

## Committee Statement by Urban Vision on behalf of Rossendale Borough Council

Part C – Ex Soldier and Sailors' Club, Queen  
Street

Conversion of former club to health care facility

March 2006

This report provides part Urban Vision's assessment of application 2005/617 and should be read in conjunction with two other reports (part a and b) which relate to the Heritage Arcade and the Ex Soldier and Sailors' Club

## **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.

## **Background**

Application 2005/617 relates to three sites : a) Land at New Hall Hey; b) Heritage Arcade, Bacup Road; & c) DDSS Club, 12 Queens Square.

The report below relates to the former Ex Soldier and Sailors' Club, Queen Street; separate reports have been prepared for the other two sites and appear later on this agenda.

## **Site**

The Ex Soldier and Sailors' Club comprises of a 3-storey building. The building forms the end of a terrace and has a stone face with a pitched slate roof. The terrace comprises generally of commercial buildings at ground floor with some residential properties above. The building is located within the conservation area.

Residential properties are located to the rear of the building. The building is located within the town centre and fronts the gyratory.

## **Proposal**

This element of the proposal seeks consent to convert the building to a Health Care Facility only. Supporting information provided by the applicant suggested that the proposal would be occupied by a dentist. This application does not propose any external alterations to the building.

The application form and design statement state that the building will be used as a health care facility. However, the supporting statement and transport assessment suggest that the upper floor would be for residential purposes. Given that there are no plans of the upper floors, no supporting information relating to residential accommodation and no indication of the number of units proposed, the application has been assessed on the basis of the one stated on the application forms and description of the development, that it would be a health care facility.

A further application would be required should the developer wish to incorporate residential accommodation into the scheme and this would be assessed under prevailing policy.

### **Relevant Development Control History**

This proposal originally formed part of Application 2005/109. However, prior to consideration of the application by this Committee this particular element was withdrawn from consideration.

### **Consultation Responses**

#### County Planning Officer

Advises that this proposal does not raise matters of strategic significance. County also state *“The DDSS building is of some historic interest, dating to the later part of the 19<sup>th</sup> century. A photographic record supplemented with a brief written description of the building (RCHME level 1) should be created prior to the conversion works commencing. This may be supplemented by any survey drawings as existing created as part of the planning of the development works. The record should be placed in an appropriate archive, preferably by the Lancashire Record Office, and the second copy placed in the Lancashire Sites and Monuments Record.”*

Nathaniel Lichfield & Partners (consultants employed by the Council to assess the retail element of the overall application) has similarly concluded that this proposal does not raise the type of strategic issues of the New Hall Hey element of the application and, in its view, it could equally well have been the subject of a separate application and could be developed separately from the other two sites.

#### LCC (Highways)

Have no objection on highway grounds as it is located on the edge of the town centre and is situated close to public transport and town centre parking facilities.

#### Environmental Health

No Objection

#### Rossendale Civic Trust

No response

#### Rawtenstall Chamber of Commerce

No response

### Rossendale Transport Ltd

No response

### **Notification Responses**

I have received one letter of objection in response to the application publicity. The resident of a house on Parramatta Street (approx 85m from the Heritage Arcade and to the other side of Limy Water) has objected to the application. The issues raised relate solely on the grounds that there is a lack of parking already in both Parramatta Street and Queens Street.

### **Development Plan Policies**

#### Rossendale District Local Plan (Adopted 1995)

- DS1 - Urban Boundary
- HP1 - Conservation Areas
- DC1 - Development Control

#### Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
- Policy 2 - Main Development Locations
- Policy 7 - Parking
- Policy 21 - Lancashire's Natural & Man-Made Heritage

### **Other Material Planning Considerations**

- PPS1 - Sustainable Development
- PPS6 - Town Centres
- PPG15 - Historic Environment
- PPG24 - Noise

### **LCC Parking Standards**

The Parking standards require that in towns such as Rawtenstall, car parking be provided for all development at an appropriate rate as identified in the adopted Joint Structure Plan. They also requires that provision be made for bicycles and motorcycles.

The site currently provides no off street car parking provision nor would any be provide at part of this proposal.

### **RBC Rawtenstall Town Centre AAP – Preferred Options Report (2005)**

Arups were commissioned by the Council to undertake a master planning exercise for Rawtenstall. In February last year an Issues and Options report accompanied by a baseline report was published and was put out to public consultation. The Council

has recently approved a preferred option report which is presently undergoing a sustainability appraisal prior to a second round of public consultation. This constitutes a material planning consideration albeit one that remains a draft proposal subject to further consultation.

In relation to this site the Preferred Option envisages the refurbished buildings providing accommodation for a mixture of uses comprising retail, cafes and bars, residential accommodation and offices as part of townscape improvements to Queen's Street / Bacup Road.

### **Planning Issues**

In dealing with the Ex Soldier and Sailors' Club element of Application 2005/617 the main issues to consider are whether the principle of the proposed change of use is acceptable; residential amenity; heritage interest; and whether adequate parking and servicing are provided.

### **Principle**

In the Adopted Local Plan this lies within the Urban Boundary and the Town Centre for Rawtenstall. In the emerging Area Action Plan for Rawtenstall Town Centre it is within an area for which the preferred option is a *"conservation based restoration scheme...providing accommodation for a mixture of uses comprising retail, cafes and bars, residential accommodation and offices"*.

Whilst the AAP does not specifically refer to Health Care Facilities, I consider that a mixture of uses would help to ensure and safeguard the vitality and viability of Ratwenstall town centre. As such I consider that the principle of reusing this building for the purposes of a health care facility would be acceptable in principle. Furthermore, the building is not of a size that its conversion to this use raises issues of strategic interest.

### **Visual Amenity / Heritage Interest**

Policy HP.1 of the Local Plan states that *"Proposals for development within Conservation Areas will be assessed against the following criteria:-*

- a) *Townscape features and roofscape*
- b) *Views within and out of the Conservation Area*
- c) *The effect upon the character of the conservation area*
- d) *Any trees of importance to the character of the area*
- e) *And compliance with policy DC4 (Materials)"*

Given that the proposal does not seek to alter the external appearance of the building, I do not consider that this element of the overall scheme would have a detrimental impact upon the conservation area. Moreover, I consider that the re-use of vacant buildings should be supported where they comply with the development plan.

### **Neighbour Amenity**

The policy E12 states that *“the Council will not permit any development proposals which would lead to unacceptable levels of noise to nearby noise sensitive areas”*

The building is located within an established mixed use area. I am satisfied the proposal use will not result in a significant loss of privacy or visual amenity for neighbours.

Whilst the letter of objection refers to the levels of car parking I am mindful of the building's town centre location and the previous lawful use would have required at similar requirement for car parking. Car parking and servicing is discussed later in this report. However, I do not consider that the proposed use would result in an unacceptable impact upon the living conditions of neighbouring residents. Furthermore, I have no objection to the proposal from environmental health.

As such, I am satisfied that the proposal accords with the policies highlighted above.

### **Parking / Servicing**

There is no existing off street car parking or servicing facilities for the building, nor is it possible for the applicant to provide such facilities. However, I do not consider this to justify refusal of the application, having regard to the building's Town Centre location/accessibility by means of travel other than the private car and the trust of PPG13.

The County Highway engineer has no objection to the proposed use.

### **Summary of Reasons for Approval**

This application falls to be determined against the provisions of the development plan (the Joint Lancashire Structure Plan 2001-2016 and the Rossendale District Local Plan), relevant PPS advice, chief amongst which is PPS 6; Planning for Town Centres, and any other material planning considerations.

In principle the proposals conform in land use terms with the land use designation and preferred balance of mixed business/retail and leisure uses identified by Policies J1 and J2 of the RDLP.

The proposal has also been assessed against the provisions of the Joint Lancashire Structure Plan 2001-2016 and PPG/s advice principally in relation to PPS 6: Planning for Town Centres.

I am satisfied that the proposal in relation to the Ex Soldier and Sailors' Club is consistent with planning policies highlighted above. Given that the application is a multi site submission, and the New Hall Hey element of the application fails to

comply with the requirements of Regional Spatial Strategy, the Joint Lancashire Structure Plan and Planning Policy Statement 6, I recommend that the split decision is reached and that the Ex Soldier and Sailors' Club element of the proposal be approval.

### **Recommendation**

That planning permission be granted subject to the following conditions :

1. The development permitted shall be begun before the expiration of three years from the date of this consent.

*Reason :The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).*

2. Prior to the commencement of development a scheme shall be submitted for the written approval of the Local Planning Authority which details a programme of building recording and analysis. The recording shall be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with the approved scheme. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority.

Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the building, in accordance with the advice of LCC (Archaeology) and Policy 21 of the adopted Joint Lancashire Structure Plan .

### **Reason for Granting Planning Permission**

The decision to grant planning permission has been taken having regard to the policies and proposals in Regional Spatial Strategy, Joint Lancashire Structure Plan 2001-2016 and the Rossendale District Local Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance. There are no other material planning considerations that outweigh this finding:

#### Rossendale District Local Plan (Adopted 1995)

- DS1 - Urban Boundary
- HP1 - Conservation Areas
- DC1 - Development Control

#### Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
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### **Other Material Planning Considerations**

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- PPG13 - Transport
- PPG15 - Historic Environment
- PPG16 - Archaeology and Planning
- PPG24 - Noise

### **Informative**

1. *This permission shall not relate to residential accommodation as referred to in some of the supporting documentation, nor does it imply that permission is likely to be forthcoming for such details.*
2. *Notwithstanding the requirements of condition 2 a photographic record and RCHME level 1 record supplemented by survey drawings.*