

<b>Application Number:</b>	2018/0602	<b>Application Type:</b>	Full
<b>Proposal:</b>	Redevelopment of site including conversion and change of use of barn / stables, alterations to existing buildings, construction of a new link building, plus associated landscaping and access works.	<b>Location:</b>	The Whitaker Haslingden Road Rawtenstall Rossendale Lancashire BB4 6RE
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	26 <sup>th</sup> February 2019
<b>Applicant:</b>	Mr Carl Bell	<b>Determination Expiry Date:</b>	7 <sup>th</sup> February 2019
<b>Agent:</b>	Mr Ryan Lawler (Day Architectural)		

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

Approve planning permission subject to the conditions set out in this report.

## **APPLICATION DETAILS**

### **2. SITE**

Whitaker Park and the associated house (a substantial two storey building of stone construction) were created in 1840 before being gifted to Rawtenstall in 1902, following which the house was transformed into a museum and the grounds into a public park. The associated barn and stables are situated immediately north of the house and are currently used as a storage and maintenance facility by the Council's Operations team. The house is currently in use as a museum and as a bar / restaurant / gallery facility known as The Whitaker.

The House has the appearance and certain elements of the later Georgian period. The stable block is slightly set back from the house in an east west plan form.

Neither the wider Park nor the buildings are statutory Listed however they are considered to be non-designated Local Heritage Asset which holds strong value within the Borough and community.

The high level of survival of both internal and external features provides a clear insight into the historic use and development of the site.

External features to the stables building include the circular pitching holes for straw/ hay distribution, wagon entrance and stone setts which give contrast to the architecture of the house with the continuous dividing wall providing a clear separation.

Internally within the stables there is a wealth of surviving flagstones which contributes to the overall character of the building. The extant stalls of timber and cast iron construction are reminiscent of the 19th century style. The tongue and groove boarding is well preserved and feeding hatches are intact. The mezzanine is supported on cast iron columns with decorative capitals, also drop pinnacles and brackets to hang tack. There are some surviving cast iron railings between the stalls and the fireplace also survives intact.

The site is located within the defined urban boundary and is on land owned by the Council.

### **3. RELEVANT PLANNING HISTORY**

2001/0410 - Construction of two storey extension at rear of museum (Approved)

### **4. PROPOSAL**

Planning permission is sought for the redevelopment of the site - the works proposed include refurbishments to the existing museum (house) building, refurbishments and change of use of the barn and stables building, the construction of a new extension (link building between the house and the barn / stables) and external works / landscaping. The various parts of the proposed scheme are described below.

#### **Redevelopment of the Barn / Stables Building**

It is the proposed that the buildings will be redeveloped into a multi-use facility which will expand upon the current offer within the museum. On the ground floor level, a large double height multi-functional space will be provided. This will provide space for a variety of events, exhibitions and activities to take place. On the upper storey, the existing spaces will be consolidated and re-

arranged to allow the deployment of artefacts from the museum's extensive collection. This space will provide areas for both the exhibition of artefacts as well as their storage. In addition, food and drink preparation areas will be provided at ground floor alongside visitor welfare and toilet facilities.

### Construction of a 'Link' Extension Building

Connecting the house and the stables / barn building, the new link building will provide a new point of entry to The Whitaker and will include a dining area and a circulation area to facilitate access to each floor level within both the house and the stables.

The new building will be of contemporary design, and faced predominantly in timber and glass.

### Alterations to the Existing House Building

At the ground floor level, consolidation of the existing toilet and storage facilities will be carried out to provide new WCs, including a DDA Accessible facility and a change room. It is also proposed that the existing kitchen area will be converted into a shop operated by the museum staff. General works to the floors, walls and ceilings in these areas will be required to ensure a consistent interface with the new building. A link to the new extension and the adjacent stables will also be provided at both ground and first floor level.

### External Works and Landscaping

Demarcation of the new entrances will be carried out to better define the access and egress points. Soft landscaping and retaining structures will be constructed, as they will be required in order to grade out some of the more significant level changes. Ramped access points will be constructed to allow customers to circulate both the building and the external spaces. An external courtyard will be provided, which will provide additional space for gatherings.

## **5. POLICY CONTEXT**

### **National Planning Policy Framework (2018)**

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 6 Building a Strong, Competitive Economy
- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

### **Development Plan**

#### **Rossendale Core Strategy DPD (2011)**

- AVP 4 Rawtenstall, Crawshawbooth, Goodshaw and Loveclough
- Policy 1 General Development Locations and Principles
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 11 Retail and Other Town Centre Uses
- Policy 14 Tourism

Policy 16	Preserving and Enhancing the Built Environment
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity and Landscape Conservation
Policy 19	Climate Change and Low and Zero Carbon Sources of Energy
Policy 23	Promoting High Quality Design & Spaces
Policy 24	Planning Application Requirements

### **Other material considerations**

National Planning Practice Guidance  
Emerging Rossendale Borough Council Local Plan (currently at publication stage)

## **6. CONSULTATION RESPONSES**

RBC Conservation Officer	No objection subject to conditions.
RBC Economic Development	Support the application.
RBC Environmental Health	No objection.
Ecology Consultant	No objection subject to conditions.
United Utilities	No comments have been received.
Rossendale Civic Trust	Comments provided.
LCC Highways	No objection subject to conditions.
RBC Operations	No objection.
Cadent	No objection.
RBC Tree Officer	No objection subject to conditions.

## **7. REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice was posted on 14/12/2018 and 45 neighbour letters were sent out on 14/12/2018.

Six letters of support for the application have been received, and no letters of objection.

## **8. ASSESSMENT**

The main considerations in this case are as follows:

1) Principle; 2) Visual Amenity and Heritage Impact; 3) Neighbour Amenity; 4) Access, Parking and Highway Safety; 5) Ecology

### Principle

The site is located within the defined urban boundary, where Policy 1 of the Core Strategy seeks to locate the majority of new development, and consists of an extension and enhancement of the existing facilities on site.

Paragraph 80 of the Framework states the following:

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*

Policy 14 of the Core Strategy states the following:

*“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, including its heritage assets...”*

*“Rossendale has a strong cultural offer, and proposals for the enhancement of existing facilities and activities as well as the development of new facilities and activities will be considered favourably.”*

The existing facilities at The Whitaker are a significant tourism asset within the Borough, and it is considered that their redevelopment and enhancement are strongly aligned with the aims of Policy 14.

Policy 11 of the Core Strategy states the following:

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

In this case, although the site is not located within Rawtenstall Town Centre itself, it is relatively close by. Furthermore, the proposal is not for the provision of an entirely new leisure, arts, cultural or tourist facility but entails the expansion of an existing facility. The proposal is necessarily located on the application site by virtue of the historic asset which it is proposed to expand upon. As such, it is not considered that the proposed scheme conflicts with the aims of Policy 11 to any significant degree.

Having regard to the above, the proposed scheme is considered acceptable in principle.

#### Visual Amenity and Heritage Impact

Policy 16 of the Core Strategy states the following:

*“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.

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."

Although not a Listed asset or within a Conservation Area, the existing buildings on site do have a significant degree of heritage value.

Paragraph 192 of the Framework states:

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

*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) the desirability of new development making a positive contribution to local character and distinctiveness."*

The Council's Conservation Officer has raised no objection to the proposal, subject to the inclusion of conditions requiring samples of the proposed construction materials, window / door units, and lime mortar / plaster mixes.

The Council's Tree Officer is satisfied that the proposed tree removals, planting and landscaping works are appropriate. However, they have concern over the proposed planting specification – and require clarity on this matter. It is appropriate therefore to include a condition requiring the submission and approval of a planting specification (and the implementation of the proposed planting in full) prior to first use of the new facility.

The Rossendale Civic Trust has provided comments on the application, which are generally supportive but raise several concerns. Due regard has been paid to the comments received. However they raise concern over the stability of the free-standing wall on site, the proposed access and fire escape provision within the scheme. Such matters will be addressed under the Building Regulations at the appropriate stage, and as such are not matters to be addressed in full at planning stage. There is no reason to believe that adequate access and fire escape facilities cannot be provided on site.

Having regard to the above, and to the context of the site and its surroundings, it is considered that the visual and heritage impact of the proposed development is acceptable, and aligns with the aims of Policy 16 of the Core Strategy and Section 16 of the Framework.

### Neighbour Amenity

It is not considered that the scheme proposed would have any unacceptable impact on the daylight, privacy or outlook enjoyed by the occupants of any neighbouring residential properties. No objections have been received from residents of nearby properties.

The scheme is considered acceptable in terms of neighbour amenity.

### Access, Parking and Highway Safety

The Local Highway Authority has raised no objection to the scheme subject to the inclusion of conditions relating to the provision of the site access.

Subject to the above, the scheme is therefore considered acceptable in terms of access, parking and highway safety.

### Ecology

The submitted ecological survey information indicated that there may be bat roosts present on site, within the roof of the stables building.

Accordingly, it is appropriate to include a condition requiring the carrying out of further survey work prior to any works commencing to the roof of the stables building. In addition, amended plans have been received following discussions between the applicant and the Council's ecology consultant, detailing the incorporation of bat roosting boxes in several locations throughout the site.

Subject to the above, the scheme is considered acceptable in terms of ecology.

## **9. RECOMMENDATION**

Approve planning permission subject to conditions.

## **10. SUMMARY REASON FOR APPROVAL**

The proposed development would result in an enhancement of the existing facilities on site and is appropriate in principle. Subject to conditions it is considered that the development would not unacceptably detract from visual amenity, heritage interest, neighbour amenity or highway safety. It is considered that the development is in accordance with the National Planning Policy Framework and Policies AVP4, 1, 8, 9, 11, 14, 16, 17, 18, 23 and 24 of the adopted Core Strategy DPD.

## **11. 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 received 13<sup>th</sup> December 2018

- Site Location Plan (Drawing Number AL-02-001) received 13<sup>th</sup> December 2018
- Proposed Site Plan (Drawing Number AL-04-001) received 13<sup>th</sup> December 2018
- Proposed Ground Floor Plan (Drawing Number AL-04-002) received 13<sup>th</sup> December 2018
- Proposed First Floor Plan (Drawing Number AL-04-003) received 13<sup>th</sup> December 2018
- Proposed Roof Plan (Drawing Number AL-04-004) received 13<sup>th</sup> December 2018
- Proposed Landscape Plan (Drawing Number AL-90-001 REV. C) received 5<sup>th</sup> February 2019
- Proposed Elevations Sheet 1 (Drawing Number AE-04-001 Rev. E) received 4<sup>th</sup> February 2019
- Proposed Elevations Sheet 2 (Drawing Number AE-04-002) received 13<sup>th</sup> December 2018
- Bat Box Proposals (Drawing Number ASK-90-001 Rev. A) received 4<sup>th</sup> February 2019
- Arboricultural Impact Assessment with Tree Protection Measures (Godwins Arboricultural Limited) received on 6<sup>th</sup> February 2019.
- Proposed Materials & Finishes (Day Architectural Limited) received on 5<sup>th</sup> February 2019.
- Samples of stone, timber cladding and window / door frames (RAL 7015) received on 13<sup>th</sup> February 2019.

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

3. Prior to any planting or landscaping works being carried out as part of the approved scheme, and notwithstanding information previously submitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- The specification for any topsoil to be used in the scheme of landscaping.
- Details of cultivation and preparation for planting, seeding or turfing.
- Details and specifications of all planting to take place on site.

The planting and landscaping works shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the proposed scheme of landscaping is appropriately carried out, in the interests of visual amenity.

4. All new planting forming part of the approved scheme (as shown on approved drawing number AL-90-001 REV. C) shall be carried out in the first planting season following substantial completion of the development. Any trees or plants which within a period of 5 years of first use of the facility are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity and to enhance the biodiversity value of the site.

5. No works to the roof of the barn and stables hereby approved shall be undertaken until the nature of bat activity on site has been established and it has been evidenced that the works to the roof of the barn and stables hereby approved, or a variation thereof, can take place without excessive disturbance to protected species.

Emergence surveys shall be undertaken in accordance with a written methodology first to be submitted to and approved by the Local Planning Authority. A written report detailing the findings and recommendations on works to the roof of the barn and stables shall be submitted to and approved by the Local Planning Authority prior to works commencing.



The recommendations of the report shall include a detailed scope of works, methodology for how the works shall be undertaken, details of any recommended mitigation and details of any necessary Natural England licencing requirements. Should a Natural England licence be required, no works shall take place until the licence is obtained and submitted to the Local Planning Authority.

The development shall proceed in strict accordance with the approved details.

Reason: In the interests of protecting any bats on site.

6. Prior to the construction of any new walls or the carrying out of any plastering on site, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Specification of mortar to be used for pointing works (including a specification for the mortar, aggregates and mix ratio).
- Specification for any plaster, lime wash or similar to be used.

The development shall thereafter be implemented in accordance with the approved details.

Reason: To protect the character of the historic buildings on site.

7. Within one month of the commencement of development, a scheme for the construction of the site access shall be submitted to the Local Planning Authority for its approval.

The development shall thereafter be implemented 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.

8. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 7 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.

## 12. INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_adoped](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adoped)

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the

application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. The grant of planning permission will require the applicant to enter into an appropriate Legal 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 the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area South) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Environment Directorate, Cuerden Mill Depot, Cuerden Way, Cuerden, PR5 6BJ or email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk)

3. If, during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance with an agreed process and within agreed timescales in agreement with the Local Planning Authority.

The applicant is advised that they have a duty to adhere to Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.