

Application Recommended for Approval

APP/2019/0001

Trinity Ward

Full Planning application

Demolition of existing locally listed Neptune Pub, construction of a proposed new 4 storey mixed use building to provide student accommodation (136 bedrooms) including ancillary communal areas, laundry room, gym, reception, study/resources room and students hub with part lower ground floor car parking and provision of a new car parking facility off Wiseman Street; together with provision of 3 commercial units (mix A1, A2, A3, B1) and associated landscaping

SANDYGATE SQUARE SANDYGATE

Background:



Illustration of proposed student accommodation viewed from Sandygate

The proposed development will be delivered in collaboration with the University of Central Lancashire (UCLAN) and the Council and is a key component of the University's plan for its long term growth and the creation of a significant presence in Burnley.

The proposal represents an important development in the town as it will contribute to the delivery of the planned expansion of the student population from 400 to 4,000 by 2025 and the Council's ambition to transform Burnley into a leading 'university town'.

Providing an exceptional student offer and experience alongside strong academic performance is central to the ambition to create a thriving student population and the development of high quality, purpose-built student accommodation is a crucial part of the University's vision.

The site is located on the edge of the town centre in the historic Sandygate area within the Weavers' Triangle Conservation Area. The wider site lies within an area previously occupied by mills, weaving sheds and factories constructed along the Leeds and Liverpool Canal. In recent years there has been a strong focus on regeneration and Slater Terrace and Victoria Mill to the south and west of the site have been refurbished and successfully found new uses. New four storey apartments have been constructed to the east of the site and the Sandygate Square public realm works have been completed as part of the ongoing regeneration works. Recent permissions have been granted for the refurbishment of Sandygate School and the Waterloo Hotel to bring them back into new uses. The area now

has an interesting mix of uses including businesses; workshops/ studios; leisure and residential uses.

The application site is an L-shaped area of land of around 0.12 hectares which frames the north-eastern and north-western boundary of the recently formed public square and runs along Neptune Street and Wiseman Street. The Leeds and Liverpool Canal runs to the south of the site.

The scheme includes the demolition of the former Neptune Inn, which is an unlisted building in the Conservation Area, together with a section of wall thought to be a remnant of the Sandygate Shed boiler room or engine house.

Proposal



Elevations to canal



Elevation to Sandygate / Neptune St



Elevation to Wiseman Street

The application seeks permission for the erection of a new-four storey building to provide high quality purpose-built student accommodation with ancillary facilities. It includes provision for three commercial units for a mix of retail, café or office uses, intended mainly to serve the students and the surrounding occupiers.

There would be 136 en-suite single bedrooms, including 5 accessible rooms, and these would be arranged in clusters of 3, 4 and 5 bedrooms with communal kitchens, dining and living rooms. There would be a communal student hub / social space; a gym; study room / resource centre; reception and administration facilities.

The building is raised so that its ground floor is level with Sandygate Square and a lower ground floor level is created along Neptune Street.

Two of the commercial units (100 sq.m. and 113 sq.m.) would be at ground floor level along the Wiseman Street elevation, facing into the public square. The other unit (75 sq.m.) would

be at the lower ground level at the junction of Sandygate and Wiseman Street. It is envisaged that these units would provide local facilities for the students and local businesses.

The two units at ground floor level would be serviced off Wiseman Street and the unit at the junction of Sandygate and Neptune Street would be serviced by a new loading area to be provided on Sandygate.

Car parking provision for 7 cars is shown at the lower ground floor level, accessed directly from Neptune Street and there would be a new managed car park for 35 vehicles off Wiseman Street. There would be a refuse storage area and provision for cycle parking for 20 cycles at the lower ground level of Neptune Street for the student accommodation and a separate refuse storage area off Wiseman Street for the commercial units.

The building elevations to Neptune Street and Wiseman Street would be faced in a high quality natural stone cladding system and zinc effect standing seam cladding above smooth ashlar stone, with anthracite / black aluminium windows and doors.

The internal elevations to Sandygate Square will be the same but with two feature sections of full height curtain wall glazing above the doors.

Objections to the development have been received.

Relevant Policies:

Burnley Local Plan

SP1 – Achieving Sustainable Development
SP4 – Development Strategy
SP5 – Development Quality and Sustainability
TC5 – Uses within the Weavers' Triangle
HE1 – Identifying and Protecting Burnley's Historic Environment
HE2 – Designated Heritage Assets
NE1 – Biodiversity and Ecological Networks
NE5 – Environmental Protection
CC4 – Development and flood Risk
CC5 – Surface Water Management and Sustainable Drainage
IC1 – Sustainable Travel
IC2 – Managing Travel and Transport Impacts
IC3 – Car Parking Standards

National Planning Policy Framework (NPPF)

Town Centre and Canalside Masterplan (2018)

Weavers' Triangle Public Realm Strategy (2011)

Canalside Conservation Area Appraisal and Management Plan

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Site History:

APP/2013/0326 Construction of pedestrian bridge over the Leeds and Liverpool Canal and creation of new urban square – granted

Consultation Responses:

1. Historic England - The Weaver's Triangle within the Canalside Conservation Area is characterised by an important grouping of listed mills with the grade II Slater Terrace workers housing alongside the Leeds and Liverpool Canal. The Weavers Triangle is a regionally important complex of textile buildings that contains all elements of the industrial cotton production process including spinning, weaving, storage and transportation; and tells us about the lives of the people who worked in the mills through the pubs, institutions and workers housing. The former Neptune Inn (later a working mens' club), on the corner of Neptune Street and Sandygate, was built on a former pack-horse route that climbed the valley out of Burnley. This together with a number of architectural features, suggest parts of the structure is older than its industrial surroundings. It is typical of many public houses that served workers in the surrounding mills until these went into decline. It is one of number of historic buildings which reflect the former industrial character and life within the area. Accordingly, the former Neptune Inn is included on Burnley Borough Council's local list. This application involves the demolition of the former Neptune Inn and the construction of student accommodation. The proposed L-shaped building would enclose the recently created canal side square that is connected to the pedestrian bridge that links a number of university buildings within the surrounding area. The building is four storeys and is designed with an industrial character that would assimilate well with its historic surroundings.

While we have no objection with the principle of re-developing the site, we do have concerns about the loss of the Neptune pub. Though in poor condition, the former pub could be included within the re-development and repaired and converted as part of the new accommodation or re-used to provide facilities or business premises that could serve the growing student population. Given the extent of vacant land in the wider area it is a missed opportunity to conserve the historic building as an important reminder of the area's industrial and social history and a building that could now contribute to its future. This is especially disappointing given that the applicant also developed the adjoining new public square and therefore the retention of the pub could have formed part of the wider masterplan for the area.

All development must preserve or enhance the character and appearance of the conservation area under section 72 of the 1990 Act. The NPPF emphasises that great weight should be given to the conservation of heritage assets (NPPF 193), in this case the Canalside Conservation Area. Account should also be given to the desirability of sustaining and enhancing the significance of heritage assets (NPPF 192). The loss of the former Neptune Inn would cause harm to the significance of the conservation area that requires clear and convincing justification (NPPF 194). The Council must ensure that there is the necessary justification, with the resulting harm and priority for the conservation weighed accordingly in relation to any public benefits arising from the proposals (NPPF 196).

While we welcome the re-development of the site and the enhancement this would bring to the conservation area, we are disappointed about the loss of the historic building and the failure to integrate it into the wider re-development proposals. This loss would cause harm that needs clear and convincing justification in relation to the public benefits of the scheme.

Following the HE comments, the applicant has submitted additional justification in respect of the loss of the Neptune Inn building and the local planning authority response is set out in the report below.

2. Lancashire County Council (Highways) – has raised no objections and their detailed comments will be reported to Committee.
3. Lancashire County Council (Lead Local Flood Authority) – no objections are raised subject to the inclusion of conditions requiring:
 - An appropriate surface water drainage scheme;
 - A Sustainable Drainage Scheme, Management and Maintenance Plan;
 - A Surface Water Lifetime Management and Maintenance Plan

Further details have been submitted to cover the above matters. A condition may be imposed to require that the scheme is carried out in full accordance with the approved details.

4. Canal and Rivers Trust – the issues relating to the Trust are identified as:

- *The impact on the character and appearance of the waterway corridor:*

The principle and general layout of the proposals shown, which includes new active uses at ground floor level and could provide improved surveillance of Sandygate Square, which forms a key waterside space. The general form and massing of the proposed new buildings reflects the massing and height of similar buildings in the Conservation Area. It should be ensured that the materials are suitable to complement the setting of the Conservation Area.

- *Measures to prevent pollution towards the waterway during construction*

There is a risk of contamination from construction work, including dust migration and the runoff of deposits from exposed soils towards the waterway. In order to mitigate against this risk a Construction and Environmental Management Plan should be provided so that risks can be effectively controlled. A condition as follows is recommended:

“Prior to commencement of development on site, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority. The CEMP shall include measures to prevent water run-off from the construction site to the canal; the location of stockpiled materials; and measures to limit the movement of dust. Thereafter, construction activities on site shall be in accordance with the approved plans”

Reason for the Condition: In order to limit the exposure of the canal to pollution, in accordance with the aims of paragraph 180 of the National Planning Policy Framework. Details are required prior to the commencement of construction activities to ensure the effective management of any risks of contamination to the wider environment.

The applicant has submitted a Construction Management Plan and provided it is considered acceptable by the Canal and Rivers Trust the full condition may not be necessary. An update will be given at the meeting.

5. Environment Agency – raise no objections to the development and comment that they have reviewed the submitted Site Investigation Report and Risk Assessment, in relation to risks to controlled waters and agree with the conclusions. Risk from the made ground on the site is low or negligible, and the recommendation in section 9 of the Report should be adopted during construction. This specifically applies to the potential for groundwater in excavations and a plan for the disposal of water to sewer, should ingress occur.

A condition which requires the development to be in accordance with the submitted Site Investigation and Risk Assessment is recommended.

6. Environmental Protection (Contamination)

Raise no immediate concerns and suggest that the following conditions are imposed if planning permission is granted:

1. In consideration of the Phase I/Phase II Report (12-777-R1), details of any imported soil shall be submitted before use within the cover system, with information to include source and quantity provided, date of acceptance and a chemical analysis for a full suite of contaminants. As per report 12-777-R1, ground gas monitoring shall be completed with the findings presented to the Local Planning Authority.

Any arisings and/or site-won materials shall be chemically analysed prior to re-use on-site with validation provided to the Local Planning Authority for approval if applicable. If removal of any identified local TPH 'hotspots' is decided as a remedial option, sampling and analysis shall be undertaken to confirm the suitability for use of the remaining soil, with validation provided to the Local Planning Authority for approval if applicable.

Following completion of measures identified in the remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to, and approved in writing by the Local Planning Authority before the occupation of the development.

2. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation must be undertaken to establish the nature and extent of contamination in consideration of potential receptors. Where sampling is required to establish the extent of unexpected contamination, the results shall be forwarded to the Local Planning Authority. If further remediation is required, the additional information shall also be submitted and approved by the Local Planning Authority.

3. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed in writing by the Local Planning Authority, and the provision of reports on the same

must be prepared, both of which must be submitted to and approved by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority. These measures must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Appropriate Conditions can be imposed on any permission granted.

7. Environmental Health – consideration should be given to the requirement for a noise assessment; restrictions of construction hours; a Construction Method Statement; no combustion of materials shall take place on the site; light pollution from the lighting of external areas.

Conditions may be imposed in relation to construction hours and the applicant has taken into

Consideration the noise impact on future residents from surrounding uses in the design of the building; No further illumination other than the usual lighting for doorways, etc is proposed. A construction method statement has been submitted and a condition requiring the development to be carried out in accordance with the approved statement can be imposed.

8. United Utilities – The site should be drained on a separate system with foul water draining to the public sewer and the surface water draining in the most sustainable way. The following conditions are recommended:

Following a review of the Drainage Strategy UU initially responded to say that the drainage proposals were unacceptable in principle. Whilst they are satisfied that infiltration and draining to the watercourse are unreasonable ways of draining surface water from the site, it appears that only the existing building is positively connected to the public sewer network. Surface water discharge rates must therefore be restricted to 5 l/s and the conditions covering the following are recommended:

- The submission of a surface water drainage scheme
- A scheme for the management and maintenance of the drainage scheme

Following discussion between UU and the applicant, UU has agreed that the surface water discharge rates may be restricted to a rate of 10 l/s.

The requirements for a surface water drainage scheme and its management and maintenance is also covered by the requirement of the Lead Local Flood Authority. A condition covering these issues are recommended to be imposed on any permission granted.

9. Lancashire Archaeological Advisory Service (LAAS) - is in agreement with the conclusions of the submitted Heritage Assessment which overall assesses the proposal as having a neutral impact on the Conservation Area. The report also indicates the site is located in the vicinity of a number of grade II listed buildings, one of which is also a scheduled monument and it found that the impact of the scheme on

these nationally designated assets will be uniformly beneficial. It is noted that two non-designated heritage assets will be directly affected by the proposal. The former Neptune Inn, a locally listed building and a section of wall thought to be a remnant of the Sandygate Shed boiler room or engine house, a cotton weaving mill demolished after a fire, will be removed to facilitate the proposal. Neptune Inn is currently vacant and in a state of dereliction. In this condition its contribution to the Conservation Area is considerably reduced. The structural defects are such that it would have to be largely rebuilt and this will substantially reduce the authenticity and historic value of the resulting structure.

The non-designated assets are of low relative heritage value and the impact of their loss would be slight/moderate adverse in effect but that with recording prior to removal this will be reduced to slight adverse.

The report identifies potential to encounter buried archaeology. If present this is more likely to relate to Sandygate Sheds but earlier remains cannot be discounted. The disturbance of buried archaeological deposits could be mitigated by an archaeological watching brief during groundworks on site.

LAAS is in agreement with these conclusions and recommend a programme of archaeological work secured by the conditions requiring the creation of a record of the former Neptune Inn to level 3 and the remnant of the Sandygate Shed boiler room or engine house wall to level 2 as set out in *Understanding Historic Buildings* (Historic England 2016), together with a formal watching brief during both groundworks and the demolition of the former Neptune Inn (particularly removal of foundations, floor slabs etc.), followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists.

Appropriate Conditions can be imposed on any planning permission granted.

10. Designing out Crime Officer (Lancashire Constabulary) recommends that a number of crime reduction measures are incorporated into the final design to mitigate risk of crime.

The suggestions of the Designing out Crime Officer will be drawn to the attention of the applicant by way of an advisory note.

11. Weavers' Triangle Trust – the importance of providing student accommodation in this area is accepted although there are some reservations about the details.

The former Neptune Tavern is probably the oldest surviving building in the Weavers' Triangle and its demolition will have a serious impact on the heritage of the Conservation Area. Since the building was taken over and restored by Burnley BC around ten years ago it has been neglected and become derelict. The Trust objects to the demolition of the building and believe that it should be retained as a building next to the accommodation block and adapted for student use.

It is considered that the size and materials used are not appropriate for the Conservation Area. The use of local traditional materials would be more appropriate and less obtrusive. Also, the parking facilities are inadequate. The Trust run Oak

Mount Mill engine house as a heritage and tourist attraction and are concerned about the impact on access from Wiseman Street.

12. Mid-Pennine Arts (MPA) – is pleased to see the canalside develop and is especially pleased to see UCLAN expanding its Burnley activity into this neighbourhood. MPA has taken a lead role and are committed supporters of canalside regeneration.

MPA has serious concerns about the works, some about the needs of the current occupiers during construction and after it, but are dismayed at the proposal to demolish a key element of the canalside environment and Burnley's history, the locally listed Neptune Inn.

They make the following points:

- The Neptune is a key element in Burnley's story as its first public house and it should not be casually destroyed.
- Successive masterplans have identified Sandygate as the heart of the canalside heritage area, with the most precious cluster of historic townscape. The Neptune is a key part of that. It is a small building but its strategic position at mid-point on Sandygate amplifies its importance. It is a visual bookend for Sandygate Square and Neptune Street and vital in creating the character of both streets. Removing it will destroy the heritage feel of our street and diminish the character of Sandygate Square as an arena for public events.
- Previous visualisations have shown the proposed facilities fitting neatly alongside the Neptune Mill. The new proposal to demolish Neptune is difficult to justify, especially as more open space for new build becomes available nearby around George St. Mill.
- The proposed four storey block will dominate and overpower the existing streetscape and be detrimental to the neighbourhood as a whole. It is out of proportion with many of the heritage elements that surround it.
- Loss of sunlight – the building, within 5 metres of MPA's west facing elevation on Neptune Street will put their building in darkness and will damage the amenity of the offices for staff.
- Access and Parking. The scheme will bring around 150 neighbours and includes a negligible number of parking spaces. These days many students have cars. The proposal will create a severe parking crisis for the entire neighbourhood.
- MPA shares the current parking site off Neptune Street with Low Carbon Energy, opposite the building they share and this facility is well used by staff, visitors and volunteers.
- There is very little street parking near their building and the nearest long term parking is at King Street, a 7 minute walk away which includes a steep hill.
- They are concerned about how the lack of parking will affect operations. The team works across Pennine Lancashire and are in and out of the office several times a day, regularly needing to load and unload equipment for events and activities.
- They have a disabled member of staff and a number of volunteers have mobility needs.
- MPA request that parking is adjusted to make provision for alternative parking.
- Increased noise and disturbance. There will be severe disruption during the construction phase

- Organising the Burnley Canal Festival event for 2019 or 2020 will be extremely difficult.
13. Burnley Civic Trust – support the application in principle and agree that the development of Victoria Mill by UCLAN is very desirable for the future of the town. To site the accommodation close to Victoria Mill is a valuable asset.

BCT question the design and materials of the building as they are not in keeping with the Weavers' Triangle.

The submitted Heritage Assessment sets out the full justification for the loss of Neptune Inn and this issue together with the assessment of the design of the new building, parking provision, loss of light are set out in detail in the report below.

14. Letters from four neighbouring businesses have been received. Generally the development and ongoing regeneration of the area is positive and is supported but concerns have been expressed about the following matters:
- Size, mass and design of the building The overpowering height of the building will overshadow surrounding buildings, have a major impact on the skyline and dominate heritage buildings.
 - Materials the materials of standard clad construction with some stone cladding are inappropriate, unsympathetic to existing buildings.
 - Lack of parking provision. There is already an issue with on-street parking. It is crucial that additional road infrastructure, access down Sandygate and significant additional parking is provided as there will be considerable additional traffic and parking requirements including potential overnight parking.
 - Disruption during construction period: Wiseman Street, Neptune Street and Sandygate are all narrow roads and not designed for large vehicles/ deliveries. Wiseman Street is inappropriate for heavy vehicles using the building compound.
 - Connectivity: Businesses will be affected by the loss of fast broadband connectivity, provided by Metronet a line-of-sight broadband connection. The building will affect the signal and connectivity. One occupier comments that the issue could be resolved with a wireless relay on the building.
 - Security and Safety: The CCTV on key routes in and around the Weavers' Triangle and street lighting should be updated
 - Overlooking, anti-social behaviour, increased noise and disturbance on the Square would have a knock on effect on the existing businesses.

These issues are dealt with below in the report.

Planning and Environmental Considerations



Existing Sandygate Square with Neptune Inn

Planning permission is sought for the demolition of a locally listed building and structures within the Canalside Conservation Area in order to construct purpose-built student accommodation comprising a four-storey residential block and including provision of three commercial units which aim to provide local services e.g. shop/café/office to the students and local businesses in the area. Several Local Plan policies are applicable because of the nature of the site, its surroundings and the proposed development.

The main planning considerations relate to:

- The principle of the development in this location
- The heritage aspects of the proposal including the significance of the heritage buildings and the impact of their loss on the character and appearance of the Canalside Conservation Area;
- The impact of the development on the character and appearance of the Conservation Area and neighbouring heritage assets, including design and appearance of the proposed development;
- Highway issues, including the parking provision, servicing for the commercial units;
- Impact on neighbouring businesses
- Other matters including refuse storage provision, contamination, drainage and ecology.

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework 2018 (NPPF) sets out a presumption in favour of sustainable development and requires that development that is in accordance with an up to date development plan is approved without delay. Determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise. The development plan for Burnley is Burnley's Local Plan which was adopted in July 2018.

The site is within the Development Boundary as defined in the Burnley Local Plan, where Policy SP4 of the Local Plan sets out that new development will be supported, where it is of an appropriate type and scale, and where it satisfies the following overarching criteria and other relevant policies of the Local Plan.

- It makes efficient use of land;
- It is well located in relation to services and infrastructure, is accessible by public transport, walking or cycling; and
- It does not have an unacceptably detrimental impact on residential amenity or other land users.

The site is previously developed land within the urban area and is in a well located, accessible location for student accommodation, on the edge of the town centre and close to the UCLAN Victoria Mill campus.

Whilst the commercial units are outside the boundary of the town centre, the Local Plan recognises that the Weavers' Triangle and its successful regeneration, must be underpinned by a mix of complementary uses. The units potentially would be a mix of convenience retail, cafes or small office uses, and are intended to serve the students and neighbouring businesses. They are not of a scale to compete with town centre uses.

In principle, the development of the site for student accommodation and small complementary commercial units is acceptable and in line with the aims of Policy SP4 of the Local Plan and the Local Plan vision to establish Burnley as a hub of educational excellence and to grow the student population for it to become a leading 'university town'.

The impact of the development on nearby occupiers will be considered below in this report.

HERITAGE AND DESIGN CONSIDERATIONS

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confer upon local planning authorities a duty, amongst others, to "have special regard to the desirability of preserving the setting of a listed building and to the desirability of preserving or enhancing the character or appearance of a conservation area." Preservation in this context means protecting the special interest from harm (significance) as opposed to keeping it utterly unchanged. As such considerable weight should be given to any harm found to arise regarding the setting of a listed building and/or to the character or appearance of the Conservation Area.

Paragraph 201 of the NPPF recognises that not all elements of a conservation area will necessarily contribute to its significance but states that loss of a building (or other element) which makes a positive contribution to the significance of the conservation area should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole. This is supported by Burnley's Local Plan Policy HE2 and HE3.

Key Heritage Considerations

The main issue is whether the proposed development would preserve or enhance the character or appearance of the Canalside Conservation Area (CA), taking into account the effect of the loss of Neptune Inn as a Non-Designated Heritage Asset. The key heritage considerations in respect to the determination of the application are as follows:

- The impact on the former Neptune Inn as a non-designated heritage asset
- The impact on the character and appearance (significance) of the CA
- The impact on the setting of nearby designated heritage assets

The Impact on the former Neptune Inn as a non-designated heritage asset (NDHA)

- Significance of Neptune Inn as a non-designated heritage asset

Neptune Inn is identified as a NDHA and included in the Council's List of Locally Important Buildings of Special Interest by reason of their cultural, architectural or historical value. The building is described in the Canalside Conservation Area Appraisal as the earliest surviving public house in the Weavers Triangle dating from the late 18th century and built on what was originally a pack-horse route. The building which pre-dates its industrial surroundings is one of a number of surviving historic buildings not solely or directly related to textile production that reflect the wider industrial settlement and its community/social history.

The significance of the building has been subject to a thorough assessment by the applicant. The assessment concludes that the existing building has low heritage significance with the majority of this significance arising from historic value as a late C18 public house pre-dating the industrial growth of the area. Built in the local tradition (materials and techniques) but architecturally unremarkable and with a substantial amount of original internal fabric missing.

The building is suffering from a prolonged period of vacancy and is in poor structural condition, the accompanying structural report suggests substantial rebuilding is required in order to stabilise the buildings. As such it is considered that the value would not be significantly enhanced were it to be repaired and restored.

- Justification for the loss of Neptune Inn as a NDHA

The applicant has considered options for converting and retaining the existing building but none of which are feasible for practical or economic reasons.

The applicant has set out a number of reasons they feel would seriously constrain the development of the site as follows:

- *The Inn does not relate to the square or the new development - it does not face the square or access directly from it and as such it would feel ancillary to the development.*
- *The position within the site has been used to increase the value and connectivity of the redevelopment. The benefits of demolishing the Inn to allow the development to reach its full potential outweigh the benefits of retaining it and the development as a whole would have a greater positive impact on the conservation area.*

The applicant's structural engineering report adds further to the justification. The report indicates that the building is not capable of re-use in its current state. Structural defects of the building are such that it would have to be largely re-built. The commercial reality is that if the cost of repairing and upgrading the property is uneconomic, it is likely that it would remain unoccupied and would continue to deteriorate, devaluing its limited heritage significance.

Alongside concerns over the high conservation deficit (economic viability) in restoring the building it is also noted that the extent of the works involved will substantially reduce the authenticity and historic value and therefore significance of the heritage asset.

There is no lesser option than demolition to facilitate the proposed development and therefore consideration of the scale of harm from its loss is required, having regard to its significance as a NDHA.

- Impact of the proposal on the significance of the NDHA – Balanced Judgement

Non-designated heritage assets are on the lowest rung of the hierarchy of heritage assets, they do not have statutory protection and their loss requires a balanced judgement (NPPF 197). The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter.

The significance of the Neptune Inn as a NDHA (albeit at a low level) would be totally lost due to demolition. NPPF 197 requires weighing “applications” that affect a NDHA and this means the consideration of the application (i.e. the scheme as a whole including the replacement building). It then requires a balanced judgement having regard to the scale of any harm and the significance of the heritage asset.

Neptune Inn is a heritage asset of low significance, it is considered that its demolition (with recording prior to removal) would result in an impact that is slight adverse in scale. The benefits of the proposed redevelopment, are however more substantial, supporting the growth and success of Burnley as a “university town”, generating activity and vibrancy in the heart of the Weavers’ Triangle and contributing to the wider heritage-led regeneration of the conservation area. The benefits of the proposal extend to enhancing the setting (appearance in views) of the Grade II listed buildings on the vicinity of the site by filling an unsightly ‘gap’ site and remedying the present dereliction and sense of abandonment.

Neptune Inn would be replaced with a building that has been designed to reflect and reinforce the role of the heritage asset in terms of its contribution to the character and appearance of the local townscape (as set out in para 5.4 below). The replacement building is considered to be a thoughtful response to its context, that assimilates well with its historic surrounding and that makes a positive contribution to local character and distinctiveness.

The structural inspection confirms that the building is in exceptionally poor structural condition and beyond reasonable economic repair and the Heritage Assessment confirms that the building has low significance as a NDHA. The loss of the building is nevertheless an adverse effect but taking the merits of the proposed development into account, its proposed demolition is not considered to be unacceptable when a balanced judgement is made in accordance with paragraph 197 of the Framework.

The same conclusion is drawn in respect of the standing remains of the former Sandygate Weaving Shed engine house / boiler room at the west corner of the application site which is also capable of being regarded as a non-designated heritage asset.

A condition requiring that archaeological recording is made before the development starts and a watching brief is in place whilst development is carried out would be appropriate, in line with the recommendations of the Lancashire Archaeology Advisory Service.

The Impact on the Character and Appearance (Significance) of the Canalside Conservation Area

- The character and appearance (and significance) of the CA

The significance of the CA primarily lies in the architectural and historic interest as a surviving example of a nineteenth century textile manufacturing landscape. Careful consideration is required of whether the removal of the existing building and its replacement would preserve or enhance the contribution of the site to the character or appearance of the CA which is derived primarily from:

- Association with the growth of the Lancashire cotton industry

- Sinuous line of the canal and enclosing buildings and landscape
 - Victorian industrial, residential and commercial uses in a dense pattern of development,
 - Distinctive urban form and architectural character, based on functional requirements, simple palette of robust local materials and engineering techniques
 - Monolithic scale and mass of industrial buildings
 - The layering of buildings of contrasting volume, which creates depth and a highly varied roofscape.
 - Canal engineering features
 - Dynamic views along the canal; views of the key built components particularly the distinctive roofscape; and glimpsed views to open countryside beyond the town
- The Contribution of Neptune Inn to the Character and Appearance (Significance) of the Conservation Area and the impact of its loss when considered in isolation

The contribution of the NDHA to the character and appearance of the CA has been subject to a thorough assessment by the applicant. The assessment concludes that Neptune Inn is an early building that is illustrative of the growth of the area that despite its poor physical condition makes a positive contribution to the significance of the CA. Its restrained palette of materials, simple form and siting on the back edge of the footpath is characteristic of the area and this loss will have a detrimental impact on the character and appearance (significance) of the conservation area.

There is no reason to arrive at different conclusions in this regard. The impact would be localized within the context of the CA as a whole and would not detract from its overall heritage significance. Accordingly, the harm arising would be considered minor adverse and for the purposes of NPPF 196, this equates to less than substantial harm to the CA as a designated heritage asset. However, demolition is only one factor in this consideration and the loss of the NDHA must be weighed in the overall consideration of whether the proposed development as a whole (including any replacement building and any public benefits arising) would cause a degree of harm to the character or appearance of the CA.

It has been held in the High Court (Dorothy Bohm V SSCLG [2017]) that when considering the demolition of a NDHA in a Conservation Area it cannot be treated as harm to a designated heritage asset in isolation, but that the scheme as a whole including any replacement building needs to be considered, with demolition being just one factor in this.

- The Impact of the proposed replacement building on the character and appearance (significance) of the Conservation Area.

In accordance with Local Plan Policy HE3 and its supporting text, development within conservation areas should be of a high quality contextual design and will be expected to preserve and where appropriate enhance those elements that contribute to its special character and appearance including the positioning and grouping of buildings, form, scale, enclosure, detailing (including fenestration) and materials.

The Local Planning Authority has engaged with the design team to refine aspects of the design to produce a building that is suitable for its location. Though the proposal involves demolition, the new building has been designed to reflect and reinforce the role of the Neptune Inn in terms of its contribution to the character and appearance of the local townscape as follows:

- Strong corner treatment that reinforces the street edge and provides active elevations
- Enclosure to the eastern edge of the square and strong building line to Neptune Street
- Traditional and simple palette of materials and restrained architectural detailing
- Rhythmic door window patterns providing strong vertical emphasis.
- Stepped roofline that echoes the sloping topography

The scale, form and mass of the proposed building are resonant with the industrial structures that formerly occupied part of the site. It has been designed to re-introduce a robust presence, sense of enclosure and urban grain appropriate to the area. The elevations are simple, carefully articulated and fenestrated to reduce the visual bulk of the building and enable it to successfully integrate into its surroundings.

The result is a building that is a thoughtful and high quality response to its context, that assimilates well with its historic surrounding and that makes a positive contribution to local character and distinctiveness.

- Public Benefits

The applicant's planning statement sets out a range of important social, environmental and economic benefits that the proposed development including supporting the economic growth and success of Burnley as a "university town", generating activity and vibrancy in the heart of the Weavers' Triangle and contributing to the wider heritage-led regeneration of the conservation area. The benefits of the proposal extend to enhancing the setting (appearance in views) of the Grade II listed buildings on the vicinity of the site by filling an unsightly 'gap' site and remedying the present dereliction and sense of abandonment.

- Overall Impact of the proposal on the character and appearance (significance) of the Conservation Area

The overall impact of the development on the significance of the CA as a whole is assessed to be neutral (at its worst) as the adverse loss of the former Neptune Inn and remnant of the weaving shed wall, is countered by the positive benefit of redevelopment, and the development will not otherwise adversely harm the special character and appearance (significance) of the CA. The proposed development would reflect the character of the CA and preserve that part of the CA it would be located in. Therefore, the scheme would not be in conflict with Local Plan Policy HE2 which seeks to preserve and enhance the borough's designated heritage assets.

The Impact on the Setting of nearby Designated Heritage Assets

The indirect effect of the proposed development on the significance of the Grade II listed buildings in the vicinity of the site is assessed to range from slight to moderately beneficial as it will enhance their setting (appearance in views) by filling an unsightly 'gap' site and remedying the present dereliction and sense of abandonment.

The proposed development is not considered to harm the significance of the surrounding listed buildings and Scheduled Monument

Summary of Heritage and Design Considerations

In summary, Neptune Inn is a (non-designated) heritage asset of low significance, it is considered that its demolition would result in an impact that is slight adverse in scale. The benefits of the proposed redevelopment, are however more substantial, supporting the growth and success of Burnley as a university town, generating activity and vibrancy in the heart of the Weavers' Triangle and contributing to the wider heritage-led regeneration of the conservation area.

The loss of the building is an adverse "harmful" effect but taking the merits of the proposed development into account, its proposed demolition is not considered to be unacceptable when a balanced judgement is made in accordance with NPPF paragraph 197. The same conclusion is drawn in respect of the standing remains of the former Sandygate Weaving Shed engine house / boiler room at the west corner of the application site which is also capable of being regarded as a NDHA.

Though the proposal involves demolition, the new building has been carefully designed to reflect and reinforce the role of the Neptune Inn in terms of its contribution to the character and appearance of the local townscape.

The scale, form and mass of the proposed building are resonant with the industrial structures that formerly occupied part of the site. It has been designed to re-introduce a robust presence, sense of enclosure and urban grain appropriate to the area. The elevations are simple, carefully articulated and fenestrated to reduce the visual bulk of the building and enable it to successfully integrate into its surroundings.

The result is a building that is a thoughtful and high quality response to its context, that assimilates well with its historic surrounding and that makes a positive contribution to local character and distinctiveness.

In terms of the impact of the scheme as a whole on the significance of the Conservation Area, it has been held in the High Court (Dorothy Bohm V SSCLG [2017]) that when considering the demolition of a NDHA in a CA it cannot be treated as harm to a designated heritage asset in isolation, but that the scheme as a whole including any replacement building needs to be considered, with demolition being just one factor in this.

The applicants planning statement sets out a range of important social, environmental and economic benefits that the proposed development including supporting the economic growth and success of Burnley as a "university town", generating activity and vibrancy in the heart of the Weavers' Triangle and contributing to the wider heritage-led regeneration of the conservation area. The benefits of the proposal extend to enhancing the setting (appearance in views) of the Grade II listed buildings on the vicinity of the site by filling an unsightly 'gap' site and remedying the present dereliction and sense of abandonment.

The overall impact of the development on the significance of the CA as a whole is assessed to be neutral (at its worst) as the adverse loss of the former Neptune Inn and remnant of the weaving shed wall, is countered by the positive benefit of redevelopment, and the development will not otherwise adversely harm the special character and appearance (significance) of the CA. The proposed development would reflect the character of the CA and preserve that part of the CA it would be located in. Therefore, the scheme would not be in conflict with Local Plan Policy HE2 which seeks to preserve and enhance the borough's designated heritage assets.

The indirect effect of the proposed development on the significance of the Grade II listed buildings in the vicinity of the site is assessed to range from slight to moderately beneficial as it will enhance their setting (appearance in views) by filling an unsightly 'gap' site and remedying the present dereliction and sense of abandonment.

The proposed development is not considered to harm the significance of the surrounding listed buildings and Scheduled Monument.

HIGHWAY CONSIDERATIONS

The site is in close proximity to the UCLAN campus at Victoria Mill on Trafalgar Street and it is directly connected to it by the pedestrian and cycle bridge over the Canal. The site is in an accessible location within walking distance of shops and amenities and it lies close to the town centre with bus and rail connections. The development is designed to be car free but offers 7 car parking spaces at lower ground floor level of the building and a car parking area for 35 cars provided on land at the top of Wiseman Street, alongside the Canal.

The car park will be retained in the ownership of Burnley Borough Council. Signs will be erected clearly stating that the car parking is for permit holders only and not for public use. This approach is proving successful at Burnley Vision Park.

UCLAN, who will be managing the student accommodation on behalf of the Council, will be responsible for issuing car parking permits. UCLAN operate strict parking rules across their facilities in Preston and Burnley, in line with their Travel Plan

UCLAN aim to reduce car use and encourage staff and students to use more sustainable forms of transport. Students living in Halls are not eligible for a car parking permit and are actively discouraged from bringing their cars onto campus

Permits are issued based on the following qualifying criteria backed by evidence:

	Qualifying Criteria	Evidence Required
1	Be a Blue Badge holder (priority permit will be issued free of charge)	Sight of current valid Blue Badge
2	Live Off Campus and further away than 60 minutes by public transport	Not Applicable to students living in halls of residence
3.	Have child care commitments for dependent children that are under the age of 12 years at the start of the semester	Child's birth certificate, Benefit award notice, Child Tax Credits award notice or passport showing the child's name and DOB
4.	Have a mobility need, certified by your Doctor (eligible for priority permit, payable as per current rates)	A current letter from your Doctor, this must detail how your condition affects your mobility and requires a Priority permit (evidence will be required for each new application)
5	Have a medical condition certified by your Doctor (eligible for a standard permit, payable as per current rates)	A current letter from your Doctor, confirming your issue and need for a permit
6	Course requirements e.g. placements on health courses	Sight of students timetable, with permits issued for duration of off campus placement
7.	Genuine case or hardship resulting from inability to obtain a permit through the above criteria	Each application will be considered on a case by case basis, subject to availability.

Students will be charged to use the car parking facilities at the Sandygate accommodation on the same tariff that applies across all UCLAN facilities. The strict application of car parking permits works well at its Preston campus.

The Highway Authority has raised no objections to the development and any appropriate conditions connected to the highway advice will be reported to Committee.

IMPACT ON NEIGHBOURING OCCUPIERS

The development will lead to the four storey building falling within 5 metres of adjacent offices and business and there will be some impact on the amenities of the neighbouring business premises in terms of loss of privacy, light and outlook. There are no residential properties which would be affected and the same planning considerations in respect of distances from windows and loss of sunlight which would apply to dwellings would not relate in the same way to business premises.

It has always been intended that heritage-led regeneration would follow the historic pattern and character of the Weavers' Triangle, often with a mix of large and small structures within a tight fit urban grain and it is not unexpected that this will involve an element of overshadowing of existing premises when the vacant sites are developed. However, the existing business will benefit from the vitality brought by the development which will contribute significantly to economic well-being in the area.

Offices and businesses on the other side of the Canal at Slaters' Terrace are set approximately 65 metres across Sandygate Square and will not be significantly affected by the development.

The issue relating to the disruption of the broadband signal to neighbouring business is not a planning matter. It would not be reasonable to prevent development on the basis that it will interrupt a 'line-of-sight' system when broadband services can be delivered in a variety of ways. It would be up to the neighbouring businesses if they wish to privately negotiate a wireless relay system with the applicant.

The residents of Bridgewater Apartments is the only residential development within the vicinity of the site but it is offset by 25 metres to the south and positioned at an oblique angle. There will be no loss of amenity to the properties.

There will inevitably be some disruption during the construction period. The construction management plan which controls the locations for the unloading and storage of plant and materials; staff parking; security hoarding; control of dust and emissions; routing of vehicles to the site, etc should mitigate the disruption as far as possible.

OTHER MATTERS

Ecology

A bat scoping survey has been submitted with the application, which confirms that Neptune Inn does not contain, and contains little potential for, any bat roosts. The demolition and redevelopment of the site will have no impact on roosting bats or other protected species and nesting birds. The proposal is in line with Policy NE1 of the Local Plan.

Refuse Storage Provision

Appropriate provision is made within the scheme for refuse storage.

Contamination

Appropriate Site Investigations and Risk assessments have been carried out which confirm that the site does not contain significant concentrations of potential contaminants, asbestos fibres or any significant ground gas generation. Subject to the mitigation measures set out in the report and appropriate precautions undertaken during construction, the site presents a low environmental risk. Conditions requiring the site to be development taking into account the recommended precautions are appropriate.

Flood Risk and Drainage

The application is supported by a Flood Risk Assessment and Drainage Strategy and the information has been supplemented by further information required by the Lead Local Flood Authority (LLFA). A condition requiring that the development shall proceed only in accordance with the LLFA's recommendations would be appropriate.

Conclusion

The development will deliver a wide range of significant social, economic and environmental benefits and would represent sustainable development in line with national and local policies.

The site is in an accessible location for student accommodation in close proximity to the newly opened UCLAN campus at Victoria Mill. The development is consistent with the heritage and regeneration policies of the Local Plan and it will help to deliver the planned expansion of the student population and the Council's ambition to transform Burnley into a leading 'university town'.

A key vacant site in the Weavers' Triangle will be regenerated which will complete the planned redevelopment of Sandygate Square.

The demolition of Neptune Inn has been fully justified and the new building has been designed to reflect and reinforce the role of the Neptune Inn in terms of its contribution to the character and appearance of the local townscape.

There is strong corner treatment that reinforces the street edge and provides active elevations and there is enclosure to the eastern edge of the square with a strong building line to Neptune Street; traditional and simple palette of materials and restrained architectural detailing; rhythmic door window patterns providing strong vertical emphasis and a stepped roofline that echoes the sloping topography.

The scale, form and mass of the proposed building are resonant with the industrial structures that formerly occupied part of the site. It has been designed to re-introduce a robust presence, sense of enclosure and urban grain appropriate to the area. The elevations are simple, carefully articulated and fenestrated to reduce the visual bulk of the building and enable it to successfully integrate into its surroundings.

The result is a building that is a thoughtful and high quality response to its context, that assimilates well with its historic surrounding and that makes a positive contribution to local character and distinctiveness.

Amendments have been made to the application to provide additional parking provision off Wiseman Street and the Highway Authority raise no objection to the development.

There are no other material considerations which indicate that planning permission should not be granted.

Recommendation:

That planning permission be granted subject to the following 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: Drawing Nos: 005 C, 001A, 015 A, C-50 B 9 January 2019, Amended drawings: 001L, 002L, 003L, 004L, 006F, 007F, 008E received 16 Jan 19. (to be updated at Committee)
3. The development shall be carried out in full accordance with a scheme which has first been approved in writing by the Local Planning Authority, to include details of the design, based on sustainable drainage principles and implementation of an appropriate surface water sustainable drainage scheme. The details shall include as a minimum:
 - a) Information about the lifetime of the development:
 - Design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change, see EA advice (Flood Risk assessments: climate change allowances) - discharge rates and volumes (both pre and post development)
 - Temporary storage facilities
 - The methods employed to delay and control surface water discharged from the site
 - The measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourse
 - Details of floor level in AOD
 - b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield run-off rate. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed.
 - c) Flood water exceedance routes, both on and off the site
 - d) A timetable for implementation, including phasing if possible
 - e) Evidence of an assessment of the site conditions to include site investigation

The scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the approved dwellings or the completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

4. The development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.
5. The development shall be carried out in full accordance with a scheme which has been approved in writing by the Local Planning Authority, providing details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development, to include:
 - a) the arrangements for adoption by an appropriate public body, statutory undertaker or management company.
 - b) Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) which will include elements such as
 - ongoing inspections relating to performance and asset condition assessments
 - operation costs for regular maintenance , remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage system scheme throughout its lifetime.
 - means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of the approved development or the completion of the development whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

6. The development shall be carried out in full accordance with the approved Construction Management Plan to the satisfaction of the Local Planning Authority.
7. The development shall be carried out in full accordance with the submitted Site Investigation Report and Risk Assessment (Phase II Geo-Environmental Site Investigation and Risk Assessment reference 180903.R.001, dated December 2018)
8. In consideration of the Phase I/Phase II Report (12-777-R1), details of imported soil shall be submitted before use within the cover system, with information to include source and quantity provided, date of acceptance, and a chemical analysis for a full suite of contaminants. As per report 12-777-R1, ground gas monitoring shall be completed with the findings submitted in writing to the Local Planning Authority.

Any arisings and/or site-won materials shall be chemically analysed prior to re-use on-site with validation provided to the Local Planning Authority for approval if applicable. If removal of any identified local TPH 'hotspots' is decided as a remedial option, sampling and analysis shall be undertaken to confirm the suitability for use of the remaining soil, with validation provided to the Local Planning Authority for approval in writing, if applicable.

Following completion of measures identified in the remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to, and approved in writing by the Local Planning Authority.

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation must be undertaken to establish the nature and extent of contamination in consideration of potential receptors. Where sampling is required to establish the extent of unexpected contamination, the results shall be forwarded to the Local Planning Authority. If further remediation is required, the additional information shall also be submitted and approved by the Local Planning Authority.
10. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed in writing by the Local Planning Authority, and the provision of reports on the same must be prepared, both of which must be submitted to and approved by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority. These measures must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

11. A programme of archaeological work including the creation of a record of the former Neptune Inn to level 3 and the remnant of the Sandygate Shed boiler room or engine house wall to level 2 as set out in *Understanding Historic Buildings (Historic England 2016)*, shall be carried out in accordance with an approved written scheme of investigation, before any work on the demolition of Neptune Inn and the remnants of the Sandygate Shed boiler room/engine house takes place. This work shall be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. The record shall be lodged with the Local Planning Authority within 2 months of the date of this decision.
12. A formal watching brief during both groundworks and the demolition of the former Neptune Inn (in particular removal of foundations, floor slab, etc) followed by such subsequent work as required to investigate and record any remains encountered. This work shall be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists.
This work shall be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of the archaeological record and analysis shall be lodged with the Local Planning Authority within two months of its completion.

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 that the proposed development is adequately drained and that there is no flood risk on or off site resulting from the proposed development.
4. To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on or off the site resulting from the proposed development or resulting from inadequate maintenance of the sustainable drainage system.
5. To ensure that appropriate and sufficient funding and maintenance mechanisms are in place for the lifetime of the development; to reduce flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/body/ company/undertaker for the sustainable drainage system.
6. In the interests of highway safety, the prevention of pollution to the canal and the surrounding environment.
- 7, 8, 9 &10 To ensure that all risks associated with contamination of the site are adequately dealt with, having regard to Policy EN5 of Burnley's Local Plan 2018.
- 11/12. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site, having regard to Policy HE2 of Burnley's Local Plan 2018.