

Application Recommended for Approval
Gawthorpe Ward

APP/2018/0384

Full Planning application

Demolish office building, convert former workshop to 10 flats with attached dwelling and formation of associated car park

FORMER OFFICE BUILDING WYTHAM STREET & WORKSHOP & ADJ HOUSE ON ALBION STREET PADIHAM

Background:

The proposal relates to buildings that were formerly used as offices and for industrial uses in association with Perseverance Mill which has been demolished and is being developed for residential purposes. The proposal is to demolish the two storey building which forms part of the terrace fronting Wytham Street and to convert the two storey building on the corner of Brook Street and Albion Street to form 10no. flats and a single dwelling.

Former offices on Wytham Street



Former workshop building including adjoining terraced property
Front



Rear



The proposals involve forming a residents' car park on the cleared land fronting Wytham Street and improving the red brick building and adjoining stone terraced

property to accommodate 10no. one bedroom flats and an adjoining two bedroom dwelling.

Proposed ground floor layout and car park

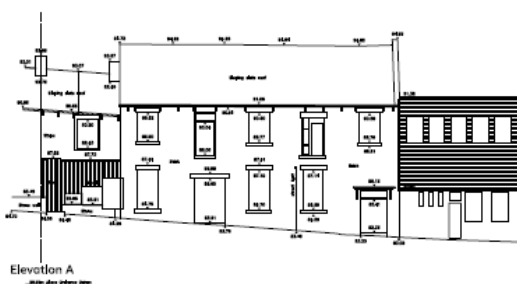


Proposed Ground Floor Layout

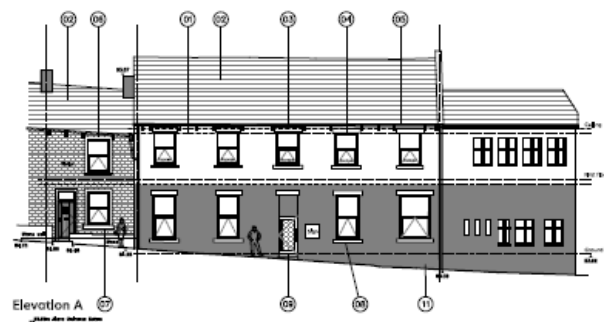
The proposed car park would provide almost one space per unit and would be shared for all occupants of the development. A screened bin store is sited away from existing houses and peripheral landscaping and a small number of trees are also proposed.

Existing front elevation

Existing Elevations

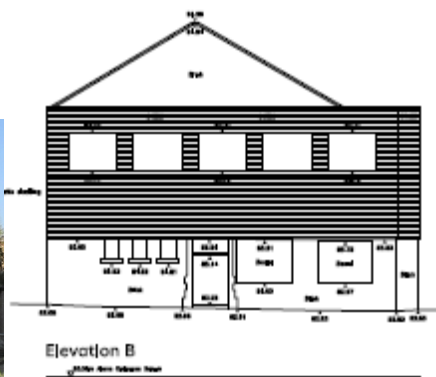


Proposed Front Elevation

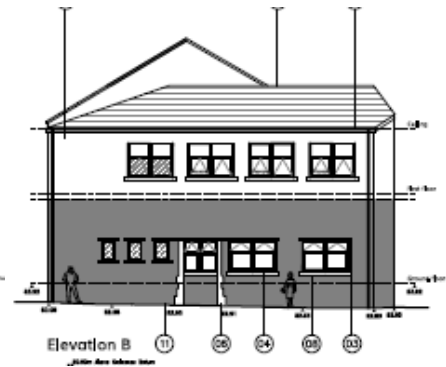


The external faces of the building would be tidied and some openings modified or removed to form a regular pattern of new windows and a central door to the front. Red brick would remain on the lower walls with render to the first floor and the existing tiles roof would be retained and replaced where necessary.

Existing side elevation

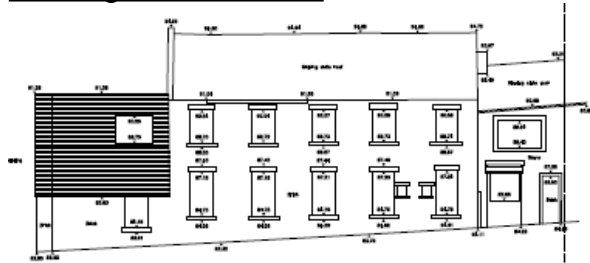


Proposed side elevation



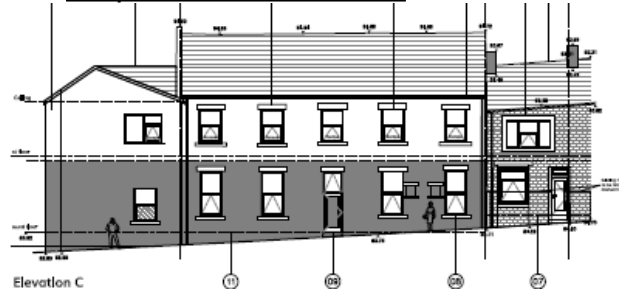
The roof over the existing side extension which fronts Brook Street would be raised to accommodate a first floor corner flat.

Existing rear elevation



Elevation C

Proposed rear elevation



Similarly the rear elevation would be improved, utilising existing window openings.

Relevant Policies:

Burnley's Local Plan (July 2018)

- SP1 – Achieving sustainable development
- SP2 – Housing requirement 2012-2032
- SP4 – Development strategy
- SP5 – Development quality and sustainability
- HS2 – Affordable housing provision
- HS4 – Housing developments
- NE1 – Biodiversity and ecological networks
- NE5 – Environmental protection
- CC4 – Development and flood risk
- IC1 – Sustainable travel
- IC3 – Car parking standards
- IC4 – Infrastructure and planning contributions

The National Planning Policy Framework

Site History:

Previous applications relating to the offices/industrial use of the premises.

Consultation Responses:

LCC Highways

No objections. Request that additional footway is constructed surrounding the dwellings and a suitable scheme for street lighting on Brook Street, Albion Street and

the section of the rear lane adjacent to the new off-street car parking area and recommend conditions to achieve this.

Environmental Health

No objections. Recommend conditions to restrict construction hours and to require an electric charging point for cars.

Contaminated Land Officer

Recommend that an intrusive investigation be carried out and any remediation work that is necessary be carried out in order to deal with potential contamination.

Greater Manchester Ecology Unit

The findings of the bat survey submitted with the application are accepted which found that the buildings to be converted and demolished have negligible bat roosting potential. However, as bats are highly mobile creatures, advise that an informative is placed on any permission to ensure that the developer is aware of the need to cease work if any evidence of bats is found.

Environment Agency

The application is for more vulnerable development (residential) that extends into Flood Zone 2 and less vulnerable development (car park) that extends into Flood Zone 3. The submitted Flood Risk Assessment (FRA) has been reviewed and it is accepted that it demonstrates that the proposed development would not be at an unacceptable risk of flooding or exacerbate flooding elsewhere. There are no objections in principle subject to a condition to require the development to proceed in strict accordance with the FRA and the mitigation measures identified.

Schools Planning Team

An education contribution is not required.

Designing out Crime Officer

Recommend that the development is built to the police preferred security specification Secured by Design 'Homes 2016'. Guidance has been supplied for the benefit of the applicant.

Publicity

A letter of objection has been received from a neighbouring property which makes the following points in respect of the proposal:-

- Albion Street is a busy by-pass for the Abingdon Road/Cambridge Drive junction and road is narrow at its bottom
- Proposal will increase traffic and parking on Albion Street
- People have been nearly knocked down from traffic and this danger will be increased.

Planning and Environmental Considerations:

Principle of proposal

Policy SP4 identifies Padiham as a Key Service Centre at the second tier in the settlement hierarchy where it is expected that large scale, major and a variety of smaller sites will deliver a comprehensive range of choice of types and tenures. In addition to allocated sites, Policy SP4 states that new development will be supported within Development Boundaries where it is an appropriate type and scale and where, amongst other things, it makes efficient use of land and buildings. Other factors to

take into account include the site's accessibility (by walking, cycle and public transport), its impact on residential amenity and any benefits from the appropriate re-use of existing buildings and infrastructure. Policy SP2 sets out the housing requirement for the plan period up to 2032 which takes into account that there will be brownfield windfalls that will contribute to the delivery of housing in this period. Given that the site is an accessible site within the existing urban area of Padiham and seeks to bring back into use an existing and derelict building, the proposal would, in principle, comply with Policy SP4 subject to detailed considerations, set out below.

Impact on traffic and parking

Policy IC1 seeks to promote sustainable travel by locating development where it is or can be well served by walking, cycling and public transport and ensure that development is provided with safe and convenient access. Policy IC3 sets out the car parking standards for development, requiring one car parking space for one bedroom dwelling and two spaces for a two bedroom dwelling (reduced to 1.5 spaces for shared parking). The site is well placed to make use of existing infrastructure and services and within walking distance of public transport services. On-street parking occurs on surrounding streets due to the terraced nature of the local area. In this instance, a significant part of the existing built-up site would be given up to provide off-street parking (total of 10 spaces) that on a shared basis would provide for the needs of the development (11 units), particularly given that ten of the eleven units are one bedroom and are located at a sustainable location.

An objection has been received based on the impact of additional traffic and parking. The amount of traffic and parking generated by this proposal is however lower than could potentially be generated by the re-use of the existing office and industrial workshop buildings. Notably, LCC has no objections to the proposal but recommends a condition to allow for off-site improvements to be agreed which, if possible, will include a pavement around the side of the building Brook Street and street lighting.

The impacts on traffic and parking are therefore unlikely to be significant and can be adequately mitigated by conditions as recommended by LCC Highways.

Impact on residential amenities

Policies HS4 and SP5 seek to protect the amenities of existing occupants and future occupiers of development, having regard to overlooking and daylight. Policy SP4 also states that new development will be supported within Development Boundaries where, amongst other things, it would not have an unacceptably detrimental impact on residential amenity or other existing land users.

The proposed first floor flats would have an interface distance with the rear elevation of nos. 11 and 13 Wytham Street of 9m which is considerably short of the 20m standard that is contained within Policy HS4 and is normally applied to new development. In this instance, no new windows would be created but the residential use of the building would give rise to potential overlooking from habitable rooms. Whilst this would be a disadvantage to the affected properties, there would also be an improvement in the outlook onto the rear of this building that has fallen into disrepair and notably, there would previously have been daytime overlooking and noise and disturbance associated with the use of the building. The impact of overlooking in this case is therefore likely to be mitigated by the building's re-use for residential purposes and a general improvement in its appearance and immediate environs.

An amended plan has been received to re-site the proposed bin store away from the nearest neighbouring property on Wytham Street to protect the amenity of the private rear yard space.

Taking into account the constraints from the close proximity of the existing building to other properties, the overall impact of the development would not significantly affect existing residential benefits and in most cases would result in a positive impact.

Impact on visual amenities

Policy HS4 states that new housing should be high quality in its construction and design in accordance with Policy SP5 which requires development to have regard to materials. The proposed conversion would retain the red brick of the building with render to the upper walls and stone on the adjoining terrace. Whereas surrounding development is characterised by the use of stone, the tidying up and improvement to the existing brick building would improve the visual amenities of the site and its surroundings. The stone terrace on Wytham Street which was formerly used as offices is a traditional terrace and its loss would have some negative impact on the character of the area. The removal of the building would however facilitate the re-development of the site as a whole and the proposed car park would be appropriately surfaced and edged with landscaping to integrate into its surroundings. The visual impact of the proposed development would therefore be acceptable.

Affordable housing

Policy HS2 requires the provision of affordable housing for developments over 10 units. In this case, it is accepted that the development of 11 units sits on this threshold figure and in this instance would give rise to significant benefits from the re-use of the site and would provide housing by a registered social provider. The proposed scheme therefore would achieve the objectives of providing affordable housing.

Impact on flooding

Policy CC4 seeks to ensure that development does not result in increased flooding either on the development site or elsewhere. Part of the site falls within Flood Zone 2 where there is some risk from flooding. At the adjoining former mill site, the culvert and has been opened up which has brought significant benefits in reducing flooding risks in the local area and Padiham. The Environment Agency is satisfied with the FRA that has been submitted with the application subject to a condition to require its compliance. With this provision, the proposal would have no significant impact on flooding at the site or elsewhere.

Other issues

A condition to require a further contamination investigation and remediation is necessary due to the past use of the site. No bats have been detected at the premises and no further action is required in this respect.

Conclusion

The proposal would re-use an existing derelict site at a sustainable location for new housing. The proposal complies with the development plan and there are no material considerations which outweigh this finding.

Recommendation: Approve with conditions

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1812/100.01 (1:1250 location plan), 1812/100.02 (1:500 site plan), 1812/201.02RevD, 1812/201.03 and 1812/202RevB, received on 6 August 2018; and, 1812/207Rev A, 1812/201.01RevE and 1812/208RevA, received on 1 November 2018.
3. The external materials of construction to be used on the walls and roof of the development shall be as indicated on the approved plans and application forms unless any variation is otherwise previously agreed in writing by the Local Planning Authority.
4. No development shall be commenced until a scheme for off-site works of highway improvement to include provision where practicable for additional footway and street lighting to Brook Street, Albion Street and Back Albion Street (adjacent to the proposed car park) has been submitted to and approved in writing by the Local Planning Authority.
5. No flat or dwelling shall be first occupied until the scheme approved under condition 4 has been carried out and completed in accordance with the approved details.
6. The car park hereby approved shall be used as a private car park by residents/visitors of the approved development only.
7. No flat or dwelling hereby approved shall be first occupied until the approved car park has been constructed, surfaced, marked out and is available for use in accordance with the approved plans. The car park shall thereafter be retained and remain available for use at all times for parking by residents/visitors of the approved development.
8. No flat hereby approved shall be first occupied until the screened refuse and recycling storage facility for the approved flats has been constructed, completed and is available for use in accordance with the approved plans. The approved refuse and recycling storage facility shall thereafter be retained and remain available at all times for use by the approved flats.
9. Prior to the commencement of development, an intrusive investigation shall be carried out by a suitably competent person(s) in accordance with the submitted Phase I Geo-Environmental Site Assessment (report prepared by e3p, reference 11-617-r1, dated December 2016) to further assess the extent of contamination likely to affect all receptors at end-use and a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, shall be submitted to and approved in writing by the Local Planning Authority. Remediation work shall thereafter be carried out and completed in accordance with the approved scheme and evidence verifying these works, including

validation certificates, shall be submitted to and approved in writing by the Local Planning Authority before any flat or dwelling is first occupied.

In the event that previously unidentified contamination is discovered during intrusive investigations, or site works, it must be reported in writing immediately to the Local Planning Authority and a further investigation and risk assessment shall be undertaken to determine the extent of contamination. A report of the investigation, including any additional remediation scheme required shall be submitted to the Local Planning Authority for approval before works continue. Once remedial works have been completed, a verification report shall then be submitted to and approved in writing by the Local Planning Authority prior to any part of the approved development being first occupied.

10. The development shall be carried out and completed in full accordance with all the recommendations contained within the Flood Risk Assessment submitted with the application (prepared by the Alan Johnston Partnership LLP, reference 218-072, ASP-AJP-ZZ-XX-RP-C-3000, dated 1 March 2018).
11. All planting, seeding or turfing comprised in the approved details of landscaping, as indicated on drawing number 1812/207RevA, shall be carried out in the first planting and seeding seasons following the first occupation of any flat or dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.
12. During the construction phase of the development, no construction work or use of machinery or deliveries to the site shall take place on Sundays and Bank/Public Holidays or outside the hours of 08:00 and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure a satisfactory appearance to the development, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
4. To ensure that the highways immediately affected by the development are improved to an acceptable standard to cater for the needs of the development, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that acceptable works can be agreed before works start and can then be implemented at an appropriate stage in the development.

5. To cater for the traffic generated by the development in order to provide acceptable conditions in respect of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
6. To ensure the satisfactory implementation of the proposal and the provision of adequate off-street parking to meet the needs of the development, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
7. To ensure adequate off-street parking to meet the needs of the development and to avoid excessive on-street parking at a location where there is already a significant reliance on on-street parking, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
8. To ensure adequate refuse and recycling storage for the approved flats in order to cater for the needs of the development and to protect the visual amenities of the area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
9. In order to deal appropriately and safely with the risks posed to the site and for future users from past industrial uses, in accordance with Policy NE5 of Burnley's Local Plan (July 2018). The site investigation, report and remediation scheme are required prior to the commencement of development to ensure that any mitigation measures that are found to be necessary through the investigation can be carried out at the appropriate stage in the development process.
10. To ensure that the development does not pose an unacceptable risk to flooding for occupiers of the development or elsewhere, in accordance with Policy CC4 of Burnley's Local Plan (July 2018).
11. In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
12. To protect the amenities of local residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

JF

05/11/2018