

Application Number:	2016/0595	Application Type:	Full
Proposal:	Change of use from D1 (vocational training centre) to a mixed use comprising a cafe, education centre, function room, community cinema, market trading hall and arts centre, including construction of glazed rear extension to provide an additional covered seating area, and installation of an external flue.	Location:	Stubbylee Barn, Stubbylee Lane, Bacup, OL13 0DD
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	17 th January 2017
Applicant:	Ms Souta Van Wick	Determination Expiry Date:	1 st February 2017
Agent:	Mr Ben Edmondson		

Contact Officer:	James Dalglish	Telephone:	01706 238643
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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	Council-owned land

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. **RECOMMENDATION**

Approve full planning permission subject to the conditions.

2. **SITE**

The application relates to the cluster of attached stone-built buildings with slate roofs at Stubblelee Barn last used as a vocational training centre (D1 Use Class) by Accrington and Rossendale College, comprising the following:

- Large former cart shed last used as an educational workshop, with an ancillary office / service room
- Single storey office / classroom
- Two single storey storage rooms

The main buildings are set on the south east side of a courtyard, which contains two further outbuildings, two portacabins and a covered cycle store, all of which are included within the application site. Further to the south east of the main buildings is an enclosed paved area, which is also included within the application site.

The buildings are Listed by virtue of being within the curtilage of Stubblelee Hall, a Grade II Listed Building. The site and buildings are currently vacant.

The site lies within an area of countryside designated as Greenlands.

3. **RELEVANT PLANNING HISTORY**

2012/0004 - Change of use to vocational learning centre and associated works including parking provision, erection of polytunnel, retention of garages for storage and welfare facilities (Approved)

2012/0006 - Listed Building Consent to Change of use to provide facilities & related accommodation (Approved)

2012/0239 - Discharge of Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10 on applications 2012/0004 and 2012/0005 (Approved)

2016/0089 - Change of use from a training school (D1) to cafe (A3) (Withdrawn)

4. **PROPOSAL**

The application has come about through a partnership of organisations headed by Bacup Consortium Trust which wishes to take the opportunity to utilise the currently vacant buildings at Stubblelee Barn for a social enterprise comprising a variety of different uses. In order to progress the scheme, planning permission is sought for the change of use of the buildings and the wider site to a mixed use comprising a cafe, education centre, function room, community cinema, market trading hall and arts centre.

The facility would offer training courses in catering, hospitality and food hygiene, as well as providing volunteering opportunities in association with Stubblelee Greenhouses. Training schemes would be undertaken by staff in the proposed cafe and workshops working in partnership with Eat Pennines, ACCROSS College, and local arts and crafts specialists.

The applicant states that the aim is to provide open access work experience, volunteer opportunities and start up business mentorship for those seeking to get back into work, and also to aid people in recovery from mental ill health, social isolation and addiction through work experience and volunteering opportunities.

It is proposed that the café and cinema business would provide an income to allow the facility to be financially self-sustaining. Additional grant funding would be sought for future additional training schemes on site. The scheme would create two new employment positions – a café manager / chef (full time), and a part time café assistant.

The former cart shed building would be used as an education, arts, film and occasional market space, and would have an associated office and service room in the south eastern part of the building.

The former office / classroom building would be used as a café with a dining area and associated office and two WCs. The northernmost of the two existing attached storage buildings would become a kitchen, and the other storage room would become an art workshop.

The two existing outbuildings would be used as a store and an art workshop.

The proposed opening hours are:

- Tuesday – Friday 11am to 5pm
- Saturday and Sundays 11am to 4pm
- One day per week evening opening 6pm to 10pm for the Community Cinema

The proposed scheme also includes the construction of a glazed extension structure on the south east elevation of the main buildings, which would provide a covered seating area for the proposed café. The structure would have a footprint of 10.4m x 4.8m, with a shallow mono-pitched glass roof measuring 2.5m at its highest point and 2.2m to its eaves. The structure would be predominantly glazed above a natural stone plinth (to match existing building), and would feature two sets of French doors opening out on to the flagged area to the south east.

Following discussions between the case officer, Conservation Officer and the applicant's agent, an amended plan has been received showing the use of four slim opening windows along the top of the south east elevation of the proposed glazed extension. A previous plan had shown the use of larger opening windows midway down the glazing on the south east elevation, but it was considered that more streamlined low profile opening units located at the top of the glazing would be more appropriate and would help to reduce the visual impact of the extension.

The scheme also includes the proposed installation of an extraction duct on the south east elevation of the building and the installation of a 40mm drainage pipe below ground level through the wall of the proposed kitchen, to the north west of the building – however this would not be visible above ground. The pipe would connect to the existing drainage system for the buildings.

Two staff car parking spaces would be provided within the courtyard, and the existing cycle store would be retained and relocated to the far western corner of the courtyard (the two existing portacabins would be removed from the site to provide the space for the parking spaces and cycle store). A parking arrangement plan has been submitted which shows a further ten parking spaces (plus two additional disabled parking spaces) located in the wider Stubblelee Greenhouses site across Stubblelee Lane.

A separate application has been submitted to the Council for Listed Building Consent for works associated with the scheme.

5. POLICY CONTEXT

National

National Planning Policy Framework (2012)

- Section 1 Building a Strong Competitive Economy
- Section 4 Promoting Sustainable Transport
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 12 Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy DPD (2011)

- AVP 2 Bacup, Stacksteads, Britannia and Weir
- Policy 1 General Development Locations and Principles
- Policy 9 Accessibility
- Policy 14 Tourism
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity and Landscape Conservation
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

Other Material Planning Considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

Consultee	Comment
RBC (Environmental Health)	No objection
LCC (Highways)	Comments awaited on access / parking
RBC Property Services	No comments
RBC Conservation Officer	No objection subject to condition

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a site notice was posted on 14/12/2016 and 6 letters were sent to neighbours on 14/12/2016.

No comments or objections have been received.

8. ASSESSMENT

The main considerations of the application are:

- 1) Principle; 2) Visual Amenity and Heritage Impact; 3) Neighbour Amenity; & 4) Access/Parking and Highway Safety.

Principle

The site lies within an area of countryside designated as Greenlands.

Policy 1 of the Core Strategy seeks to locate the majority of new development within the defined urban boundary, unless it has to be located in the countryside. It is not considered that the proposed use of the site would normally need to be located within the countryside, however the site is located between two large public parks (Stubbylee Park and Moorlands Park) and would be closely associated with the established adjacent Stubbylee Greenhouses site – providing a café facility for visitors to the Greenhouses. It is proposed that products from the Greenhouses site would be used and sold within the café.

With this in mind, it is considered that the proposed café and associated uses of the site would necessarily need to be located in the countryside in this particular case as it would be directly associated with, and would provide support to, the existing Stubbylee Greenhouses site and the two public parks. It is considered that the proposed café and other proposed uses of the site would be appropriate within the public parks in which the site is located.

Policy AVP2 states:

“Proposals for tourism and leisure related developments as well as farm diversification which generate local employment opportunities will be considered favourably.”

and

“The distinct local heritage and sense of place of the area will be conserved and enhanced, particularly through regeneration initiatives.”

It is considered that the proposed scheme would provide potential tourism benefits, given that it would expand the range of activities and services provided within Stubbylee and Moorlands Parks. The site is located close to public footpaths, and is close to other leisure activities within the parks such as walking paths, tennis courts, a skatepark and bowling greens. It is considered that the proposed facility would provide opportunities for linked trips to multiple sites / activities within the parks and would provide a further reason for people to visit.

Policy 14 of the Core Strategy is supportive of development which would enhance tourism / active sports assets within the borough, and states:

“Tourism, and in particular the active sports industry, is important to Rossendale, and is a key opportunity for the whole Borough. Tourism growth will capitalise on leisure pursuits and the unique sense of place within the Valley...”

The site lies within an area of Greenlands which are intended to protect open spaces, parks and recreational areas from development that would detract from the open character of the areas. Policy 17 of the Core Strategy states that Greenlands will be protected from harmful development.

The proposed works would not significantly detract from the character of the area, and would enhance the range of facilities and attractions at Stubbylee and Moorlands Parks.

The scheme is considered acceptable in principle.

Visual Amenity / Heritage Impact

Policy 16 of the Core Strategy states:

“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:

- *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.”*

The buildings in question are currently vacant, and it is considered that the proposed scheme would enable the re-use of the buildings which would help to secure their upkeep.

The proposed glazed extension to the rear of the building is considered to be of appropriate design and construction (utilizing natural coursed stone to match the existing buildings), and would be located on the rear of the building where it would not be prominent. The proposed installation of an extraction duct on the rear elevation of the buildings (leading from the proposed kitchen) would have a minimal impact on the building’s external appearance, and would not be prominent.

It is considered appropriate to include a condition requiring that the proposed extraction duct is painted black, to ensure that it does not appear unduly prominent or detract from the appearance of the building. However, this condition will be included on the associated Listed Building Consent (2016/0596) and does not need to be duplicated on any planning permission.

The development is considered acceptable in terms of visual amenity / heritage impact.

Neighbour Amenity

No parts of the scheme would either individually or cumulatively affect light, privacy or outlook of any nearby residential properties.

Whilst the scheme may increase the number of people visiting the site it is not considered that this would lead generally to a significantly greater likelihood of noise nuisance to surrounding residential properties given the separation distances involved. The proposed opening hours are considered appropriate and there no concerns have been raised by the Council’s Environmental Health team.

The scheme is considered acceptable in terms of neighbour amenity.

Access / Parking and Highway Safety

Confirmation is awaited from the Local Highway Authority that they are satisfied with the proposed access and parking provision at the site.

It is anticipated that comments will be received from the Local Highway Authority week commencing 9th January, and as such their comments (and any suggested conditions resulting from their comments) will be included in the update report.

9. SUMMARY REASON FOR APPROVAL

The scheme is considered acceptable in principle and, subject to conditions, would not detract to an unacceptable extent from visual and neighbour amenity or highway safety. The development is in accordance with Policies AVP2, 1, 9, 14, 16, 17, 18, 23 and 24 of the adopted Core Strategy DPD and Sections 1, 4, 7, 8 and 12 of the Framework.

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

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

- Application form date stamped 7th December 2016 by the Local Planning Authority.
- Site Location Plan date stamped 7th December 2016 by the Local Planning Authority.
- Proposed Plans and Elevations (Drawing Number 2016/130-02 Revision E) date stamped 3rd January 2017 by the Local Planning Authority.
- Glazed Canopy Extension (Drawing Number 2016/130-03 Revision B) date stamped 3rd January 2017 by the Local Planning Authority.
- Parking Arrangement Plan (Drawing Number 2016/130-04 Revision A) date stamped 22nd December 2016 by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and submitted details.

3. The use of the site hereby permitted shall not operate outside of the following times:

- Daily (including weekends and Bank Holidays) from 11am to 6pm
- One day per week 11am to 10pm (for the Community Cinema use)

Reason: In the interests of neighbour amenity and highway safety.

4. The two existing portacabins shall be removed from the site prior to first use of the development hereby permitted.

Reason: In the interests of visual amenity.

5. The two staff car parking spaces and the cycle store (as shown on approved drawing number 2016/130-04 Revision A) shall be made available prior to first use of the

development hereby permitted, and shall be retained and kept freely available thereafter for vehicular parking and cycle storage.

Reason: To ensure that there is adequate parking and cycle storage for the development, in the interests of highway safety.

6. The customer car parking shown on approved drawing 2016/130-04 Revision A shall be retained and kept freely available as such for the lifetime of the development hereby permitted.

Reason: To ensure that there is adequate parking and cycle storage for the development, in the interests of highway safety.

7. The stonework used in the construction of the extension hereby permitted shall match like for like that used in the construction of the original Stubbylee Barn buildings.

Reason: In the interests of visual amenity and to protect the special character of the Listed Building.

8. The window frames of the glazed extension hereby permitted shall be black in colour and shall be maintained as such thereafter.

Reason: In the interests of visual amenity and to protect the special character of the Listed Building.

9. The proposed extraction duct on the south east elevation of the building shall be black in colour and shall be maintained as such thereafter.

Reason: In the interests of visual amenity and to protect the special character of the Listed Building.

10. The glazing in the extension hereby permitted shall be toughened glass, and shall be maintained as such in perpetuity.

Reason: In order to reduce the likelihood of damage from vandalism, in the interests of visual amenity.

11. INFORMATIVES

1. Listed building consent and/or planning permission is required for any alterations which would affect the character of the listed buildings, including the installation of any additional fittings and fixtures, the creation or alteration to any boundaries including walls and fences, the erection of any outbuildings, extensions or lean-tos and internal and external alterations that are not included with this permission.

2. Permission is not granted for the use of the land for any additional external storage through this permission.