

- 1.2 The site includes the Valley Centre, Town Hall, Town Hall Extension, Town Hall Annex and public toilets. The site excludes the Liberal Club, Police Station and HSBC Bank at 17 Bank Street.

2. Relevant Planning History

- 2.1 There is no history of planning or Conservation Area consent proposals to redevelop this site area since the construction of the Valley Centre.
- 2.2 Application 2007/317 is the tandem planning application for this proposal which proposes the comprehensive redevelopment of the Valley Centre shopping precinct, Town Hall complex and car parking areas.

3. The Current Proposal

- 3.1 The application proposes to demolish all the buildings within the red-edge site but for the facade of the Town Hall fronting Bacup Road and Lord Street. The buildings to be demolished would be the existing Valley Centre, the public toilets on James Street, the Town Hall extension and the Town Hall annex and retaining walls to the car parking areas.
- 3.2 The proposed redevelopment of the Valley Centre would also result in the loss of a number of trees adjacent to the Town Hall annex which are within the Rawtenstall Town Centre Conservation Area.
- 3.3 The applicant originally submitted Certificate C with the application but subsequently submitted Certificate B as the ownership of the buildings to be demolished was known to be within the Council's ownership.

4. Policy Context

4.1 National Planning Guidance

PPS1 - Sustainable Development
PPS6 - Town Centres
PPG13 - Transport
PPG15 - Historic Environment

4.2 Development Plan Policies

Regional Spatial Strategy for the North West

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Policy 21 - Lancashire's Natural & Man-Made Heritage

Saved Policies of the Rossendale District Local Plan

DS1 - Urban Boundary

HP1 - Conservation Areas

HP2 - Listed Buildings

DC1 - Development Control

DC4 - Materials

Rossendale Core Strategy – Preferred Options Report (March 2006)
Rawtenstall Area Action Plan - Revised Preferred Options Report (March 2006)
Rossendale Core Strategy and Rawtenstall Area Action Plan – Preferred Options Addendum Report (October 2006)

5. CONSULTATIONS

5.1 INTERNAL CONSULTATIONS

The Conservation Officer explains that the main consideration for demolition in a Conservation Area is the desirability of preserving or enhancing the character or appearance of the Conservation Area. This should consider the loss of individual buildings and the impact on the wider area of the proposed demolition. Buildings which make a positive contribution to the character of the Conservation Area should generally be retained. Where such buildings are put forward for demolition the criteria for assessment by the LPA is outlined in paragraph 4.27 (cross-referenced to paragraphs 3.5, and 3.16 to 3.19) of PPG15. The proposed new development, its acceptability, and the level of detailed and accurate information can also be taken into account.

The assessment of the buildings to be demolished, in summary, states that the existing Valley Centre whilst attempting something modern, different and using new construction methods in the 1960's, currently does not relate well to the Conservation Area, is visually brutal and has not stood the test of time. The Town Hall Annex (One Stop Shop) as a building has a neutral impact and although the Town Hall itself makes a positive contribution, the Town Hall extension makes a less positive contribution to Bacup Road and whilst possibly worthy of retention in a group context, the rear of the Town Hall extension has a negative impact on the Conservation Area. Indeed, the regeneration and enhancement argument for the Valley Centre redevelopment is so strong as to outweigh the case for the retention of the Town Hall extension.

The application for Conservation Area consent needs to consider not only what will replace the buildings lost in the Conservation Area but also the phasing of demolition and reconstruction. A condition should be imposed that prevents demolition of any buildings until such time that a contract for the redevelopment of the whole site has been signed and sealed, copied to and accepted by the Local Planning Authority. This is to avoid vacant, eyesore "gap" sites within the Conservation Area.

The Conservation Area Consent application may need to be referred to the Secretary of State in the form of GONW.

Environmental Health – recommend the applicant submits a demolition management plan covering noise, dust, and vibration and hours of working.

Forward Planning – PPG 15, paragraph 4.16 states that whilst preservation and enhancement of Conservation Areas is a major consideration, it cannot realistically take the form of preventing all new development. Paragraph 4.2

emphasises that it is the quality and interest of areas, rather than individual buildings, which should be the prime consideration of designating Conservation Areas. The Valley Centre, Town Hall extension and Town Hall annex are an example of a group of buildings which are considered to have little architectural or historic interest. The south-east corner of the Town Hall is considered to be worthy of retention and is to be retained as part of the redevelopment scheme. The buildings to be lost would not harm the character and appearance of the Conservation Area whilst the proposal would preserve and enhance this.

Street-scene and Liveability – no comments received.

5.2 EXTERNAL CONSULTATIONS

CABE – Do not wish to comment on the Conservation Area Consent application.

English Heritage – have verbally stated that they are not statutory consultees for such applications.

Environment Agency – Have no objection to the demolition proposals.

Lancashire Constabulary – request that the scheme complies with Secure By Design Standards.

Lancashire County Council

Highways – would wish to agree a programme of demolition works which managed highway interruptions.

Strategic Planning – no further comments to those supporting the planning application for the redevelopment of the Valley Centre.

Planning Contributions – not consulted.

Natural England – Insufficient information has been submitted with the application to assess the impact of the proposal on bats although this is considered under the planning application. An informative should be imposed drawing the developer's attention to their responsibility under the Wildlife and Countryside Act 1981.

Rosendale Civic Trust – no comments in relation to demolition although have reservations about the redevelopment scheme.

United Utilities – no objections in principle but highlight the presence of underground mains and sewers.

Ancient Monuments Society – oppose the application for redevelopment of the Valley Centre by expressing great disappointment at the design of the redevelopment which owes nothing to the particular character of the town or alone the Conservation Area.

6. REPRESENTATIONS

- 6.1 A press advertisement was placed in the 18th May 2007 edition of the Rossendale Free Press; site notices were posted in June and again in November 2007 together with over 900 letters which were sent to residents living close to the site in Rawtenstall. A consultation event in the form of a drop-in day was held on 15th November 2007 when 14 Members of the public attended the One Stop Shop to view the proposed redevelopment plans. Of the 13 letters received no comments were made in relation to the demolition proposed by this Conservation Area Consent application.

7. REPORT

- 7.1 The main considerations of the application are the whether the demolition of the existing buildings would preserve and enhance the character and appearance of the Rawtenstall Town Centre Conservation Area. In particular, would the loss of the existing buildings be detrimental to the architectural and historic interest of the Conservation Area.
- 7.2 The loss of the existing Valley Centre building would not be detrimental to the character and appearance of the Rawtenstall Town Centre Conservation Area. Neither would the loss of the Town Hall annex albeit having a neutral impact on the Conservation Area. The Town Hall extension, whilst presenting a natural stone façade to Bacup Road which echoes the main Town Hall, does not contribute positively to the Conservation Area in terms of its rear elevation. Less so, if the Town Hall annex were not screening it. As such the loss of these buildings is considered to preserve and enhance the character and appearance of the Rawtenstall Town Centre Conservation Area.
- 7.3 The demolition of the Town Hall and retention of its Bacup Road and Lord Street facades would mean that the main elevations of the Town Hall remain. The elevations which back on to the existing Lord Street car park and abut the Town Hall extension, are of considerably less merit. Certainly in the case of the elevation to the Town Hall extension a treatment to replace the existing elevation may not be successful. However, the applicant has made a case which explains that the floor to ceiling heights, coupled with the fenestration inside of the Town Hall, render its conversion to modern retail floor space for living accommodation unviable. The Council accepts this case. As such, the scheme proposes the retention of the most valuable elevations which contribute to the Conservation Area. Moreover, the demolition of the Town Hall forms part of the broader regeneration of the surrounding area. As such, the retention of the key elevations of the Town Hall together with the regeneration credentials means that the demolition of the Town Hall is considered to preserve and enhance the character and appearance of the Rawtenstall Town Centre Conservation Area.

- 7.4 As mentioned above, the proposed development which replaces the existing buildings is also a consideration in the determination of this application. The proposed redevelopment has been through a lengthy process of pre-application discussions between the Council and the developer which culminated in the scheme being assessed by CABE and following the incorporation of CABE's comments, a public consultation exercise. The application for the redevelopment of the Valley Centre and Town Hall complex has been assessed by CABE, English Heritage, Lancashire County Council and the Council's own conservation officer all of whom support the redevelopment scheme. Indeed, the planning application for the redevelopment scheme has been recommended Mind to Approve. As such, the proposed replacement buildings on the application site are considered to preserve and enhance the character and appearance of the Rawtenstall Town Centre Conservation Area.
- 7.5 A problem during the construction of large schemes within Conservation Areas is that following demolition, sites can be left vacant which creates an eye-sore within the Area. These are known as "gap sites" and it is recommended that a condition controlling demolition to address this be imposed, requiring that no demolition take place until the contract for the redevelopment of the site has been signed and agreed by the Local Planning Authority. Conditions covering archaeological recording of the building and surrounding site, programme of demolition works and demolition management plan have also been recommended to be attached to the approval.

8. HUMAN RIGHTS

- 8.1 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.

9. CONCLUSION

That the application be approved subject to conditions and referral to the Government Office for the North-West.

10. RECOMMENDATION(S)

That Committee be Mind to Approve the application subject to referral to Government Office for the North-West

11. REASONS FOR APPROVAL

1. The proposed demolition of the buildings and the future redevelopment of the site would preserve and enhance the character and appearance of the

Rawtenstall Town Centre Conservation Area, pursuant to Section 72 of the Planning (Listed Building and Conservation Areas) Act, 1990, PPG 15 – Planning and the Historic Environment, Policy 21 – Lancashire’s Natural and Man-Made Heritage and Saved Policy HP1 – Conservation Areas of the Rossendale District Local Plan.

12. CONDITIONS

1. The demolition shall be begun within three years of the date of the permission.

Reason: To comply with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town And Country Planning (Listed Buildings And Buildings In Conservation Areas) Regulations 1990

2. No demolition shall take place until a contract for the carrying out of works of redevelopment has been signed, sealed and agreed in writing by the Local planning Authority together with a timetable for the completion of the demolition works have been agreed with the Local Planning Authority and planning permission for the redevelopment of the site has been granted.

Reason: To comply with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990.

3. Prior to the commencement of demolition on site, the applicant, developer or their agent or their successors in title, shall submit to the Local Planning Authority for their approval, a scheme detailing the programme of building recording works. The programme of building recording works shall be implemented prior to the demolition of the buildings on site in accordance with the details approved by and to the written satisfaction of the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/ historical importance associated with the buildings and wider site pursuant to Policy 21 Lancashire’s Natural and Manmade Heritage of the Joint Lancashire Structure Plan.

4. Prior to the commencement of demolition on site, the applicant, developer or their agent or their successors in title, shall submit to the Local Planning Authority for their approval, a programme of archaeological works for the investigation of the site and watching brief during demolition and construction. The programme of archaeological works shall be implemented prior to and during the demolition of the buildings on site and the construction of the development hereby approved, in accordance with the details approved by and to the satisfaction of the Local Planning Authority.

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

wider site pursuant to Policy 21 Lancashire's Natural and Manmade Heritage of the Joint Lancashire Structure Plan.

5. Prior to the commencement of demolition on site, the buildings to be demolished shall be re-surveyed for the presence of bats, owls or other protected species and recommendations for mitigation measures made by a suitably qualified person, the identity of whom has been agreed in writing by the Local Planning Authority. The survey shall be submitted to and agreed by the Local Planning Authority prior to the commencement of development on site and any mitigation measures shall be carried out prior to and during construction. If bats, owls or other protected species are found within the buildings to be demolished, an application for a Licence should be made to the Department of the Environment, Food and Rural Affairs for the demolition to occur shall be made and the procedures agreed within that application by DEFRA shall be implemented if the demolition of the building is permitted.

Reason: In order to ensure that no harm is caused to a Protected Species in accordance with the Wildlife and Countryside Act 1981.

6. Prior to the commencement of demolition on site, the applicant shall submit to the Local Planning Authority for their approval, a scheme detailing the re-use of the gate posts and doorframe from the Town Hall extension. The scheme shall be implemented prior to the development hereby approved first being occupied and shall thereafter be maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preserving features of historic and local architectural interest pursuant to Policy 21 – Lancashire's Natural and Manmade Heritage of the Joint Lancashire Structure Plan.

7. Prior to the commencement of development on site, the applicant shall submit a demolition management plan and method statement to and to be approved in writing by the Local Planning Authority. The scheme shall include a site operating statement in relation to provision of method of demolition, protection measures to the Town Hall facades to be retained, permitted hours for construction works, delivery of materials and delivery and collection of equipment, provision and use of on-site parking for contractors' and workpeople's vehicles, wheel washing facilities, street sweeping. Demolition works shall be carried out in strict accordance with the approved plan and statement.

Reason: In order to safeguard highway safety in accordance with policy DC1 of the Rossendale District Local Plan.

8. No demolition works hereby approved shall take place outside of the hours 07:00 to 19:00 Monday to Friday and 8am-1pm Saturdays. Demolition or construction work shall be carried out at no other time.

Reason: In the interests of the residential amenities of the occupiers of adjoining properties.

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