

The Site

This application relates to a site of approximately 0.5ha in area which is located to the south side of New Line (A6066). It comprises principally of St Saviours Church and its grounds, but also includes a small part of Stubbylee Park.

St Saviours Church forms not only a landmark building - visible from close to and across the valley - it is an important building within the context of local history, having close associations with Stubbylee Park. John Holt, the owner and resident of Stubbylee Hall, was keen to provide for the spiritual needs of his family and those families who lived on his estate/worked for him. However, he died in 1856 and it fell to his son James Maden Holt to fulfil his father's ambition, financing construction of the Church, the adjacent Vicarage (now separately owned) and a School at the junction of New Line/ Park Road (now demolished).

Constructed in the mid-1860's in the Gothic-style, and using stone quarried on the Holt Estate, St Saviour's Church stands approximately 3m above the level of New Line, its steeply-sloping slate roof having a ridge-height of 19m and the tower at its east end topped by a spire rising to a height of 45m. Internally, the nave has a timber 'wagon' roof and is separated from the narrow side-aisles by slender, polished red-granite columns. At the west end is a timber gallery supported by delicate cast-iron barley-sugar columns, whilst beneath the floor at the east end is a font for baptism by immersion, the side walls of the baptistery containing plaques to the Holt family and 1914-18 War Memorials. The building possesses a peal of 8 bells and a partially-dismantled organ and organ pipes. Although many of the windows contain pieces of coloured glass, there is limited use of decorative stained-glass.

Standing near to the western elevation of the Church is an un-prepossessing 1-storey building of stone/slate construction, built in 1985 as a Church Hall/Sunday School, and incorporating the foundation and date stones of the original School built on the corner of New Line/Park Road, it having been demolished shortly before.

To the front of the Church is an area of hardstanding capable of accommodating a handful of cars, access to which is from a ramped-drive (use of which is shared with the former Vicarage) that extends from the drive up to Stubbylee Hall at a point close to its junction with New Line. Within the maintained-grounds to the east side of the Church is the vault containing the remains of members of the Holt family, the grounds not otherwise containing any burials. To the west side of the Church Hall the unmaintained-grounds slope down towards an arched gateway in the retaining wall bounding New Line, the associated paths and steps contemporary with the Church still to be seen amidst the mature trees and under-storey planting that has grown within this area. Running deep beneath this area is a former railway-tunnel that is now owned by this Council.

Stubbylee Park lies immediately to the west and south of the Church grounds and, having been given to Bacup Corporation, is held in trust by Rossendale Borough Council. One of the principle pedestrian accesses into the park runs to the west, whilst beyond the belt of mature trees/shrubbery on the northern boundary of the park are extensive hard-surfaced areas occupied by tennis courts and a skate-park. The application site includes part of the belt of mature trees/shrubbery on the northern boundary of the park bounding the Church and former Vicarage, together with a

broadly rectangular area of approximately 0.1ha to the east side of the drive up to Stubblelee Hall/ the rear of 3-13 Rose Terrace. This roughly-grassed area is elevated above the level of the drive and the terrace of residential properties and it is bounded by a handful of trees, with a hedge fronting to the drive. To the south of this area is a bowling green, whilst to its east are the grounds of Olive House/Parkside Day Centre.

In respect of Heritage designations, St Saviours Church is a Grade II Listed Building, as too are the arched gateway fronting New Line and the former Vicarage. Stubblelee Hall, Maden Memorial Fountain in its grounds and the gateway down to New Line (west of the Church) are Grade II Listed Buildings.

Whilst land to the other side of New Line lies within the Urban Boundary of Bacup, the Church and Stubblelee Park are located within an area designated as Countryside in the Rossendale District Local Plan. Stubblelee Park is also identified as Greenland, and has running through it a Valley Way.

Relevant Planning History

1987/171 Formation of 32-space car park - Land to rear of Rose Terrace
Approved.

2010/313 Removal of peal of bells to another church
Listed Building Consent granted on 3/8/10, subject to conditions, including one precluding removal of the bells until the Council is satisfied that there is a contract in place to ensure their re-hanging in a suitable location.

2010/232 Conversion of church to 8 apartments, demolition of church hall & &
233LBC replacement with 9 dwellings, & construction of 34-space car park in
Stubblelee Park

These applications sought Planning Permission and Listed Building Consent to :

- Convert the Church to 8 apartments
- Demolish the Church Hall and erect to the west side of the Church 9 apartments
- Construct a footpath in the belt of planting on the northern boundary of Stubblelee Park, extending from the rear of the Church grounds to the drive up to Stubblelee Hall
- Construct a 34-space private car park on the area of land to the rear of 3-13 Rose Terrace.

In amplification entailed the following:

Church Apartments

New floors to be introduced at the existing Gallery and Celestory levels. At ground floor level, the building will be sub-divided into 6 duplex apartments arranged either side of a central corridor allowing view of the full height of the Nave and Chancel arch and giving access to the Font and Holt family/WW1 memorial plaques, which are to be within a communal-space. From the Gallery there will be access to the seventh apartment at Celestory level, which will have the timber 'wagon' roof in view. An eighth apartment will be formed in the Apse, with accommodation over 3 floors, the 2 upper

floors to be inserted stopping short of the external wall so as to leave uninterrupted views of the full height of its windows both internally and externally.

New Build Apartments

To leave public view of the west elevation of the Church no more encumbered than it is now the existing Church Hall is to be replaced by another 1-storey building and the historic paths and steps sloping down towards the arched gateway fronting New Line are to be repaired and refurbished. To sit behind the 1-storey apartment historic path are to be erected four 2-storey, containing in total 8 apartments, that step down the slope and stop 7m short of New Line, the last building thereby over-lying the old railway tunnel. The construction of these 2-storey buildings will result in loss of just over 2 dozen trees of varying size/species/condition. Though to be built with traditional materials (stone and slate, the new buildings will appear of contemporary design, incorporating of timber-cladding and 2-storey glazed links (containing stairs) between the 2-storey blocks.

Footpath in Stubbylee Park

To match the new paths to be formed within the Church grounds, a new path is to be formed that extends up to the drive to Stubbylee Hall. It is to have a width of 2m and a resin-bonded gravel finish, with lighting, necessitating removal of some shrubs within the park, but no trees.

Car Park to Rear of 3-13 Rose Terrace

To meet the needs of residents of the 17 apartments proposed it is intended to provide a private car park entailing tarmacing an area capable of accommodating 34 cars, the individual parking bays delineated with granite setts. Construction of the access to the car park, and provision of suitable visibility-splays necessitate that the hedge which currently fronts the drive is to be removed. This being the case the opportunity is being taken to widen a 12m length of the drive to enable vehicles on it to pass each other. The submitted drawing shows that the entrance to the car park is to be gated and the car park enclosed by 1.8m high green-coloured weldmesh fencing, the visual impact of which is to be reduced by planting immediately adjacent to it.

These applications were scheduled to be considered at the meeting of the Development Control Committee in September 2010, but which was cancelled. That Officer Report recommended Refusal of both Planning Permission and Listed Building Consent.

The Report concluded that, whilst Officers were supportive of the need to find a new use for the Church building, and (in large measure) with the scheme of conversion to 8 dwellings being proposed for it, the extent of the new-build, lack of adequate affordable housing and most particularly the inability of the Applicant to make available the private car park they proposed tipped the balance against approval.

Proposal

These current applications seek Planning Permission and Listed Building Consent to:

- Convert the Church to 8 apartments (as previously);
- Demolish the Church Hall and erect to the west side of the Church 7 (not 9) apartments, all 7 of which will be provided as Social Rented Affordable Housing (not 4).

- Construct a footpath in the belt of planting on the northern boundary of Stubblelee Park, extending from the rear of the Church grounds to the drive up to Stubblelee Hall (as previously); &
- Construct a 34-space car park on the area of land to the rear of 3-13 Rose Terrace for use by residents and the general public (not as a private car park as fenced/gated to appear as such).

Policy Context

National Planning Guidance

PPS1	Sustainable Development
PPS3	Housing
PPS5	Historic Environment
PPS9	Biodiversity & Geological Conservation
PPG13	Transport
PPG17	Sport & Recreation
PPG24	Noise

Development Plan Policies

<u>Regional Spatial Strategy for the NW (2008)</u>	
DP1-9	Spatial Principles
RDF1	Spatial Priorities
RDF2	Rural Areas
L1	Health, Sport, Recreation, Cultural & Education Services Provision
L4	Regional Housing Provision
L5	Affordable Housing
RT2	Managing Travel Demand
RT4	Management of the Highway Network
EM1	Environmental Assets
EM3	Green Infrastructure

Rossendale District Local Plan (1995)

DS5	Development Outside Urban Boundary & Green Belt
E1	Greenlands
E2	Recreation Areas
E4	Tree Preservation
E6	Ground Instability
E7	Contaminated Land
C10	Valley Ways
HP2	Listed Buildings
DC1	Development Criteria
DC3	Public Open Space
DC4	Materials

Other Material Planning Considerations

<u>LCC Planning Obligations in Lancashire (2008)</u>	
<u>LCC Historic Town Assessment Report for Bacup</u>	
<u>RBC Submitted Core Strategy DPD (2010)</u>	
<u>RBC Interim Housing Policy Statement (2010)</u>	
<u>RBC Strategic Housing Land Availability Assessment (2009)</u>	
<u>RBC Strategic Housing Market Assessment (2009)</u>	

RBC Affordable Housing Economic Viability Assessment (2010)
RBC Bacup, Stacksteads & Britannia Housing Market Renewal Area
RBC Open Space & Play Equipment Contributions SPD (2008)

CONSULTATION RESPONSES

RBC (Conservation)

A number of changes to the design presented at the pre-application stage have been made which have improved it. Accordingly, it advises:

Overall

- The Listed Building Justification Statement is comprehensive and provides an itemised list of actions to which we would expect the applicant to commit, for instance the recording of the interior and exterior, and the memorials, fixtures and fittings etc. The objection to the removal of the organ raised in earlier meetings is no longer an issue from a conservation point of view, provided a methodology statement for its removal is submitted which confirms no irreversible alteration will be made to the fabric of the building.
- The Design & Access Statement is slightly less satisfactory. Given the significance of the building in the landscape, and the lengths the designers say they have gone to in order to create a more sympathetic arrangement of new-build in relation to the church, it would have expected more drawings and photographs to show how sightlines of St Saviours and important tree groups have been protected.

Church

- The easternmost atrium space has been modified as requested to allow views of the decorative detailing on the western face of the chancel arch.
- The drawings accompanying the current applications (unlike those originally submitted) show the floor to be inserted in the Nave is to be at a level rests on top of, rather than below, the column capitals.
- The method by which new floor plates and partition walls will be structurally joined to the existing fabric should be made clearer, to ensure the new works do not entail unnecessary and irreversible cutting of currently exposed stone surfaces.

New Build

- Deletion of two apartments from the north western end of the housing group is beneficial in that it will allow more of the existing trees within the church grounds to remain, removes those units to stand nearer to New Line than the Church building and the prominence of the new housing as viewed from both New Line and from the drive of Stubbylee Park to the west.

- At the north western end of the proposed housing group, a window bay has been inserted which will improve the articulation of this visible element of the scheme.
- The easternmost element of the proposed housing group has been modified in a way which significantly improves its relationship to the church and the landscape setting, in particular the widening of the opening towards the church at the top of the existing garden steps, and the lowering of the 1-storey detached unit, and re-design of its western gable. This provides a more complementary grouping and design detail which will allow almost unobstructed views of the main windows in the western gable end of St Saviours.
- The indication to use both stone and cladding of muted colour for the new-build exteriors is slightly disappointing; the articulation of the interesting new build group could be underlined, for instance in the cladding of the bay windows, with a contrasting material.

LCC (Archaeology)

If permission is being granted it should be subject to a condition to ensure that a programme of building recording and analysis is undertaken before works are commenced.

Ancient Monument Society

In respect of the earlier applications it advised:

Bacup is facing the worst crisis since the War in respect of its historic Anglican churches - all 3 located within its historic boundaries are listed buildings and are under threat.

That is the alarming background to the present application on St Saviour's. It follows that unless St Saviour's can find a new use it will face demolition.

The best use for a redundant historic church is one that exploits its nature as a purpose-built auditorium - either reuse by another denomination or for concerts, public meetings or even auction rooms. It has to be said that the most intrusive new use of the lot is multiple residential. The interior becomes virtually unrecognisable in its hands and the inserted floors render it a use that is nearly always irreversible.

Having said that it may just be that the present application offers the most realisable future for an important building given the realities of St Saviour's location and the need for considerable investment.

The scheme has tried to capture and retain what is best about St Saviour's:

- 1a) The exterior and its magnificent tower and spire, dominating immediate and broader views, are retained virtually unaltered.

1b) The top "storey" lit by the clerestory will remain open from the gallery to the chancel arch as one large apartment, although there will be partitioning

1c) The chancel will be kept open to full height.

1d) The most intense element of the interior is the baptistery which opens off the easternmost bay of the south aisle. This is an elaborate, almost shrine-like space, with panels in veined marble commemorating members of the Holt family who paid for the church. The font itself occupies the central position. All this is kept intact.

1e) The west gallery remains. We presume that the twisted iron columns which support it will remain visible and intact too.

Even so, there are unresolved points:

2a. The horizontal division line of the new floor cuts under the great granite capitals - which means that they will sit uneasily in the bedrooms. Capitals should be at the head of columns not divorced from them by a floor.
[The re-submission does this]

2b. The new frame should be as reversible as possible

2c. What happens to the existing windows? The church is remarkable for having no stained glass but the decorative floral patterns formed in the coming are striking and should be retained.

2d. How are the apartments to be serviced. We welcome the promise that there will be no new external pipework but no pipe routes are shown

2e. Cannot the organ pipes be retained?

2f. We accept the principle of the new housing at the west end. However this should be treated as Enabling Development with a clear connection between the new build and the conversion. Should the two be tied by a Section 106, which would guarantee that the profit from the new housing will go towards meeting the deficit on the conversion? The conversion should also be well advanced before the new-build is commenced. There must also be an argument for reducing the use of glass on the new roofs as this will cut out glare when viewed from across the valley.

2g. What happens to the fine tablet of 1911 with a bust, to Henry Maden Holt? And the burial vault at the west end containing the remains of the founder, James Holt?

Victorian Society
Object.

We appreciate the difficulties of finding a use for a redundant church of high quality and great size. However, residential use is the least appropriate use for this type of building, because of the extensive subdivision which it necessitates. The impact of the proposal on this good quality church interior will cause major damage to the significance of the heritage asset. The original spatial arrangement and the rhythm of columns, bays and aisles will all be lost, and many internal features will be lost or obscured.

The new housing that is proposed to the west of the church will have a major detrimental impact on the setting of the building. The architectural quality of the new buildings is poor and not appropriate for their setting. We are not convinced that this is the right place for residential development, concerned about its impact for the group value of church, vicarage and Stubbylee Hall, and of the setting in Stubbylee Park, is significant.

Enabling development here can only be justified if a full economic case for the repair of the church shows that it is needed. An options appraisal of potentially less destructive uses which would allow the interior to be appreciated should be carried out. We would also like to see a long term strategy for Stubbylee Park and its setting.

RBC (Operations)

The area to be laid out as a car park, although not used as a formal part of the park, is a quiet area attracting wildlife and provides a buffer between residents of Rose Terrace and the bowling green. If it is to be laid out as such there should be suitable compensation elsewhere within the park in terms of biodiversity and sufficient planting around the car park to screen it from residents and bowlers.

The Park currently has very little car parking and the proposed car park may become popular. The car park appears to be well screened. A conifer on the boundary with Rose Terrace the applicant proposes to remove, though not in immediate danger of falling, is programmed in any case for significant reduction in height this winter.

RBC (Drainage)

No objection subject to a Condition to ensure development does not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved by the local planning authority.

United Utilities

No objection

LCC (Highways)

The existing access/parking arrangements for both the Church and Stubbylee Park are far from ideal having regard to current standards, nor can they be readily made fully compliant with modern needs and standards.

This being the case, and understanding the wish for the Church to be brought back into use, it recognises that there is need to look sympathetically upon any scheme which will not significantly exacerbate existing shortfalls in safe and satisfactory access/parking arrangements.

Accordingly, it does not raise objection to the proposed scheme for 15 dwellings so long as all the spaces in the 34-space car park proposed are made available, with a minimum of one space allocated to each of the proposed dwelling units and protected for use by its occupiers at all times.

In addition, it wishes the Developer to:

- Fund a Traffic Regulation Order to change the existing “No Waiting 8am to 6pm Mon-Sat” restriction on New Line to “No Waiting at any time”.
- Control use of the existing vehicular access to the Church to prevent its daily use by residents and their visitors.

If permission is to be granted it would also recommend conditions to appropriate details for the proposed car park, the section of the existing drive up to it, the footpath and lighting.

In the absence of the above, it would recommend refusal of the planning application.

LCC (Planning)

In accordance with the LCC Planning Obligations Policy, it requests Financial Contributions be sought from the Applicant in respect of the following matters :

Education

£71,039 to fund provision of Primary School Places in the local area, as there is already a projected shortfall of such school places in the next 5 years. Projections indicate there to be sufficient Secondary School Places.

Waste Management

£8,160 to fund provision of Waste Management Services, to assist the Council to comply with significant new requirements relating to the management of waste.

Lancashire Constabulary (Architectural Liaison Officer)

It wishes the development to achieve the ‘Secure By Design’ standard.

NOTIFICATION RESPONSES

To accord with the General Development Procedure Order the application has been publicised by way of a newspaper notice on 16/12/10, site notices posted on 9/12/10, together with letters to occupiers of neighbouring properties on 8/12/10.

Objections have been received from 38 properties (9 outside the Borough), referring to the following matters:

- Stubblee Park was given to the people of Bacup and covenanted to be “*for the benefit and enjoyment of the inhabitants of the borough*” and part cannot be sold/made available as private car park.
- Stubblee Lane is not suitable for additional traffic/emergency services, being narrow and lacking footways; it is the easiest/flatest access into the park for wheelchair users. The Church drive is so close to the New Line/Stubblee Lane junction, and angled to it, it is unsafe.

- Construction of the proposed car park may add to flood risk and attract anti-social behavior.
- Since Sophie Lancaster was murdered the lights have been taken out by the skate park and if the proposed car park and path are lit young people may again start to congregate in the park at night.
- The proposed car park will be only 6 feet from the park of their garden and will result in overlooking/fumes/noise or, if screened, loss of light/outlook. The intended lighting is also a concern, as too is litter. Residents make use of the area for informal recreation; some would wish to have it as allotments. Neighbouring houses will be de-valued.
- Option of providing parking for proposed residents within the Church grounds, accessed from the rear, should be further explored.
- Badgers live in the area, and there is a strong possibility of a sett in the church grounds, together with bats and owls.
- Significant tree loss.

The previous applications received 36 objections and a petition bearing 80 signatures objecting to the proposal on the following additional grounds :

- Damage to wildlife, including badgers, smooth newts & bluebells
- Significant increase in traffic, noise & disturbance
- Significant increase in litter
- The loss of trees
- The look of the car park is not in-keeping with the surrounding area
- Previous planning application for the area have been refused

Bacup & Stacksteads Carnival Organisation

It previously commented that:

Admittedly our event is only once a year, but Stubbylee Lane is used all year round by walkers and vehicles as an access to the park, Council Offices & greenhouses and neighbouring farms. Stubbylee Lane is very narrow and the proposed new car park would provide drivers with poor sight lines in either direction. While the carnival is on this road is closed other than to residents at the farms above the park. The proposal would require additional marshalling by them/have health & safety implications.

However, it would not have objection to conversion of the church to apartments and provision of the parking for them within the church grounds and involving the space currently occupied by the church hall.

Rossendale Civic Trust

It previously commented that:

It regrets the decision of Manchester Diocese to close the Church for purposes of worship. This having occurred it is, in principle, supportive of the extension of the life by conversion to another use of this Listed Building.

The proposal to divide the building to form apartments is not ideal as it inevitably results in loss of the spacious interior and context of its details. That being said, the Developer has gone a long way in working with the building and keeping its originality : *“The retention of the gallery, the baptistery and the font area are to be applauded, and the design of the new buildings to the west is more sensitive in itself and in the context of the church than many similar proposals we have seen locally before”*.

There are details on which it wishes more information/discussion to take place, most notably :

1. How intrusive for the fabric of the building will the sub-dividing walls be, especially for the slender piers between aisle windows.
2. The existing glass in the windows has a unity and it is important this is not harmed by the need for clear-glazing, opening-lights, double-glazing, etc.
3. The ceiling/upper floor level intended is shown on the drawings will result in the capitals of nave columns being at floor level in the upper apartments, an unconventional outcome that is best avoided.
4. Whilst it welcomes the fact that drainage pipes are not going to disfigure the exterior of the building, details are lacking about how the apartments will be heated.
5. With respect to the new builds, it would much prefer the glazed links to possess slate roofs - proximity of trees will result in discolouration of glass on the roofs and the reflection of sunlight from them could be intrusive.
6. Most importantly, it wishes to see a re-consideration of the proposed car park.

In respect of the last point, it says it must question the choice of location for the proposed car park. It understands this land to have formed part of the Stubblelee Estate - never part of the Church - and is subject to covenants that restrict its use to recreation and would inhibit its sale, especially for car parking. Potential residents are in any case likely to want to park nearer their homes for social and security reasons. It concludes: *“We would not like to see the proposals for conversion of the church and the new-build lost because of objections to this particular car park. The bottom line is that having cars parked in proximity to the Listed building would be preferable to losing the building because of this matter; its importance rests far more on its presence in the landscape than on close-up inspection. Cars parked tight up against it would not be seen in context with the building by the general public and passers by because of the high wall on the New Line side and the trees on the side of the Park.....a new entrance, maybe from the western end onto New Line, may have to be considered.”*

Lancashire Badger Group

It previously commented that:

It advises that it has on its data base a number of setts in the local area, but none specific to the area of the proposed development. It expects the little used/overgrown area surrounding the Church to be used for foraging. It concludes that the area must be fully surveyed by a badger specialist before any work proceeds (including ground clearance) either prior to planning approval or as a condition of it.

ASSESSMENT

In dealing with this application the main issues which need to be considered are :

- 1) Principle
- 2) Heritage
- 3) Housing Policy
- 5) Neighbour Amenity
- 6) Traffic/Parking
- 7) Wildlife Interest

Principle

The Proposals Map of the Local Plan adopted in April 1995 identifies the Church and Stubbylee Park as being within an area designated as Countryside in the Rossendale District Local Plan, to which Policy DS5 relates. Stubbylee Park is also identified as Greenland, to which Policy E1 relates, and has running through it a Valley Way, to which Policy C10 relates.

I do not consider that there is objection in principle to conversion of the Church building. Indeed as it is a Listed Building it is important that it is brought back into use.

There is an objection in principle to erection of new housing in the Countryside, and to formation of a car park within Stubbylee Park if it is for the private use of residents of the new development. The Applicant has sought to argue that sympathetic conversion of the Church requires the 7 new-build apartments and the proposed car park is now to be made available not just for future residents and their visitors.

It is necessary to ask:

- whether the applications propose the sufficiently sympathetic conversion of the Church & elements in its grounds of heritage interest; and
- if so, whether to secure its implementation warrants the new-build dwellings / associated car park / any other harms arising from the scheme as a whole.

These matters are explored below.

Heritage Impact of Conversion of the Existing Church

I concur with the Council's Conservation Officer that great care has been taken to minimise external and internal alterations and loss/harm to the fabric of the building.

The external alterations are limited - including addition of a few rooflights, change to a few windows from coloured /obscured glass to clear glass/openable.

Internal alterations are more extensive. Most particularly, conversion to residential use inevitably results in loss of openness by sub-division of the large internal space, removal of pews, etc. Having regard to the form of the building, its location and access, I do not consider conversion to residential use should be resisted. Nor do I consider the Applicant is looking to shoe-horn in too many units. The scheme enables retention in a communal area of the Font/Baptistry, and its associated plaques to the Holt family & those who fell in WW1, retention of the existing gallery and views from communal area of the full height of the Chancel arch and part of the timber 'wagon' roof, etc. The scheme proposed the ceiling/floor slab between the lower and upper apartments be at a level which would put the capitals of the nave columns at floor

level in the upper apartments. The re-submitted scheme has been amended in this respect.

Additionally, the Applicant is proposing the making good of tower/spire. So far as the grounds are concerned it is proposing the Holt family vault be left undisturbed, the gated archway fronting New Line and the original path/steps leading down to it be repaired.

Accordingly, I consider it would have been appropriate to grant Listed Building Consent. I consider it would also have been appropriate to grant Planning Permission to the above works, subject also to resolution of access/parking arrangements proportionate to the number of dwelling units that would result (8).

Heritage Impact of the New Build Apartments

Demolition of the Church Hall constructed in 1985 is not of concern so long as the old date / foundation stones from the original mid-19th century School are retained and re-used on-site. Likewise, its replacement with the proposed 1-storey building is considered acceptable as it will interrupt public view of the west elevation of the Church to no greater extent. The repair and refurbishment of the historic paths and steps sloping down towards the arched gateway fronting New Line is to be welcomed.

With respect to the 2-storey new-builds, deletion of 2 dwellings from the scheme means the number of trees to be removed to accommodate them is not so great. Nevertheless, the new buildings will be tight to trees identified for retention. The greatest of care will need to be taken in the construction phase if harm to them is to be avoided/minimised. The Applicant has expressed a willingness to undertake replacement planting within the Park in compensation for those to be removed. If the scheme is to proceed this will need to be secured.

This wooded area has been left without management for many years and I have no doubt that a number of the trees can be removed without harm to its overall presence in the landscape. Furthermore, I acknowledge that many of the trees to be removed to accommodate the new-build are not good specimens/have certain defects.

I would acknowledge that the proposed siting/bulk/design/facing materials for the proposed new-build apartments has been done with care for the topography of the area and the need not to interrupt views of the Church from New Line or across the valley. Subject to amendment/clarification of matters of detail I do not consider this element of the proposal would necessarily cause such harm to the heritage interest of the Church or Stubblelee Park as to warrant refusal.

Housing Policy

The Council's Interim Housing Policy Statement of May 2010 states that outside the Urban Boundary of settlements in Rossendale new residential development will be permitted where:

1. Proposals are for solely affordable and/ or supported housing as defined in the Glossary; or
2. It is accommodation for agricultural or forestry workers, subject to an assessment of the need for the unit.

Accordingly, the proposal is contrary to the IHPS.

Had the application site been located within the Urban Boundary of Bacup - it being a Main Development Location and one of the Council's Regeneration Priority Areas - a residential development would be encouraged by the IHPs where it met the following criteria :

1. It uses existing buildings/previously developed land; and
2. It makes an essential contribution to affordable housing; and
3. It is built at a density between 30 and 50 dwellings/hectare (where appropriate, the higher density of 50 dwellings/ha will be expected); or
4. It is solely for affordable and/or supported housing.

Assessed in relation to these criteria, the proposed dwellings are on previously developed land and the proposed density is appropriate. However, to accord with the requirement for affordable housing schemes of 15 or more units should provide a minimum of 20% of their units as affordable (i.e. of the units).

The Applicant is now proposing the 7 new build apartments be Social Rented Affordable Housing Units (i.e. 46%).

Neighbour Amenity

I do not consider the scheme of conversion for the Church or the new-build houses will detract to an unacceptable extent from the amenities existing residential neighbours could reasonably expect. The only issue is that of the proposed car park in relation to residents of Rose Terrace. By reason of its elevation above the level of the houses there is a particular need to protect the neighbours from overlooking and disturbance (eg from headlights). The submitted scheme proposes planting which, with time, will act as a screen between the car park and the terraced houses. In the short-term, this is not an altogether satisfactory arrangement for either occupiers of Rose Terrace or users of Stubblelee Park. However, as the car park is not now to be fenced to make it a secure private car park there is greater scope to address this concern.

Traffic/Parking

The Highway Authority has advised that any proposal resulting in additional traffic seeking to use the junction of Stubblelee Lane with New Line is far from ideal having regard to the limited width/lack of footways of the former and restricted visibility on the latter by reason of the high retaining wall fronting the Church and on-street parking that occurs to the front of Rose Terrace.

However, it recognises that the Applicant does not have the ability to form safe and satisfactory off-street parking within their own site, nor improve the junction to meet modern standards. Recognising also that there is a need to secure another use for the Church it has not raised objection to formation of a car park for use by residents of the proposed development and others on the land in Stubblelee Park to the rear of Rose Terrace so long as 1 parking space will be available for each dwelling unit. It has also

requested a Traffic Regulation Order and various conditions in relation to matters of detail.

I concur with its assessment on this matters. Whilst the resulting vehicle access/ parking arrangements may not be ideal, they are the best that can be reasonably secured and will not make the existing situation significantly worse in terms of pedestrian and highway safety and free-flow of traffic.

Wildlife Interest

There is no evidence of Bats having taken up residence in the Church or woods, although they are likely to be foraging in the Church grounds. The Applicant needs to provide compensatory tree planting for trees being removed and has indicated that they are willing to do so within the grounds of Stubbylee Park.

There is no evidence of Badger setts within Church grounds or parts of the Park where works are to be done. Undoubtedly Badgers make use of area for foraging. I concur with the advice of the Lancashire Badger Group that this matter can be adequately addressed either prior to planning approval or as a condition of it.

Conclusion

As re-submitted, I consider that on balance the proposed scheme to be acceptable, securing re-use of a vacant landmark building/Listed Building, in a manner which will not unduly harm the heritage and wildlife interest, neighbour amenity or highway safety.

RECOMMENDATION

On balance, I recommend approval of Planning Permission and Listed Building Consent in accordance with the above Assessment and Conclusion.

The Up Date Report will set out the Conditions in detail, together with the provisions which will need to be included in an accompanying S.106 Obligation.

Contact Officer	
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