

UPDATE REPORT 15th JUNE 2018

FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 19th JUNE 2018

Item B1– 2018/0201 – Former Kwik Save, New Hall Hey Road, Rawtenstall

Since publication of the Committee Report, further objections have been received from members of the public as follows:

- Petition of 227 signatures in opposition to the scheme.
- A further objection raising concerns over impacts on neighbour amenity, highway safety and traffic / parking issues.
- An objection from East Lancashire Railway raising concerns over impacts on the local tourism economy, railway safety, traffic / parking issues, and impacts on the East Lancashire Railway.

It is not considered that the content of the further objections received raises any issues which would warrant amendment of the recommendation contained within the Committee Report.

Many of the concerns raised relate to issues of parking, traffic congestion and highway safety. In this regard the Local Highway Authority has been consulted on the application and has no objection to the scheme subject to the conditions proposed within the Committee report.

It is considered necessary to clarify that the proposed opening hours of the facility would be 10am-11pm (7 days per week). Proposed condition 4 contained within the Committee Report would restrict the hours as such.

No other changes are proposed to the Committee Report.

On 18th June Members, including Members of Development Control Committee, were sent an e-mail from New Hall Hey Residents Association setting out the following concerns (summarised):

Occupancy Numbers

- Occupancy numbers have changed from the initial application 2017/0501 to the latest application 2018/0201 in an effort by the applicant to get it passed by Highways.
- Do not believe that the applicant intends to stay within the capacity stated in his application and that he intends to fill the venue to maximum capacity (1,904) at every given opportunity.

- The rent on the building is £160,000 per annum, £13,333 per month so the venue will need to be used a lot just to cover this cost.
- This venue is bigger than the applicants other venue with a smaller capacity stated.

Opening Times

- Find it strange that the venue wishes to be operational until 4am as it is highly unlikely to take 5 hours to clean after an event. More clarity around the operational times is needed as staff or patrons leaving a venue at 4am could cause a great deal of disturbance to neighbours living directly opposite the venue.

Transport

- The number of guests expected to travel by car has been changed from 3 per vehicle to 4 people per vehicle in a bid to try and reduce traffic figures
- The additional traffic will put a strain on not only New Hall Hey Road but the surrounding network, particularly the main roundabout which is often congested

Parking

- The number of coach and mini bus spaces have been reduced to allow an additional 56 car parking spaces (plus 2 coach and 4 mini bus spaces).
- The additional car park is located just 14 feet from the back on number 9 Railway Terrace (and even closer to many of the other houses) and just 3 feet up from the residents gardens giving them full view of the car park, and exposure to noise and lights. There is concern that more coaches will be arriving than can be accommodated and that they may well end up parking on New Hall Hey Road or on a side road.
- Potentially 40 car parking spaces could be taken by staff at each event
- 182 car parking spaces in total, 15 spaces are reserved for Hurstwood staff, then there's staff parking (30-40 spaces), this leaves around 118 spaces for large scale events in the week or 133 spaces at the weekend.
- Don't believe Highways calculations to be factual given the maximum number of people that can be accommodated at the venue which will generate around 635 vehicles.
- There are no spaces allocated for J A Taylors on the latest site plan so clearly the existing agreement will not be honoured which will have detrimental impact on the business
- At present there's between 45 and 60 cars parked in the Orient car park everyday that will need to park elsewhere should the application be passed: There is no other nearby car parks.
- If the parking restrictions on New Hall Hey road are changed to 24 hours, the concern is that patrons and staff will park along neighbouring roads.
- Rossendale Borough Council does not have an out of hour's enforcement team to manage noise or traffic complaints.
- There won't be enough room for cars to turn let alone open the doors wide enough without hitting other cars?

- Light, particularly flood lighting will shine through standard curtains. The trees that are likely to be planted to block out noise and light will be young trees and therefore won't make any difference.

Traffic

- If the whole of the building was utilised there could potentially be 635 vehicles with most parked for the majority of the day, up until 11pm at night.
- Having looked at the results of the survey we find it strange that there seemed to be traffic movement throughout the duration of the wedding, surely if people are attending a wedding then they all arrive by a certain time, stay for the duration of the ceremony then leave towards the end of the celebrations?
- Concerns at the number of vehicles vacating the car park at 11pm and the noise it will generate.
- How will the wedding car possession be managed on New Hall Hey Road?
- We don't believe Highways have taken into consideration the construction of the two new industrial units at the entrance to New Hall Hey Road (opposite the retail park) which are near to completion.
- Without further analysis the traffic impact cannot be fully determined.

Events

- At present the building isn't sound proofed and bands can be heard rehearsing in the building along Holme Bank and the surrounding streets- any musical performances during the evening will cause a great deal of disturbance.

Fireworks

- Historically the wedding package included fireworks without a planning condition restricting fireworks how can the 'human rights act - Article 1 of Protocol 1 The right of peaceful enjoyment of possessions and protection of property.' can be made reference to in the planning report?

Tourism

- We do not believe the proposed development will drive tourism given the inclusive nature of the business;
- There isn't sufficient hotels, or B&B's to accommodate overnight stay in Rossendale.
- East Lancashire Railway have opposed the application based on the fact that for the last 26 years they have enjoyed uninterrupted and continuous use of the car park on the former Winner Discount Megastore. t
- This application will be harmful to the objectives of Rossendale's Core Strategy Policy 14:Tourism.

Human Rights Act

- In the planning report it refers to Article 8- This application goes against the above given that it proposes to open a car park directly behind Railway Terrace. There will be constant noise disturbance throughout the year and light during the winter months.

Sui Generis

- In the planning report the proposal refer to the application as a 'sui generis' development which adds concern that the applicant could decide not to use Orient One for the purpose for which planning permission was granted (if permitted)

Wedding Provision in Rawtenstall

- St Marys chambers, The Whitaker Museum, and the East Lancashire Railway (as part of the expansion) host weddings and a variety of events.

Petition: As of 4pm on 18th June the petition had 249 signatures

Item B4–2018/0236 - Former Cloughfold Dairy, Bacup Road, Rawtenstall

Condition 5, as set out in the Report to Committee, reads as follows :

No development shall take place until a scheme for the management and maintenance of all of the proposed planting has been submitted to and approved in writing by the Local Planning Authority. The planting shall thereafter be managed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity.

The Agent in respect of this application sought to address the requirements of this condition prior to determination by the submission of a Management Plan. However, on review, Officers have concluded that it is not sufficient to inspect the landscaping only once per year, as set out within the submitted Plan, and further information needs to form part of this Plan.

However on consideration it is not considered that this condition needs to be prior commencement as originally drafted and as such has been amended as follows:

5) Prior to loss or closure of the existing link-path through the site a scheme for the management and maintenance of all of the proposed planting shall have been submitted to and approved in writing by the Local Planning Authority. The planting shall thereafter be managed and maintained in accordance with the approved scheme.

Reason: In the interests of visual amenity of the area, to soften the appearance of the approved fencing and to ensure that the hedge is suitable managed and maintained

Nicola Hopkins
Planning Manager
15th June 2018

