

Application Number: 11/16/0247

Full Application: Variation of condition No2 (Design of communication mast) of 11/15/0377

Address: Accrington Police Garage, Grange Lane, Accrington

Determination by: 24 August 2016

Applicant: Lancashire Constabulary

Agent:

Application Site

The site is the Accrington Police vehicle maintenance unit on Grange Lane within the urban boundary in Accrington. The building lies adjacent to the Christchurch Conservation Area with residential properties located to east, south and west and across from the listed fire and police station to the north. Vehicular and pedestrian access is currently served direct from Grange Lane providing access to the police car park and staff access to the building.

Proposal

The application is seeking to vary condition 2 of application 11/15/0377 for the design of the communications mast. The previously approved application (11/15/0377) was for a tapered mast however, the mast that has been erected does not taper and has a width of 1m.

This application is before the planning committee at a councillor's request.

Consultations

Site notice & Press notice:

Neighbours: Letter sent to surrounding properties.

Six letters of objection and thirty three letter petition received on the following grounds:

- Visual impact on the conservation area
- Need for the mast

HBC Conservation Officer:

The mast, already erected, is of modest size and relatively pleasing appearance. It does not jar in the semi-industrial street scene where it is located and does not detract from the character of the conservation area or the listed police and fire stations. The mast helps

secure the future of the police station as a functioning building and, in this indirect way, supports the conservation of the vicinity.

Relevant Planning History

- 11/15/0377: Full: Alterations to windows, doors and shutters, installation of communications mast and replacement of rear boundary railings/fence. Approved 17 December 2015
- 11/11/0025: Outline application: erection of two-storey police station following demolition of existing buildings (the site is adjacent a conservation area) refused 09.05.2011.
- 11/03/0279: Residential development. Refused 16.7.03

Relevant Policies

Development Plan

Hyndburn Borough Local Plan Saved Policies

- Policy E.10 Development Criteria
- Policy E.8 Development in Conservation Areas
- Appendix 5

Hyndburn Core Strategy

- Policy BD1 Balanced Development Strategy
- Policy Env4 Sustainable Development and Climate Change
- Policy Env6 High Quality Design
- Policy Env7 Environmental Amenity

National Planning Policy Framework

The National Planning Policy Framework:

Core Planning Principles

- Section 1 Building a strong, competitive economy
- Section 7 Requiring good design
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment

Other material considerations

- Planning Practice Guidance (PPG)
- Development Management DPD (Preferred Options) November 2012

Observations

The key issues for consideration are if the revised mast has an unacceptable detrimental impact on the Conservation Area and its impact upon residential amenity.

Impact on Conservation Area

Saved Policy E.8 of the Local Plan states that when considering proposals for development in Conservation Areas, the Council will have regard to the siting, form, mass, design and materials of the proposed structures. Additionally, Section 12 of the NPPF seeks to avoid development which causes harm to designated heritage assets, unless this harm is outweighed by the public benefits of the scheme.

Given the height of the communications mast at 21m, proximity to the Christchurch Conservation Area and the adjacent listed Magistrate Court and Fire Station, it has been considered necessary to consult the Council's Conservation Officer. The Conservation Officer has raised no objection to the mast stating

"The mast, already erected, is of modest size and relatively pleasing appearance. It does not jar in the semi-industrial street scene where it is located and does not detract from the character of the conservation area or the listed police and fire stations. The mast helps secure the future of the police station as a functioning building and, in this indirect way, supports the conservation of the vicinity."

As such, the application is considered to comply with the Council's Development Plan and the NPPF. However, to ensure a satisfactory form of development and protect the future of the heritage assets, , conditions are recommended to ensure no alterations are undertaken without the submission of a planning application and also the removal of the mast should the police use no longer take place on the site.

Impact on amenity

Policy Env 7 of the Core Strategy states proposals for new development will only be permitted if it is demonstrated that it will not have detrimental impact, through visual impact, noise or other nuisances.

The communications mast is required to provide secure data and telecoms services for the police service and whilst it would be higher than any other nearby structures, it's slim permeable design would not lead to any detrimental impacts on the residential amenity of the areas. As such, the application is considered to comply with Policy Env7 of the Core Strategy and the NPPF.

Conclusion

The proposed variation of the mast design is considered to comply with both local and national policy in terms of its impact on designated heritage assets. The proposal would not

have a negative impact on local amenity and is therefore recommend for approval subject to the below conditions.

Recommendation

That planning permission is GRANTED subject to the following conditions:

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following documents unless otherwise required by the conditions below:

(a) The planning application forms additional information received by Hyndburn Borough Council on 22 October 2015.

(b) Submitted drawing No's 1402-P-A/100, SF 2015/5110, 1402-P-A/005, 1402-P-A/006, 1402-P-A/007, 1402-P-A/008 received 22 October 2015 and 1402-P-A/101A received 08 December 2015.

(c) Notwithstanding the drawing no's above, the mast shall be implemented and maintained in accordance with submitted drawing no's 1402-P-A/006A, 1402-P-A/007A and 1402-P-A/008A received 29 June 2016.

Reason: for the avoidance of doubt and to enable Hyndburn Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 & Env7 of the Hyndburn Core Strategy.

3. Not later than six months after the building ceases to be in use for the Police Service, or six months after the mast becomes non-operational, whichever is the earliest date, the mast shall be removed and the land restored to its original state.

Reason: In the interests of the visual amenities of the locality and in order to comply with Policies Env6 and Env7 of the Hyndburn Core Strategy.

4. Notwithstanding approved drawing no's 1402-P-A/006A, 1402-P-A/007A and 1402-P-A/008A, no antennas, dishes or other communication apparatus shall be erected on the mast without a planning application first being submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in order to comply with Policies Env6 and Env7 of the Hyndburn Core Strategy.

5. The facing materials to be used in the construction of the development hereby approved shall match in colour and texture those used on the existing building.

Reason: To ensure the use of appropriate materials, in the interests of the visual amenities of the locality and in order to comply with Policies Env 6 and Env 7 of the Hyndburn Core Strategy

6. Construction work and deliveries to and from the site (during construction) shall be restricted to between 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs on Saturdays. Construction work and deliveries (during construction) shall not take place on Sundays and Public holidays. All works shall be undertaken in accordance with BS5228:2009.

Reason: To ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise and to comply with Policy Env7 of the Hyndburn Core Strategy.

Informatives

- 1) Reasons for approval
- 2) Accordance with plans
- 3) Condition Precedent
- 4) Building Regulations Required
- 5) Relevant Policies