

Application Number:	2011/309	Application Type:	Full
Proposal:	Construction of 1-storey extension to south & east sides of existing building, formation of 4 outdoor pitches on north side & altered/extended parking facilities	Location:	Marl Pits Swimming Pool, Newchurch Road, Rawtenstall
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	2 August 2011
Applicant:	Head of Finance & Property Rossendale Borough Council	Determination Expiry Date:	28 September 2011 -
Agent:	KKA		

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REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	Major / Council 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.

RECOMMENDATION
Approve, subject to Conditions

1. SITE

The application relates to a site of 2.1ha located to the north side of Newchurch Road (C705), which embraces land to the north and south of the Swimming Pool building.

The existing building is 1-storey, has a floor area of approximately 1,082sq m and is sited approximately 120m to the rear of houses that front Newchurch Road/Heritage Drive. It is fronted by a 37-space car park, the access road to which is shared with the adjacent Sports Club and extends up to the recently-opened Golf Driving Range.

A Public Footpath crosses the site, from a point to the side of 298 Newchurch Road to a point to the rear of 22 Marl Pits. There are few trees on the land to the front of the existing building other than a few ornamentals, but to the rear there are trees around the western and northern boundaries.

The running track and buildings associated with the Sports Club are located immediately to the east of the Swimming Pool building, its buildings of 1 and 2-storeys in height.

Whilst the residential properties in the vicinity are within the Urban Boundary of Rawtenstall, the application site itself lies within Countryside as designated in the Rossendale District Local Plan (1995). The application site is identified as Greenland (to which Policy E1 applies).

2. RELEVANT PLANNING HISTORY

2010/537 Construction of 2-storey extension to east side of existing building, formation of five outdoor pitches on north side & altered/extended parking facilities on south side (Outline)

At its meeting in December 2010 Committee granted Outline Permission for the above proposal and for details of its Access, Scale and Layout, leaving only the matters of Appearance and Landscaping for consideration as part of a later application.

In short, the proposal entailed :

- Little alteration to the internal layout/appearance of the existing building, with minor refurbishment of the existing Ladies Changing Rooms.
- Erection of a 2-storey extension, with pitched-roof, to be sited between the existing building and the shared access-road up to the Golf Driving Range, to accommodate the main entrance, new changing rooms and fitness studio/rooms.
- Re-configuration of the existing car parking area and additional hard-surfaced areas that increased the total number of spaces to approximately 125, including provision for disabled and parent-&-child parking, with additional cycle/motorcycle spaces.
- Provision of 5 multi-purpose outdoor pitches to the rear of the Swimming Pool building, with lay-by adjacent to the shared access road.

The approved 2-storey extension was to measure 11m in width and 37m in length.

The additional hard-surfaced areas were to be located primarily between the existing car park & rear of the residential properties fronting Newchurch Road/Heritage Drive and in a triangular area between the southern end of the running track & shared access-road.

The 5 outdoor pitches were to be of a size suitable for 5-a-side football, their provision requiring in-filling of the hollow presently to be seen to the rear of the Swimming Pool building, and they and the adjacent lay-by to be provided would have resulted in loss of approximately a dozen trees.

2011/83 Construction of 2-storey extension to east side of existing building, formation of five outdoor pitches on north side & altered/extended parking facilities on south side (Full)

Following the grant of Outline Permission to Application 2010/537 the Applicant/Agent gave further consideration to how the additional/enhanced facilities permitted could best be accommodated. As a result the approved Scale and Layout were somewhat modified. Accordingly, Application did not seek approval of the Reserved Matters in respect of Application 2010/537, but a Full Permission a proposal that differed in the following respects :

- Increase in the length of the 2-storey extension proposed by approximately 3m, resulting in its projection further forward (ie towards Newchurch Road).
- Reduction in the width of the extension by approximately 0.6m, thereby slightly increasing the extent to which it will stand away from the access road up to the Golf Driving Range.
- Changing the parking layout to include an increase in the number of parking spaces to 152, achieved principally by modifying the layout of existing/previously permitted parking areas, and extension of them approximately 8m nearer to the side boundary of 22 Marl Pits, whilst increasing the distance new parking will stand off the boundary of the several residential properties to the south by 8+m.
- Minor changes to the siting of the football pitches to the rear and omission of the lay-by intended between them and the access road up to the Golf Driving Range.

This application was considered at the meeting of Committee in March 2011 and, in accordance with the Officer Recommendation, Permission was granted.

3. THE PROPOSAL

Following the grant of Permission 2011/83 the Council's contractor (Kier Northern) took the scheme to market to establish a firm cost base. Market-testing having established that the scheme could not be delivered within budget a report was taken before the meeting of Cabinet on 29 June 2011 and it decided that permission should be sought for a modified proposal.

The scheme for which permission is now sought entails :

- Construction of an L-shaped 1-storey extension, with pitched-roof, to the east side of the

existing building and across part of its front elevation. This extension would increase the floor area of the existing building from 1,082 sq m to 1,694 sq m (a 56% increase), and would accommodate a fitness studio, fitness room, changing facilities, office accommodation and new reception area. To have rendered walls and a pitched-roof clad with grey-coloured composite-panels, the extension will project from the existing building by 11m, with a front elevation of 30m in length and a side elevation of 36m in length.

- Provision to the rear of the existing building of 4 outdoor all-weather pitches, each to measure 20m x 30m and suitable for 5-a-side football.
- Extension / re-configuration of the existing 37-space car park to the front of the building to provide a car park capable of accommodating 126 cars (a 340% increase). It will include 11 spaces for disabled & parent-&-child parking), 4 spaces for motorbikes and 12 spaces for bicycles. The applicant advises that the large increase in parking provision is to both meet the approved Parking Standards in relation to the extended building & proposed pitches and also help address a shortfall in spaces for use by the adjacent Sports Club and Rugby Club.

4. POLICY CONTEXT

National Planning Guidance

PPS1 Sustainable Development
 PPS9 Biodiversity & Geological Conservation
 PPG13 Transport
 PPG17 Open Space, Sport and Recreation
 PPS23 Pollution Control
 PPG24 Noise

Development Plan

Regional Spatial Strategy for North West of England (2008)

DP1-9 Spatial Principles
 RDF1 Spatial Priorities
 L1 Health, Sport, Recreation, Cultural & Education Services Provision
 RT2 Managing Travel Demand
 RT4 Management of the Highway Network

Rossendale District Local Plan (1995)

DS1 Urban Boundary
 DC1 Development Criteria
 DC4 Materials
 E1 Greenlands
 E2 Recreational Areas
 E4 Tree preservation

Other Material Planning Considerations

RBC Submitted Core Strategy DPD (2010)
 KKP Rossendale Leisure Review (2009)

5. CONSULTATION RESPONSES

LCC (Highways)

The local highway network can accommodate the additional traffic the proposed extension and outdoor pitches will generate. As presently operating the site on occasion gives rise to on-street

parking and, more frequently, parking on internal roads/footways/verges. This arises largely as a result of the adjacent Sports Club. It welcomes the provision of additional parking over and above that necessary for the fitness facilities and outdoor pitches now proposed. Nevertheless it would recommend a condition requiring a Green Travel Plan, to minimise the requirement for on-site parking/ensure it takes place in appropriate places and thereby enhance on-site pedestrian safety.

6. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order the application has been publicised by way of a press notice on 1/7/11, 4 site notices posted on 30/6/11 and letters sent to the relevant neighbours on 29/6/11.

A resident of Waingate Close has objected to the application for the following reasons :

- Provision of the extension and external pitches will be detrimental to the presentation and setting of the Baths as originally planned.
- Noise associated with the external pitches may result in unacceptable harm and nuisance for neighbours.
- Without any further development at weekends the parking facilities are inadequate, resulting in parking of cars on internal roads/verges/footways putting pedestrians (including unaccompanied children) in danger and resulting in cars parking outside the site, to the detriment of highway safety and inconvenience of local residents.
- The extension and outdoor pitches ought not to be permitted for a year as the Golf Driving Range opened only recently and a year is needed to assess and provide safely for its associated traffic.

7. PLANNING ISSUES

The main issues to be considered in the determination of this application are as follows:

- 1) Principle
- 2) Visual Amenity
- 3) Neighbour Amenity
- 4) Access/Parking

Principle

The site lies within the Countryside, wherein National and Local policy seek to limit new development to that needed for the purposes of agriculture, forestry and other uses appropriate to a rural area.

The scheme now proposed does not alter the nature or increase the scale of the development recently approved under Outline Application 2010/537 or Application 2011/83. Accordingly it is considered that the application is acceptable in principle.

Visual Amenity

The 1-storey extension now proposed is, in my view, more in-keeping with the scale and character of the existing building than the previously-permitted schemes. The proposed extension will go a significant way towards hiding the flat-roofed part of the existing building most open to public view (ie the front elevation and side facing the access road up to the golf driving range).

Likewise, I am satisfied that the parking/manoeuvring areas, and outdoor pitches, will not be unduly detrimental to the surrounding area so long as they are appropriately landscaped. Conditions are also recommended in respect of levels and drainage.

Neighbours Amenity

I am satisfied that the new leisure uses to be introduced, and the scale of activity at the site as a whole, will not result in significantly greater noise/disturbance for any neighbours than at present.

For local residents the aspect of the proposal most likely to impact upon them is the extension of the existing car park. However, I am satisfied that as now proposed the car parking/manoeuvring areas will not be unduly detrimental to neighbours subject to appropriate lighting and landscaping schemes.

Access/Parking

The Highway Authority remains of the view that the local highway network is capable of accommodating the additional traffic the proposal will generate. Nor has it raised any concerns about the intended amount of parking spaces or the pedestrian routes through the site; amendments to the layout it requested have been obtained. Conditions are recommended in respect of implementation of the proposed parking facilities and a Green Travel Plan.

8. Summary Reason for Approval

The proposed development entails an extension of the range of indoor and outdoor leisure opportunities presently available at the site and, subject to the conditions, will not have an unduly detrimental impact on the Greenlands/Recreation Area, visual and neighbour amenity or highway safety. The proposal is considered to accord with PPS1/PPS9/PPG13/ PPG17/PPG24, Policies RDF1/L1/EM1/RT2/RT4 of the Regional Spatial Strategy (2008), and Policies DS5/DC1/E1/E2/E4 of the Rossendale District Local Plan (1995).

9. 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. No development shall take place until samples/colours of the materials to be used in the construction of all external elevations of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
Reason : In the interests of visual and neighbor amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.
3. Prior to the commencement of works to form the vehicle parking areas/outdoor pitches hereby approved full details of the of intended levels, drainage and lighting arrangements for the vehicle parking/ manoeuvring areas and the outdoor pitches shall be submitted to the Local Planning Authority for its approval in writing, unless otherwise first agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to first use of the extension or the outdoor pitches, unless otherwise first agreed in writing by the Local Planning Authority.
Reason : In the interests of visual and neighbour amenity and highway safety, in accordance with Policy DC1 of the Rossendale District Local Plan.
4. The site shall be treated in accordance with a scheme of landscaping/boundary treatment which shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of the development. The submitted scheme shall include full details of : all existing trees and shrubs on bounding the site; indicate those to be retained and how they are to be protected during construction; the trees and shrubs to be planted; the walls/fences/gates and hard-surfaced areas to be provided.

Reason : In the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990 and to comply with Policy DC1 of the Rossendale District Local Plan.

5. The walls/fences/gates and hard-surfaced areas to be provided to accord with the approved scheme of landscaping/boundary treatment shall be carried out prior to first use of the extension or outdoor pitches hereby permitted and any planting in the first planting season thereafter, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or shrubs removed, becoming dead or seriously damaged or diseased within five years of planting shall be replaced with others of the same species/size within twelve months, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : In the interests of visual and neighbour amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.

6. Prior to first use of the extension or outdoor pitches hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:
 - Appointment of a Travel Plan Co-ordinator
 - Travel survey
 - Details of cycling/pedestrian/public transport links to and through the site
 - Provision of secure, covered cycle parking.
 - SMART Targets for non-car modes of travel
 - Action plan of measures to be introduced, and appropriate funding
 - Details of arrangements for monitoring and review of the Travel Plan for a period of 5 years

The Travel Plan shall be completed and carried out in accordance with the details approved and shall not be varied unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety and sustainability, in accordance with Policy DC1 of the Rossendale District Local Plan.

7. Prior to the commencement of construction on site, a Site Construction Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Construction Plan shall include : details/timetable of construction; vehicle wheel –cleaning facilities; construction traffic parking & construction compound location; the proposed temporary closure/diversion of any existing parking areas, paths or roadways. The approved Site Construction Plan shall be implemented and adhered to throughout the entire construction period of the development.

Reason: To maintain safe and satisfactory access arrangements to neighbouring premises and through routes in the area during the period of construction, to accord with Policy DC1 of the Rossendale District Local Plan.

8. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of neighbours, in accordance with Policy DC1 of the Rossendale District Local Plan.