

DEVELOPMENT CONTROL AND REGULATORY BOARD

12TH FEBRUARY 2004

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

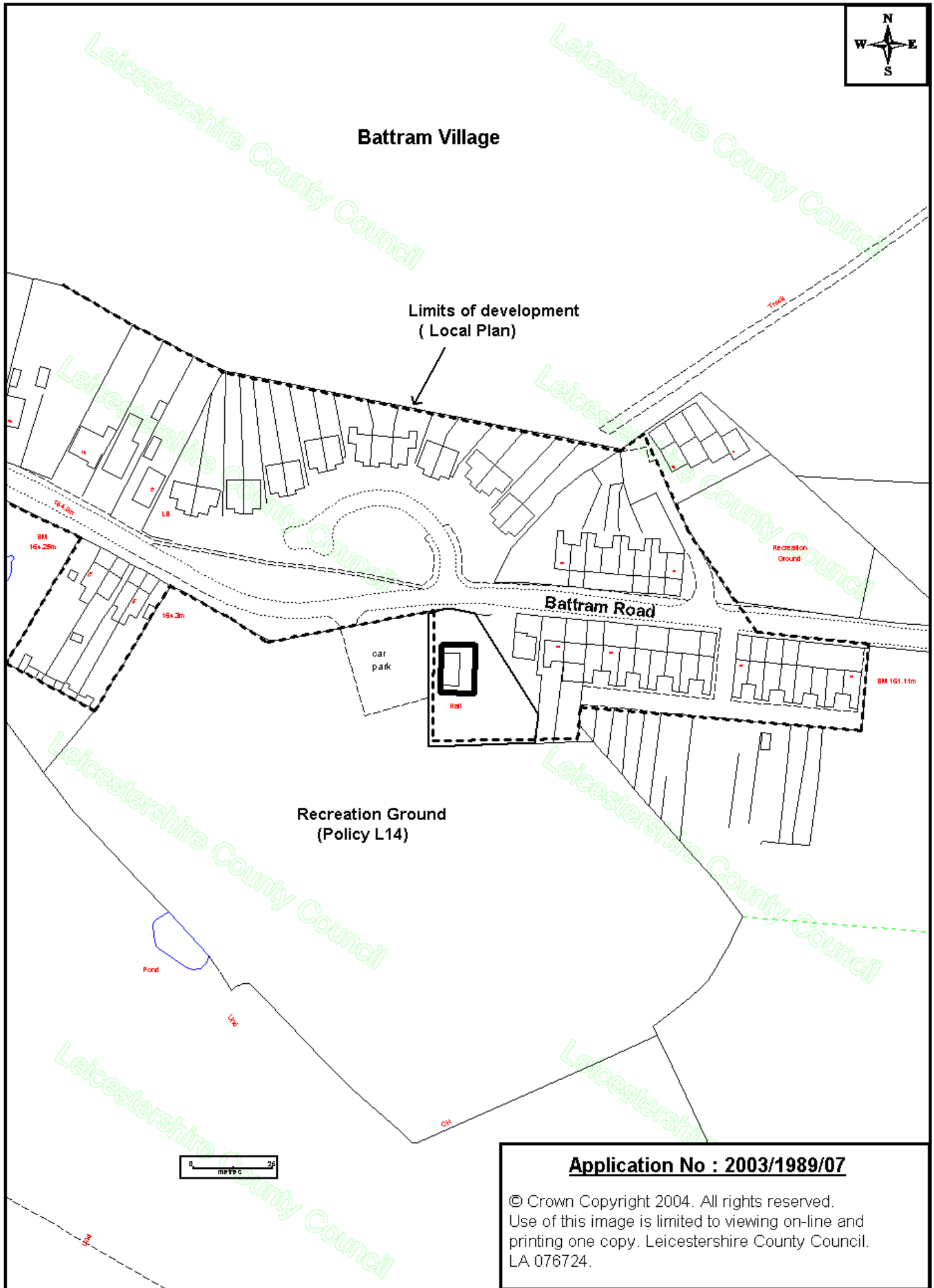
**APPLICATION UNDER REGULATION 3 OF THE TOWN AND
COUNTRY PLANNING GENERAL REGULATIONS**

**LEICESTERSHIRE COUNTY COUNCIL – CONSTRUCTION OF NEW VILLAGE
HALL TO REPLACE EXISTING, BATTRAM ROAD, BATTRAM (NORTH WEST
LEICESTERSHIRE DISTRICT)**

2003/1989/07 – 18th December 2003

Background

1. The existing village hall at Battram occupies a pre-cast concrete structure with cement asbestos roof, set in an open plot on the south side of Battram Road. This building was donated to the village by the Coal Board in the early 1980's, following the closure of Battram Primary School in 1979 (now demolished), which had until then been the focal point for community activities.
2. The current building measures 11m by 6m in size with one large activity room, kitchenette and 2 small toilets. The heating system is inefficient and out-of-date. Over the last twenty years the current village hall has become run down and local clubs/groups have decided to move away to other accommodation outside the village. The building does not meet future requirements for providing access for the disabled.
3. The management committee, in partnership with North West Leicestershire District Council, Leicestershire County Council, and the Rural Community Council, has investigated the possibility of redeveloping the village hall,. There has been extensive consultation with the local community during 2002 and 2003 to establish the objectives of such a project, resulting in a Battram Access Centre Business Plan.
4. Planning permission has been granted already for the erection of a replacement village hall of about twice the size, together with a skate park, new children's play equipment and landscaping (ref. no. 2003/0612/07 granted in June 2003). The current proposal represents an alternative scheme that is considered to be more achievable and economically viable, reducing the proposed overall floorspace from 180 sq. m to 152 sq. m.



2003/1989/07 – continued

5. Funding for the development has been offered by East Midlands Development Agency (EMDA) under the rural development programme, SWEET UK, WREN, National Forest, Ibstock Parish Council, NW Leicestershire District Council and the County Council through its Shire Environmental and Village Hall grant scheme. Further funding is being sought to supplement these sources.
6. At the moment, the existing hall is hired by a junior youth club once a week and senior youth club for a similar regularity. It is rented on an ad-hoc basis for supervised youth pool games and there is a weekly band practice by an outside brass band. Other uses include the annual fireworks and bonfire party, car washing fund raising (twice a year) and annual summer fete.
7. The planned new 'Access Centre' will overcome certain inadequacies in the present accommodation and security facilities. It intended to include provisions that will address the following objectives:
 - The new access centre will take into consideration disability problems by providing a ramp and wider toilet doors to give access to wheelchair users, who cannot gain access at the moment.
 - The shower facility planned will cover the legal requirement to enable the Access Centre to run a mothers and toddlers group.
 - A larger kitchen will enable the community to cater more easily for social gatherings, meet the new food hygiene regulations which will attract more Birthday parties, weddings etc. thereby increasing demand for the hall.
 - The provision of an IT suite will benefit members of the community who have not got access to a PC in their home. It will enable them to use the internet, access banking facilities, local authority services and receive educational training.
 - GP referral classes will benefit the elderly people, especially if there is no access to private transport.
 - A whole range of evening classes will benefit a range of users in the community and it is hoped that there will be a community web site developed in the future which will link into the Goodwood Social History project.

Description of Proposal

8. The application site includes 0.1ha of land on the south side of Battram Road, although the adjoining recreation ground extends to more than 2ha in size. The site of the village hall is enclosed by trim hedges. The open flat recreation ground extends to the west and south sides, with countryside beyond. There is a tarmac car park immediately to the west of the hall itself, and residential development along either side of Battram Road.
9. The proposed building will be a rectangular, single-storey structure measuring approx. 14.5m by 10.5m in size. It will be 3.5m high to the eaves and 6m high to the ridge of the pitched roof. The building will be constructed in facing brickwork and concrete tiles. The internal accommodation will include a function hall, IT/meeting room, kitchen, stores and toilet facilities. The building will be served by the existing car park immediately to the west side.

2003/1989/07 – continued

Planning Policy

10. The application site is included within the limits of development on the adopted North-West Leicestershire Local Plan (August 2002). There are no policies that relate specifically to the application site, although the adjacent car park (and recreation ground) is subject to *Policy L14*. This seeks to safeguard against the loss of recreational open space, unless in exceptional circumstances.
11. *Policy E4* requires that new development should respect the character of its surroundings, in terms of scale, design, materials, etc and the spaces between and around buildings.

Consultations

North West Leicestershire District Council (Planning)

12. Reply not received at the time this report was published.

Ibstock Parish Council

13. No objections to the proposed development.

Severn Trent Water

14. Reply not received at the time this report was published.

Director of Highways, Transportation, and Waste Management

15. Given the increase in floor area (over and above the existing hall), whilst the existing car park is considered adequate, it should be marked out to ensure maximum efficient use. Details of such marking should be submitted for approval prior to the development commencing and the approved scheme provided before the new building is brought into use (and thereafter made available at all times).

Coal Authority

16. Ground movement from past underground coal workings should by now have ceased (last worked in 1952) and the property is *not* within the zone of likely physical influence on the surface from present underground coal workings. The property is *not* within a geographical area for which a licence to extract coal by underground methods has been granted *or* is awaiting determination *or* known future workings. There are reserves of coal in the locality, which could be worked in the future, subject to the appropriate licences and consents.
17. The property is not located within the geographical boundary of any past, present or future open cast mining site. There is no knowledge of any mine entries or fault lines that might affect the stability of the property.

2003/1989/07 – continued

Publicity

18. This proposal has been advertised by site notices, posted on 30th December 2003. Individual letters were delivered to the occupants of the nearby dwellings on Battram Road. No representations have been received as a result of this publicity.

Assessment of Proposals

19. The provision of a replacement village hall has been agreed in principle, by the approval of an earlier proposal by the District Council. The current application represents a variation on that earlier scheme and will have no greater impact on the locality. It will provide for a modern, well-equipped and practical facility, to meet the social and recreational requirements of this isolated community. The current hall is now proving inadequate and unsound for the reasons explained above.
20. The building will be of an appropriate scale and appearance for this location and will occupy the position of the demolished hall. Adequate car parking facilities already exist at the site, although more efficient use of the car park could be achieved by marking out the area. A condition to this effect is included in the recommendation below.
21. The provision of a new, better equipped facility is likely to increase the usage of the hall for local community and social activities/events. To ensure that its use does not become a source of nuisance to the nearby residents, it would be pertinent to set out some restrictions on the hours of use of the building. Any such restriction should not unreasonably prevent the use of the building for a wide range of social and community activities, or the letting of the building for reasonable private functions.
22. A reasonable balance needs to be found between the viable and beneficial use of the premises and the impact of any social activities on the amenities that might be expected by occupants of nearby residential properties. It would be possible to also require that reasonable steps be taken to control the level of noise to the building.
23. Subject to these controls, it is considered that the development can be recommended for approval, in accordance with the approved policies for the locality.

Recommendation

- A. Permit subject to the conditions, as set out in the appendix.
- B. To endorse, as required by the Town & Country Planning (General Development Procedure) Order 1995 (as amended) a summary of the:

2003/1989/07 – continued

- (i) Policies and proposals in the development plan which are relevant to the decision, as follows:

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, together with the relevant Development Plan policies, including the following, -

(Policy E4 of the North-West Leicestershire Local Plan)

- (ii) Reasons for the grant of planning permission as follows:

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise.

Circulation Under Sensitive Issues Procedures

Mr. P. A. Hyde, CC

Officer to Contact

Mr. C. J. Noakes (Tel. 0116 265 7053)
E-Mail: planningcontrol@leics.gov.uk

2003/1989/07 – continued

Conditions

1. The development hereby permitted shall be begun within five years from the date of this permission.
2. Representative samples of the materials to be used externally in the construction of the proposed building shall be deposited with and approved in writing by the County Solicitor before development commences.
3. Before any development is commenced on the site a landscape scheme shall be submitted to and approved in writing by County Solicitor. This scheme shall indicate the intentions for existing vegetation on the site, treatment proposed for all ground surfaces, together with the numbers, types, species of planted materials and their disposition.
4. The approved landscape scheme shall be carried out in the first appropriate planting season following the date when proposed building is ready for occupation and all planted material shall be suitably maintained and replaced as necessary by the applicant(s) or owners of the land at the time for a period of not less than 10 years from the date of planting.
5. The car park serving the proposed development shall be marked out before the proposed development is brought into use, in accordance with a scheme that shall be first approved in writing by the County Solicitor. Thereafter, this area shall be kept free from obstruction and remain available for such use at all times.
6. Details of the siting, design, luminance, direction of light distribution and the shielding of all means of external lighting shall be submitted to and agreed by the County Solicitor before any such provision is made within the development.
7. Before the development hereby permitted is commenced on site, a scheme shall be agreed with the County Solicitor, which shall specify the provisions to be made for the control of noise emanating from the site.
8. Unless otherwise agreed in writing by the County Planning Authority, the development hereby permitted shall not be used outside the following hours:
 - 0800hrs to 2300hrs Mondays to Thursdays;
 - 0800hrs to midnight on Fridays and Saturdays; and
 - 0900hrs to 2200hrs on Sundays or Public/Bank Holidays.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, and to enable the County Planning Authority to review the position at the end of this period.

2003/1989/07 – continued

2. To ensure a satisfactory external appearance and grouping of materials.
(Policy E4 of the North West Leicestershire Local Plan)
 3. To enhance the appearance of the development in the interests of visual amenity.
(Policy E4 of the North West Leicestershire Local Plan)
 4. To ensure that the work is carried out within a reasonable period and is properly maintained.
 5. To ensure that suitable parking and servicing facilities will be available to serve the premises when they are brought into operation.
 6. To ensure the proposed use remains compatible with the surrounding locality and does not give rise to loss of amenity for occupants of nearby dwellings.
(Policy E4 of the North West Leicestershire Local Plan)
 7. To ensure that the proposed use does not become a source of annoyance to the nearby residents.
 8. To ensure that the proposed use does not become a source of annoyance to the nearby residents.
-