steel and designed without visible external ironmongery.*

### **Fire resistance**

*All fire exit doors will be openable only from the inside and will incorporate alarm systems should they be opened without authorization from inside the building.*

### **Emergency Services**

*As the proposed facility is inherently well connected to the existing highway infrastructure, access for the Emergency Services, in the event of any requirement, would be from Bacup Road, Kay Street or James Street. Management procedures would be in place to prevent bus services congesting circulation routes, allowing the Emergency Services to arrive at the building quickly; the presence of staff on-site will allow this process to be as efficient as possible.*

*Internal fire alarm, evacuation, and door control systems ensure that, in the event of a fire, bus stand automatic doors close and that passengers are guided towards the main entrance / exit doors (i.e. not onto the bus apron area).*

### **Ancient Monuments Society**

We welcome the retention of the original Town Hall. This is a significant advance on the earlier intention to destroy it and this welcome change of heart will help to maintain the continuity and variety of the townscape at this point. We trust however that in its re-use as offices the present fenestration in uPVC will be replaced by new windows in more sympathetic design and materials.

However, HE and the Civic Society are quite right to stress the value to the street scene of the adjacent block which is still to be demolished. Any structures in millstone grit contribute to the character of the Conservation Area and although reticent for 1911, the age of Edwardian Baroque, they form a good neighbour to the earlier and original block, with which they share common chamfering to the window heads and the use of rock-faced stone. They also appear sound.

Above all, we can no reason why they need to be demolished - there seems to be no operational need to clear the site in terms of the Bus Station. In urban contexts the best screen is a building not a rather nominal run of trees.

We do not underestimate the concession that has been offered by the decision to retain the Town Hall but the fact remains that the arguments for the demolition that is still proposed seem unconvincing.

### **Rossendale Civic Trust**

Object – Rossendale Civic Trust has set out a 25 page representation and have provided a useful summary as follows:

#### **1. RCT summarise these as:-**

RCT welcomes the retention of the Old Town Hall: a positive response to criticisms, from Historic England and others, against the proposed demolition of a Heritage Asset, dating from 1875, in the Rawtenstall Conservation Area. However, RCT notes the “stalled” SPD for Rawtenstall, and the time/cost consequences, from not involving English Heritage (Core Strategy Policy 16/7), for over a year, in the design issues associated with such a major redevelopment in a Conservation Area.

RCT consider the Lancashire County Council/Jacobs 2013 Bus Station, LCC Mk1, could more significantly enhance the Conservation Area by retaining and making good use of its urban street pattern: and the Kay Street, Annie Street, and Lord Street route to Bacup Road. And now with the welcome reuse of the Old Town Hall (VOA 1207.16sqm) by Greenvale/Together Housing, there is a logical opportunity to look again at which is the best bus station for Rawtenstall.

The proposed bus station's design does not suit either its location or its practical needs. Its drive in reverse out layout will cause more delays, than a drive in drive out layout, for the two key regular short stop bus services: the 464 Accrington to Rochdale and X43 Burnley/Nelson to Manchester. Its Bus Only Exit to Bacup Road, denies Lord Street to other road users, could be closed by works to buried services and adjacent buildings, and needs traffic lights to clear Bacup Road for buses to turn.

Up to 10 October RCT saw RTB Mk2 at Kay Street Baptist Church and updated our RTB MK1 comments. We now see that RTB Mk3 first left its hanger on 24/09/2015, and lost its Office Floor on 21/10/2015. Should we have seen it at Kay Street? Is there a RTB Mk4 based on LCC Mk1?

### **Victorian Society**

Having considered the submitted documentation we **object** to the application, which would cause harm to the character and appearance of the Rawtenstall Conservation Area.

Whilst we welcome the improvements that have been made to the scheme, we remain unconvinced by the justification provided for the extent of demolition still proposed. The latest plans envisage the demolition of the two-storey western section of the former Town Hall, which is acknowledged as contributing positively to the significance of the Conservation Area. The loss of these structures would therefore be harmful. Not only would it deprive Rawtenstall of attractive buildings of the type that define the character of the Conservation Area, it would fragment the strong streetscape of Bacup Road and erode a large section of what is an important plot linking significant buildings and sites that lie to both east and west. In addition, there is a lack of operational necessity for removing these structures which seriously weakens any argument in favour of their demolition.

It does not assist our deliberations that no real details of the scale, design or detailing of the proposed wall on Bacup Road appear to be included in the submitted information available on the Council website. But even with it our concerns outlined above would remain.

The Society recognises and welcomes the improvements that have been made to this scheme over recent months. Should it be amended to allow for the retention of the western portion of the former town hall then we would be willing to withdraw our objection and support the scheme. However, on the basis of the information submitted, it remains harmfully and unnecessarily destructive and we therefore urge you to **refuse** it consent.

### **Rosendale Cycle Forum**

RCF have provided a detailed representation and helpfully a summary which is as follows:

RCF Object to the current design, (but not the principle of a quality bus station) for the following reasons:

For cycle access the design is contrary to European, national and local policies and even to the stated design principles of the architects and will not in any way encourage cycling.

It creates an exceptionally dangerous access point for cyclists.

Cycle storage is totally inadequate in size and its dismissal into a screened corner of the development adjacent to waste bins is a clear disincentive for anybody to cycle to the development. Why is there no Bike Hub?

On the assumption that the architects had no deliberate intention to discourage cycling it is clear that nobody qualified in the design of cycling infrastructure has been involved in the design process. This should be rectified prior to final approval.

### **Rossendale Chamber of Commerce**

Having perused the documents and plans lodged in support of the application the Chamber is of the view the application should be granted.

The Chamber is anxious to see redevelopment work begin as soon as possible bearing in mind the proposal to build a new bus station was first mooted well over three years ago.

## **7. NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a press notice was published on 27<sup>th</sup> November 2015, five site notices were posted on 1<sup>st</sup> December and 122 letters were sent to local organisations/neighbours on 25/11/15.

Three objections have been received. The objections can be summarised as follows:

### **Resident 199 Bacup Rd, Rawtenstall**

- Materials and appearance not in keeping with surroundings, local character or history, no local distinctiveness
- Movement of buses will be dangerous for other road users / pedestrians as area given over for bus manoeuvres is not big enough / doubt manoeuvres have been checked / tested.
- Same arguments hold true for bus movements for Kay Street, Bacup Road and Lord Street vicinity. Junction of Kay Street into Bacup Road needs to be widened
- Will cause more delays
- Loss of trees detrimental to environment
- Concerns proposals will lose on street parking and cause congestion on Bacup Road and impact on businesses and road safety.
- Predictions re increased pedestrian numbers Crossing Bacup Rd not known
- Plans exhibited for consultation different to subsequent planning application and believes they had already been created making exhibition consultation process flawed
- Consultation showed details of where the buses could go which were not proven
- Should be refused until complete plan for the bus station, Kay Street, Lord Street, Annie Street, James Street and former Valley Centre developed and submitted.
- Much has been made that significant investment will be made to develop these areas, but no evidence money will be available
- No travel plan
- Long term future of bus station not known re revenue budget.

### **Resident, Cloughfold**

LCC propose to make funding cuts, feel it would be better if current bus, libraries and museum services retained and proposed bus station postponed until austerity behind us.

### **Kathy Fishwick – writing independently to her role in Civic Trust**

Decision to remove offices over the new-build station and locate them in old town hall to be applauded, but 3 problems remain. These are:

- Insistence on drive in reverse out creates land greedy format and traffic flow problems as opposed to the drive in drive out format first proposed by Lancashire County Council. LCC have not addressed concerns re Kay street area where accessing a link to Bacup Road once beyond the very limited two way system. This is likely to lead to some unconventional and potentially dangerous rat runs.

- Format of bus station alien to original need and in practical terms, seems unworkable. Depth of footprint not required, concerns re practical use of designated retail spaces which have no provision for staff facilities and no means of access for deliveries. Concern re toilet provision and if for staff as well as public use. Nor convinced that the roof line references a weaving shed, could be anywhere – but better than previous suggestion
- No evidence that harm is outweighed by benefits, no study of building condition available to public, no detail of costs of putting it into a useable shell for a potential buyer to repair and adapt, no sales notices or offers of sale have appeared where publically accessible, no expressions of interest either for potential purchasers or community use either with the Council or independently, for rent or lease. Therefore benefit to the public not explored so neither it nor its loss can be demonstrated. Retention of whole town hall does not compromise development of the bus station on the site, therefore should retain whole of town hall until future fully explored.

Proposals therefore still lacking convincing proof they will work.

## **8. ASSESSMENT**

The main issues to consider are: 1) Principle; 2) Heritage Implications; 3) Visual Amenity; 4) Neighbour Amenity; 5) Access & Parking

### Principle

I note the comments of Forward Planning and concur with the view that the proposals accord with the NPPF and the Development Plan for the area as indicated in the Core Strategy. Most particularly the proposals are considered sustainable development in terms of use and location, and accord with the key locational Core Strategy policies 1, 8, 11, 12 and AVP 4. They have also been considered acceptable in heritage and design terms having regard to policies 16, 23 and 24 as set out elsewhere in this report and are supported by the Lancashire Local Transport Plan (2011-21) and East Lancashire Highways Transport Masterplan (2014) also produced by LCC.

### Heritage

I note the thorough analysis of the proposals by the Borough Council's Conservation Officer in relation to the relevant legislative base, the National Planning Policy Framework and Core Strategy. Most particularly Section 12 – Preserving and Enhancing the Historic Environment paragraphs 128,131,134, 135, 136, 137 and 138 and the relevant criteria contained in Core Strategy polices AVP 4, 16, 23 and 24.

Separately, I note the comments of the Statutory consultee – Historic England who objected to application 2014/0538 but now consider in relation to the revised application 2015/0476 that the scheme would be neutral in its impact on the character and appearance on the conservation area and therefore have no objection to the proposals. I also note Historic England consider it is for the LPA to assess the harm against the public benefits of the scheme.

Having regard to the above, I consider that the Conservation Officer is right to conclude that the loss of the later town hall extensions will result in less than substantial harm given the lesser architectural quality of the additional extensions to the former town hall to be lost in these proposals when compared to the 1876 and 1890 parts of the former Town Hall which are to be retained. It is further noted that the proposals include mitigation landscaping which is acknowledged in the response from Historic England.

In considering the loss of the later extensions, I am mindful of the view of the Conservation Officer and Historic England alluded to above and criteria 7 of policy 16 that indicates sensitive

redevelopment will be supported subject to the advice of the Conservation Officer and Historic England.

I further agree with the Conservation Officer's assessment of the proposed bus station as suitable having regard to its positioning, design which is contemporary but is appropriate and complementary / compatible in terms of materials and design which takes account of the local historic character and distinctiveness. I also agree that less than substantial harm is caused to the setting of Ilex Mill whilst the setting of Longholme Parsonage and Methodist Church is improved.

Finally, in relation to the Conservation Officer comments, I agree with assessment of the heritage benefits identified. Most particularly;

- refurbishment and reuse of the most significant part of the town hall (which has been vacant and not attracted developer interest for a number of years),
- the removal of buildings identified in the Rawtenstall Conservation appraisal as to where sensitive redevelopment would be encouraged,
- the improvement of the setting of certain listed buildings and the improvements to the public realm in a way which uses materials more appropriate to the site's conservation area setting than the existing materials found on the site currently.

In addition to the assessment above by the Conservation Officer which looks only at the Heritage benefits of the scheme, I am mindful of paragraph 134 of the NPPF which indicates that where less than substantial harm will be caused to a designated heritage asset, in this case the conservation area, harm should be weighed against the public benefits of the proposal including securing the site's optimum viable use. In this regard, I have previously referred to a wide range of public benefits in addition to the heritage benefits. This includes provision of a bus interchange recognised as a regeneration catalyst in the Core Strategy and other local strategies such as Local Transport Plan 2011-2021 and the East Lancashire Highways Transport Masterplan to address deprivation, reduce carbon footprint, and provide much need improved public transport facilities.

I note the comments of the non-statutory bodies such as the Civic Trust, Victorian Society and the Ancient Monument Society. However, when account is taken of the Conservation Officer's assessment, Historic England's comments and the heritage and wider public benefits of the proposals it is concluded the proposals are acceptable in heritage impact terms.

#### Visual Amenity / Design

The Design and Access Statement sets out how the proposals have evolved and been informed by a number of considerations. This includes having regard to the key aims of the proposals to provide a contemporary passenger concourse with high quality waiting facilities, provide a centralised concourse to improve efficiency and ensure passenger safety, to enhance public transport for the area, to improve economic activity in the town centre by enhancing public transport connections, to act as a catalyst for the comprehensive regeneration of Rawtenstall town centre and to increase public transport patronage in the area.

The design of the proposals was informed by the design specification requirements set out by Lancashire County Council to provide a safe and functionally workable bus interchange for an 8 bay bus station based on their understanding of future public transport requirements.

The interchange and the wider site also needed to take account of a site analysis both its wider context and in relation to the existing site, pedestrian movements, existing positive and negative frontages, conflict points and the character of the area, views into and from the site, materials associated with the area.

The proposals also needed to meet the aspirations set out in Core Strategy policy and local strategies for a landmark feature but also something that sat well within its context and related well to its setting in the Conservation Area.

Several designs were considered and the proposal chosen is considered the most appropriate in terms of:

- reducing passenger / bus conflict,
- minimising impact on the bus timetable and network,
- reducing the land take requirement and removes buses from the proposed public square,
- providing a clear processional route between Bank Street and the Station,
- remodelling and retaining the most historic part of the town hall,
- opening up key gateway views in to the former valley entre site,
- providing retail units to provide activity and which complements the bus station use,
- reducing noise and environmental impact for future phases of development and
- provides familiar layout.

Other options such as a Drive In Drive Out arrangement were considered but were found to have significantly more cons. These cons include either having to; elongate the station thus splitting the site which impacts on site viability and site safety and segregation as well as impacting on the public realm available and challenges around the level changes across the site; or providing 4 bays on either side of the bus station which results in buses on to the square side impacting on good design and bringing noise and pollution into the square and again creating problems of safety and segregation.

Finally, the proposals have been informed by the comments received during pre-submission rounds of consultation, learning from comments received in respect of the now withdrawn scheme and input from a design review expert and consultees including Historic England.

The overall aim of the scheme being to provide a new interchange, parking and public realm area which integrate well between buildings, the urban landscape and with the setting and character of the area as well as providing a new development which links well to the wider town centre and provides an area for events bringing increased vitality to the town centre.

The design has also been informed in relation to soft landscaping from comments from the Ecologist assessing the application for the Council and the tree officer also advising the Council.

In relation to the above, the positive comments from the Borough Council's Conservation Officer in relation to its setting and character in the conservation area are noted.

The scheme has also been reviewed by Tom Lonsdale of Placecraft and formally of Places Matter! (a regional design review body) and who was originally chair of the Architectural competition panel in 2013 when initial schemes for the application site and wider masterplan area were submitted and an architectural practice chosen. His comments are broadly positive in terms of access and design arrangements and in the use of materials proposed which have been simplified from the previous withdrawn scheme. He is supportive of improvements from the previous scheme in relation to the pedestrian experience, the public realm arrangements and their relationship to the wider conservation area (moving from more traditional materials on the outer edge to a more modern feel in the centre) and for the bus interchange itself. In relation to the latter, he supports keeping its contemporary architectural treatment whilst removal of the mezzanine floor, will in his view make the interior space loftier and less cluttered, whilst the calmer roof line is also welcomed. He does also recognise that not all points can be addressed for reasons beyond the developer's control and due to the requirements of other authorities, eg the highway authority.



Separate to the above considerations, the applicant has responded to the comments of the police architectural liaison officer as can be seen on the consultee comments section. In this respect, I am of the view for the reasons set out in the architect's response that the proposals as submitted are acceptable in relation to meeting the requirements of 'Secured by Design' and provides the appropriate balance of security and the need for development to respect its setting.

Having regard to the above, it is considered that the proposal is of high design and is the most appropriate proposal having regard to meeting the functional needs of the proposed development, and the wider aspirations set out in the Core Strategy and other local strategies. It respects the setting and character of the area and makes the most appropriate and efficient use of the site given its compactness, shape and constraints. It therefore accords with the relevant criteria of policies AVP4, Policy 12, 23 and 24 and relevant parts of the NPPF in terms of visual amenity and design considerations.

### Neighbour Amenity

Consideration has been given to neighbour amenity for those nearby and for future users of the interchange, public realm and car parks and for future phases of the development. Given the location of the proposal, there are no residential properties in immediate proximity to the bus interchange and the uses proposed are consistent with the location in a key part of the town centre identified for providing improvements for the town's vitality and viability. No objections subject to conditions have been received from Environmental Health. In relation to future users, it is considered that the public realm arrangements will provide for an improved pedestrian environment along Bacup Road and around the retained part of the old town hall. The screening of the square by the interchange to the bus arrival and departure side will provide for an attractive open environment for the square and future phases of the wider site.

The updating and refurbishment of the old town hall is required to make the building an attractive and acceptable environment for future occupiers and employees. This will require significant investment and has been a key cause of its vacancy for the last 10 years. The poor bus passenger experience in relation to the current facilities and its' disconnect to the square and Bank Street are recognised. The changes the new facilities will bring are recognised in the Core Strategy and the Local Transport Plan and East Lancashire Highways Masterplan and in the peer design review.

Concern has been raised by the Civic Trust in relation to the level of toilet provision in the new bus interchange and its shared use of the public and retail outlets. In this respect, Environmental Health have not raised objection but have indicated that depending on nature of the café arrangements it could require under its own regulations requirements for additional facilities in those units. The applicant has subsequently provided layout drawings for the interchange demonstrating that toilet facilities can be provided by using part of the storage spaces identified for some of the retail units.

### Access & Parking

The detailed response from LCC Highways are noted which do not object to the proposals, but do require Section 278 requirements and conditions.

Most particularly, I note:

In relation to the development, LCC are satisfied subject to a Site Movement and Safety Strategy and a Site Access, Deliveries and Servicing Strategy which can be controlled by pre-commencement / occupation conditions and measures to restrict the public from entering/accessing all bus station service areas.

In respect of traffic impact, it is noted that the changes and alterations to the flow of the vehicular traffic on the network in the vicinity of the site is acceptable again subject to necessary agreements eg 278 works with LCC including detailed design and safety audit and statutory consultations where required. The acceptance of the evidence in the traffic assessment related to trip rates, growth factors and the modelling results are noted as is the view that there are no concerns in relation to capacity or congestion on the road network.

In relation to potential collisions the highway authority is content the application can be approved given the improved pedestrian and cycle facilities proposed and subject to a condition requiring a stage 2 Road Safety Audit at the detailed design stage.

The Highway Authority's support for the pedestrian improvements as listed earlier on in this report are noted.

The analysis of the changes for on-street and off-street parking changes are noted and that the changes provided by this scheme are not objected to. It is noted that LCC highways advise that a review of on street parking provision adjacent to the site will be subject to a separate informal and statutory formal consultation process by LCC with businesses and residents affected by the proposal.

In relation to off-street parking, the suggestion of a review of the public car parks' directional signage etc is not a requirement in order for this proposal to be acceptable but is noted for future reference as a project which is beyond the scope of consideration for this application.

In relation to cycle provision, again the Highway Authority does not raise objection subject to further detailed design, formal consultation process and road safety audit work being addressed at a detailed stage.

The objection points from the Cycle Forum are noted. In relation to the number of cycle stands and cycle lockers, LCC Highways considers the level of provision as submitted was sufficient for this first phase of the development. However, the applicant has taken account of the comments and has provided further information indicating the number of lockers can be increased from 4 to 5 lockers and the number of stands increased from 4 to 16 by use of a double rack system and Sheffield type – steel hoop stands. In relation to the request for a cycle hub, LCC highways advise that this would not normally be proportionate for a development of this size. However, there is scope for further design requirements when the condition suggested by LCC highways for the cycle store is discharged.

I do not agree with the view that the cycle provision will be screened by the bin store and therefore poorly located. The cycle provision will face on to a key desire line to the bus interchange from Bacup Road and will be highlighted by design of the floorscape from Bacup Road to the interchange.

In relation to cycle safety, improvements are proposed for the immediate highway network and further requirements including vehicle detection loops will form part of the 278 works which will be consulted upon.

In relation to cycle storage provision in the refurbished town hall, the developer has indicated it is happy to make this provision request.

The comments on trees are noted. The tree officer advising the Council has accepted the results of the tree survey work undertaken and the access requirements for the scheme. In relation to the highway authority requirements related to root containment, the comments are noted. It is agreed

that a condition requiring further details is required which provides a balance in relation to potential impact on the highway and the need to provide species which provide appropriate mitigation for the loss of the later extensions to the town hall.

The comments related to Stopping Up of Highways for parts of North Street, Lord Street and St James Street are noted. An application has been submitted by the developer to the Department of Transport in this respect. Consultation in respect of this separate process commenced on the 12<sup>th</sup> February 2016 and runs to 11<sup>th</sup> March 2016. This process is separate to the planning process and responses are directed to the National Transport Casework team. The Council has made this consultation available on its website and has erected site notices to assist the Department of Transport on the consultation.

In relation to off-site highway works (Section 278 agreement), the comments are noted. In relation to the palette of materials, given the site's importance in the Conservation Area and the aspirations towards quality, I propose to provide a condition in accordance with the advice of the Conservation Officer. This does not preclude subsequent potential alterations where justified and appropriate to the character and locality of the area but provides a clear and strong view as to the importance of appropriate high quality and suitable materials being used within the scheme.

Finally, in relation to the conditions suggested, these are noted and supported. In addition, it is considered having regard to advice in the NPPF that a travel plan requirement for the development is required by condition.

#### Other Matters

The responses and condition requirements of Greater Manchester Ecology unit, Environment Agency, Lancashire County Council as Local Lead Flood Authority, Electricity North West, Tree Officer and Lancashire County Council Archaeology are noted and can be suitably controlled by condition.

### **9. SUMMARY REASON FOR APPROVAL**

The proposed development is acceptable in principle in land use terms as it would accord with proposals contained within the Core Strategy (2011) and in the Local Transport Plan – A Strategy for Lancashire (2011-21) and the East Lancashire Highways Masterplan (2014). The development has been subject to design review and extensive consultation and revision and is considered to be of good design. The loss of the later extensions to the Former Town Hall has been assessed as causing less than substantial harm to the Rawtenstall Conservation Area and the Grade II listed Ilex Mill. The development will provide heritage benefits in relation to the setting of the Grade II listed Longholme Methodist Church and the Parsonage and in relation to the Conservation Area by providing sensitive redevelopment of buildings identified as making a negative contribution to the Rawtenstall Conservation Area in the adopted Conservation Area Appraisal and Management Plan and by the sensitive use of hard and soft landscaping. The development subject to conditions will also provide significant benefits in relation to public realm and in relation to public transport facilities, cycle provision and pedestrian environment. It is considered that the overall benefits of the development outweigh any identified harms caused. Subject to conditions, the development is considered acceptable in respect of access and highway safety, flood risk, ecology and landscaping. The proposed development therefore accords with Core Strategy policies, 1,8,9,11,12,16,23, 24 and AVP4 and the National Planning Policy Framework (NPPF)

### **10. RECOMMENDATION**

That Permission be granted subject to the Conditions below.

## **Conditions**

### Time limit

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

### Approved drawings

2. The development shall be carried out in accordance with the following plans unless otherwise required by the conditions below:

- Schematic Drainage Layout dwg no. SP CE XX 01 DR D 503 203 P02
- Indicative Public Realm Masterplan dwg no. N218-GA-1001 Rev P09
- Phase 1 General Arrangement Sheet 1 of 2 dwg no. N218-GA-1002 Rev P07
- Phase 1 General Arrangement Sheet 2 of 2 dwg no. N218-GA-1003 Rev P07
- Proposed Phase 1 Public Realm dwg no. N218-GA-1004 Rev P05
- Planning Elevations 1 of 2 dwg no. E-20-001Rev P4
- Planning Elevations 2 of 2 dwg no. E-20-002 Rev P2
- Former Town Hall Proposed Elevations (extent of demolition) dwg no. E-20-003
- Former Town Hall Proposed North Elevation dwg no. E-20-004
- Former Town Hall Proposed East and West Elevation dwg no. E-20-005
- Former Town Hall Proposed South Elevation dwg no. E-20-006
- Proposed Site Plan L-00-004Rev P3
- Proposed Site Demolition Plan L-15-001 Rev P1
- Propsoed Floor Plans L-20-001 Rev P3
- Former Town Hall Proposed Basement Plan L-20-002
- Former Town Hall Proposed Ground Floor Plan L-20-003
- Former Town Hall Proposed First Floor Plan L-20-004
- Former Town Hall Proposed Second Floor Plan L-20-005
- Building sections S-20-010 P3
- Capita Drawing 'General Arrangement' ref 083519-CAP-PW-DR-C-001b revision 103.

Reason: To ensure the development complies with the approved plans and submitted details, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.

### Landscaping and ecology

3. No vegetation clearance required by the scheme shall be undertaken during the optimum period for bird nesting (1 March to 31 August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person. All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

Reason: In the interests of protecting biodiversity in line with Policy 18 of the Council's Core Strategy and the NPPF.

4. The site shall be treated in accordance with a landscape scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such scheme shall include full details of trees and shrubs to be planted (and details of their root containment system), walls, fences, bat & bird boxes, boundary and surface treatment and shall be carried out within the next planting season following the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months. All tree work to be to BS 3998 (2010) in the interests of safety and for benefit of those trees retained as detailed in the submitted arboricultural report. All trees to be retained both on site and immediately adjacent should be protected by fencing in accordance with BS 5837 (2012) as detailed in the arboricultural report.

Reason: Insufficient detail has been shown on the submitted drawings including no plant species, sizes, numbers, specification for soil, cultivation, planting, staking, mulch etc. 25 trees are shown indicatively underplanted with ornamental species which is acceptable. In the interests of visual amenity and biodiversity and in accordance with the NPPF and Policy 24 of the Rossendale Core Strategy.

### Materials

5. The development hereby approved shall be carried out in accordance with the following materials which have been agreed:
- Paving to include use of Scoutmoor natural sandstone
  - Paving to include “Charcon Andover washed Light Grey,” “Charcon Andover Washed Silver Grey”, “Charcon Andover Washed Anthracite Charcoal”, “Charcon Andover Washed Dark Grey”
  - Stone cladding/ashlar to the proposed bus station shall be “Fletcher Bank” Sandstone sawn to a smooth finish.

Reason: In the interests of visual amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy DPD (2011).

6. Prior to installation the following details shall be submitted to and approved in writing by the Local Planning Authority:
- Window design to all elevations of the remaining town hall
  - Details of roofing material to the town hall extension and bus station
  - Details of all obscured, coloured or tinted glazing to bus station

The development shall then be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with Policies 1, 16 and 24 of the Council's adopted Core Strategy DPD (2011).

7. Notwithstanding submitted details, no development shall commence until scaled elevations and sections of the proposed town hall extension have been submitted and approved in writing by the Local Planning Authority. Details shall include glazing and any proposed coloured or tinted glazing, obscured glazing, window and door design. The development shall be carried out in accordance with approved details.

Reason: In the interests of visual amenity, in accordance with Policies 1, 16 and 24 of the Council's adopted Core Strategy DPD (2011).

8. Prior to installation, details of the design of wall to Bacup Road to be submitted and approved in writing by the Local Planning Authority. This shall include coursing, coping detail, material, extent and height. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with Policies 1, 16 and 24 of the Council's adopted Core Strategy DPD (2011).

9. No pressure or abrasive cleaning methods shall be carried out to the exterior stonework of the former town hall building until such details have been submitted to and approved in writing by the Local Planning Authority. Any cleaning shall then be undertaken in strict accordance with approved details.

Reason: In order to protect the character and appearance of the Conservation Area and to accord with Policy 16 of the Rossendale Core Strategy.

### Highways

10. The development hereby permitted shall not be commenced, excluding demolition, until a formal stopping up of the highway named North Street (west of Kay Street), part of Lord Street and part of James Street is granted under Section 247 of the Town & Country Planning Act 1990 shown on the approved plan named 'Highway adoption and Stopping Up' 083519-CAP-PW-DR-C-006b Rev I02.

Reason: To ensure the satisfactory development of the site in the interests of highway safety, and to comply with Policies 23 and 24 of Rossendale Core Strategy.

11. No part of the development hereby approved shall commence, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. The loading and unloading of plant and materials
- iii. The storage of plant and materials used in constructing the development
- iv. The erection and maintenance of security hoarding
- v. Wheel washing and road sweeping facilities
- vi. Measures to control the emission of dust and dirt during construction
- vii. A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. Details of working hours
- ix. Routing of delivery vehicles to/from site
- x. Site Manager contact details

Reason: In the interests of pedestrian and highway safety and neighbour amenity in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

12. No part of the development hereby approved shall commence until a construction and demolition phasing project plan is submitted to and approved in writing by the Local Planning Authority, which shall be adhered to through the demolition and construction period.

Reason: In the interests of pedestrian and highway safety and neighbour amenity in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

- 13.No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site, in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

- 14.No part of the development hereby approved shall commence until a scheme for the retaining structure adjacent to the highway and Bus Station apron has been submitted to, and approved by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the retaining structure are acceptable before work commences on site.

- 15.No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 13 has been constructed and completed in accordance with the scheme details unless otherwise agreed as set out in the demolition and construction phasing project plan.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works and to accord with Policies 1 and 24 of the Core Strategy.

- 16.No part of the development hereby approved shall be occupied or opened for trading until a "Bus Station Management Strategy" shall be submitted to and approved in writing by the Local Planning Authority, which shall then be adhered to throughout the life of the development.

Reason: In order to maintain safety within and external to the site when the development is operational and to accord with Policies 1 and 24 of the Core Strategy.

- 17.No part of the development hereby approved shall be occupied or opened for trading until, a 'Site Access, Deliveries and Servicing Strategy' and a 'Site Movement and Safety Strategy' shall be submitted to and approved in writing by the Local Planning Authority. The strategy to cover access for all deliveries, service vehicles and emergency services and contain agreed routes and access times for deliveries to be outside 7:30 and 18:00 Monday to Saturday and 10:00 and 16:00 Sunday only and safety mechanisms put in place for reversing of delivery vehicles adjacent to bus apron and access roads. Any changes to these operating hours would need to be agreed. The strategy to satisfy the safety audit of the internal layout.

Reason: In order to maintain safety within and external to the site and flow within the development and on local roads when the development is operational and to accord with Policies 1 and 24 of the Core Strategy.

18. No part of the development hereby approved shall be occupied or opened for trading until the highway Sycamore tree located on the western footway on James Street has been removed.

Reason: In the interests of pedestrian safety and to accord with Policies 1 and 24 of the Core Strategy.

19. No part of the development hereby approved shall be occupied or opened for trading until a scheme has been submitted and approved by the LPA for the provision of the cycling facilities as proposed for the bus station (consistent with the level of cycle provision identified in email received by architect 10.2.16) and former Town Hall.

Reason: To secure appropriate levels of cycle stores and to accord with Policies 1 and 24 of the Core Strategy and the NPPF.

### Demolition

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

- i) A method statement in respect of the demolition works to be undertaken, including details of the means by the boundaries of the site will be screened, harm to existing trees bounding the site and within the site to be retained will be avoided and where any site cabins / compound will be located.

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

### Environment Agency / Contamination

21. No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
- iii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iv) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- v) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- vi) Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.



Reason: To ensure development of the site proceeds in a safe and satisfactory form, having regard to the findings of the submitted Contaminated Land Phase I Report, to accord with Policies 1 and 24 of the Council's adopted Core Strategy DPD (2011) and the NPPF

22. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure development of the site proceeds in a safe and satisfactory form, having regard to the findings of the submitted Contaminated Land Phase I Report, to accord with Policies 1 and 24 of the Council's adopted Core Strategy DPD (2011) and the NPPF.

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure development of the site proceeds in a safe and satisfactory form, having regard to the findings of the submitted Contaminated Land Phase I Report, to accord with Policies 1 and 24 of the Council's adopted Core Strategy DPD (2011) and the NPPF.

### Flood Risk

24. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
- i) Limiting the surface water run-off generated by the critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This discharge rate is to be agreed with United Utilities if entering their system.
  - ii) The mitigation measures shall be fully implemented prior to commencement and subsequently in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and by ensuring that compensatory storage of flood water is provided, and to reduce the risk of flooding to the proposed development and future occupants in accordance with policies 19 and 24 of the Core Strategy DPD(2011).

25. *No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable*

*drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.*

Reason: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system in accordance with policies 19 and 24 of the Core Strategy DPD (2011).

### United Utilities

26. This site must be drained on a separate system, with only foul drainage connected into the foul sewer unless otherwise agreed in writing by the Local Planning Authority. Surface water should discharge to surface water sewer network

Reason: To ensure satisfactory foul drainage arrangements, and to accord with the advice of United Utilities, and Policies 1 & 24 of the Council's adopted Core Strategy DPD (2011).

### Archaeology

27. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building in accordance with policy 16 of the Council's adopted Core Strategy DPD (2011) and NPPF.

### Informative

1. Standard Informative

2. The grant of planning permission will require the applicant to enter into a Section 278 Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk) in the first instance to ascertain the details of such an agreement and the information to be provided.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

3. Whilst the building to be demolished has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. Please ensure that all persons working on the site are familiar with the Bat Method Statement (Angela Graham Bat Consultancy Service 27/10/15 Revised 12/11/15). If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

- 4 The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
  - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution;
  - treated materials can be transferred between sites as part of a hub and cluster project; and
  - some naturally occurring clean material can be transferred directly between sites.
- 5 Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
- 6 The Environment Agency recommends that developers should refer to our:
  - Position statement on the Definition of Waste: Development Industry Code of Practice and;
  - website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.
- 7 The applicant's attention is drawn to the letter from United Utilities dated 8<sup>th</sup> December 2015 which sets out the full information in relation to their access to and connection requirements related to any works undertaken.
- 8 The applicant's attention is drawn to the email from Electricity North West dated 5<sup>th</sup> February 2016 which sets out the full information in relation to their operational requirements and advice connections that may be affected.