

Application Recommended for Approval

APP/2019/0148

Daneshouse with Stoneyholme Ward

Full Planning Application

Proposed change of use of ground floor and basement from drinking establishment to office use; change of use of first and second floor from office to residential use comprising four bedsitting rooms with shared facilities; proposed extension to rear elevation to provide enclosed access stairway to upper floors.

22 MANCHESTER ROAD BURNLEY

Background:

The application relates to a town centre building within a terrace of commercial property.

An objection has been received.

Relevant Policies:

National Planning Policy Framework

Burnley Local Plan (2018)

HE2 – Designated Heritage Assets

HE3 – Non-Designated Heritage Assets

EMP4 – Office Development

HS4 – Housing Developments

SP5 – Development Quality and Sustainability

Site History:

APP/2013/0495: Change of use of ground floor and basement from shop to drinking establishment – Granted

Consultation Responses:

Highway Authority - No objection. Concern about lack of provision for cycle storage and waste bin storage. [*Comment – Details of the siting of a waste bin and cycle store (in the rear yard) have now been added to the application. A condition is recommended to require full details to be submitted for subsequent approval*].

Environmental Health – No objection. Request imposition of a condition relating to internal noise levels.

Neighbouring Office - Letter from a nearby commercial office (not next door) making objections as follows (summarised):

1. No provision for car parking which could result in 'fly-parking' in private spaces of adjoining premises. [*Comment – Town centre residential accommodation is rarely provided with car parking due to its beneficial, sustainable location. A grant of permission would not over-ride private car parking rights. Such 'fly-parking' (if it occurs) could be prevented by installation of lockable bollards/chains, and the like*]
2. Residential should not be on ground floor in a commercial street. [*Comment – Initially the application was unclear and appeared to propose residential at ground floor level. This has now been clarified - the ground floor and basement*

would be changed from public house to offices; the upper floors to residential - which would be in accordance with the development plan]

3. Concern about internal noise, despite insulation; noise emitted via open windows; fumes/cooking smells. [*Comment – There is unlikely to be a harmful level of impact in this town centre location*]
4. Absence of provision for waste disposal bin storage leading to the use of private bins of others. Concern about a rubbish/rodent issue. [*Comment – Properly managed property should not result in problems of that nature. Appropriate provision is made for refuse bins at the rear of the building. A condition is recommended to ensure that remains in effect*]

Planning and Environmental Considerations:

The property is of three storeys with basement, set in a mid-position in a mainly commercial/office terrace position in Burnley Town Centre. The property is now vacant. In earlier years it was a shop; latterly it was a small 'pub' on the ground floor and basement, with a separately accessed solicitors' office on the first and second floors.

The terrace, in the traditional part of the town centre, is end-stopped by substantial buildings purpose built as banks (one still in bank use/one in mixed use). The intervening terrace comprises 7 units (4 estate agents, solicitors, opticians, and the application site). There is a mix of commercial uses at upper floor level. An archived image (below) shows the site before (in 2013) the change to the pub use.

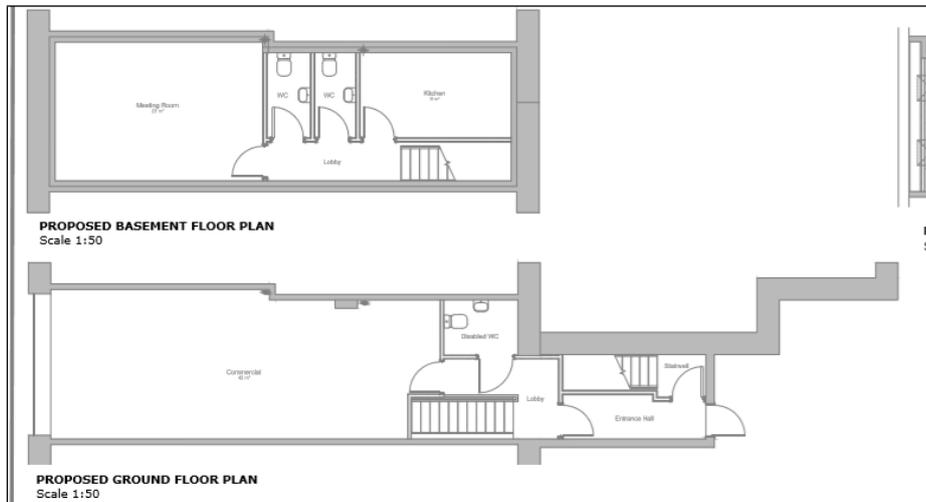


Application site

The property has a rear door allowing access, across a small yard area, from Dugdale Street, which runs along the back of the terrace, giving access to small parking spaces rear of several other properties.

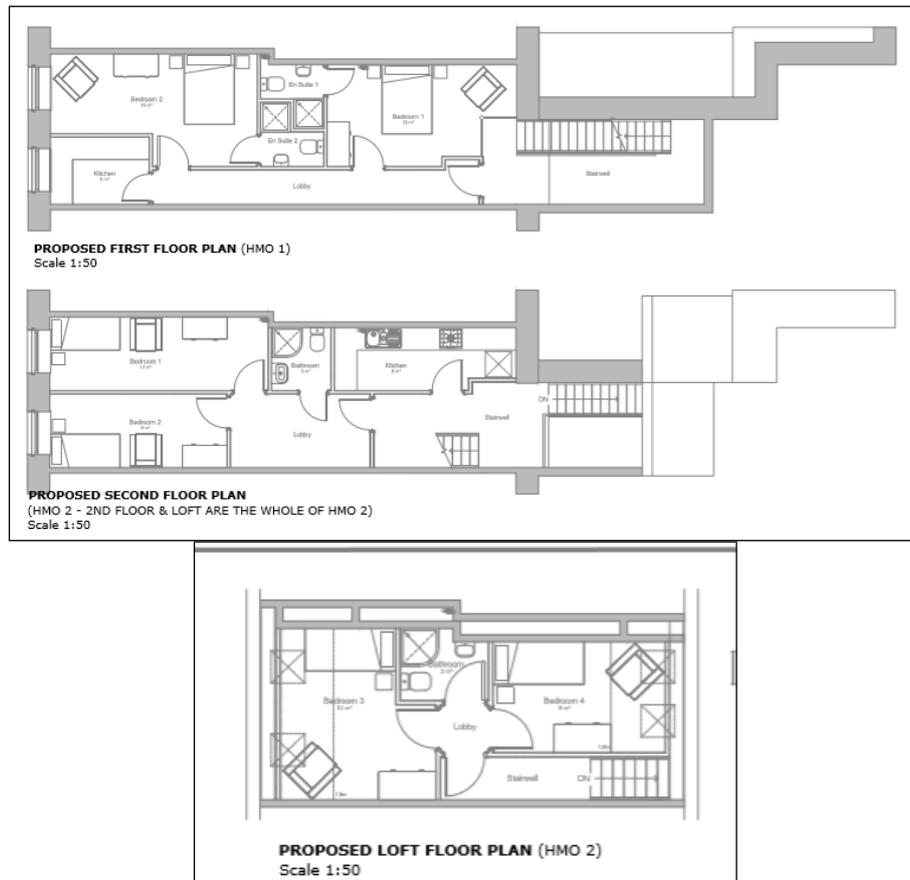
The present proposal is to restore a commercial/office use to the ground floor and basement. A new shop would be provided to the street frontage – this is not included

in the application and a condition is recommended to require full details in respect of that matter. The offices would be accessible from front and rear.



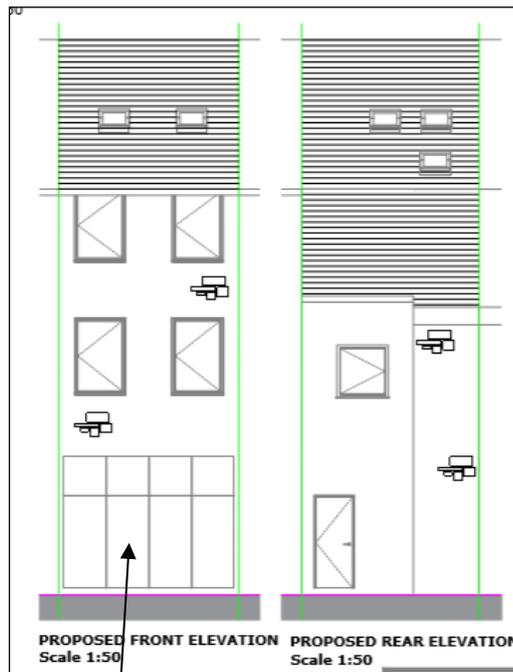
Proposed ground floor/basement Offices

The upper floors (first, second and roof space) would be reconfigured to provide six bed-sitting rooms, with en-suite or close by shared facilities.



Proposed residential layout of upper floors

A two-storey extension would be built at the rear of the building to contain a stairway access to the upper floors.



Proposed front and rear elevations
 (ground floor 'shop front' for subsequent design and submission)

The main planning issues are the acceptability of the proposed use of the Town Centre building; the impact on the heritage asset; and, the quality of the residential accommodation for future residents.

The proposed use

Policy EMP4 states that the Town Centres of Burnley and Padiham will be the focus for new office development. It also states that changes of use of upper floors from office to residential use will be supported providing it does not affect ground floor uses. The proposal would, therefore, be in accordance with the policy.

Impact on heritage asset

The building is a designated heritage asset, being within the Burnley Town Centre Conservation Area and locally listed as of architectural and/or historic interest. Therefore the Planning (Listed Buildings and Conservation Areas) Act 1990 applies to the proposal; s72 requires that special attention be paid to the desirability of preserving or enhancing the character of that area.

Policy HE2 sets the relevant criteria, requiring as follows:

Proposals affecting designated heritage assets and/or their settings will be assessed having regard to the desirability of sustaining and enhancing the significance of the asset and, where appropriate, securing a viable use most consistent with conservation. All levels of harm should be avoided.

Policy HE3 seeks to ensure the retention, good maintenance and continued use of non-designated heritage assets.

The proposal would provide a beneficial use for the building, putting it in good order. The submitted Heritage Statement concludes that the renovation of the building, without major external change, would contribute to the attractive street scene of this part of Manchester Road.

The rear extension would be of modest size, set within an enclave formed by the similar out-buildings of adjoining properties. It would be finished externally in materials (rendered finish, with stone corners) matching the rear of the existing building and surroundings. The proposal would enhance, rather than harm the building; the new use would be a sustainable addition to the town centre, preserving the character of the conservation area. The applicant wishes to design the ground floor street frontage of the building to suit future occupiers and a condition is recommended to require details to be submitted in due course.

Residential quality

The quality of the residential accommodation would be in accordance with **Policy HS4**. The Town Centre location has the benefit of sustainable location, with ready access to employment, shopping, public transport and other amenities. Cycle and waste bin storage is indicated and a condition is recommended to require full details, and implementation.

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 shall be carried out in accordance with the application drawings, namely: Location Plan and location of bin and cycle storage, received 23 May 2019; Drawing numbers 001 (Existing Plans and Elevations); 002 (Proposed Plans and Elevations); received 20 May 2019.
3. Before the residential accommodation and/or the office accommodation is brought into use the cycle storage and waste/recycling bin storage (as indicated on the submitted drawing referred to in condition 2) shall be provided in accordance with details to be previously submitted and approved in writing by the Local Planning Authority. The cycle storage and waste/recycling storage shall be implemented as approved and shall thereafter be retained at all times.
4. Before the ground floor office accommodation is brought into use, the ground floor front elevation of the building shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
5. Before the residential accommodation is first occupied it shall be insulated against internal noise in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The insulation provided shall ensure that the noise level within the units does not exceed:
35 dB LAeq, 16hour for bedrooms (07.00 hours – 23.00 hours);
30 dB LAeq, 8hour for bedrooms (23.00 hours – 07.00 hours);
45dB LAMax for individual noise events in bedrooms (23.00 hours – 07.00 hours).

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.
3. To ensure that proper provision is made in the interests of sustainability of transport, convenience of access, efficient disposal of waste and recycled materials, visual amenity and the character and appearance of the conservation area generally, in accordance with Policies HS4, IC3, HE2 and HE3 of the Burnley's Local Plan (2018).
4. In the interests of the character and appearance of the Town Centre Conservation Area and the appearance of the street scene generally.
5. To ensure that the proposed bed sitting rooms are adequately protected from noise generated externally and internally, in accordance with Policy SP5 of the Burnley's Local Plan (2018).

AR
18.6.2019