

Proposed conversion of works (former church) to 18no. assisted living (Class C2) apartments  
Wrights Upholstery, Claremont Street, Burnley

**The application property:**

The application property, the former Claremont Street United Free Methodist Church, is located at the junction of Claremont Street and Tabor Street. It is a prominent building within the streetscene, visible across the waste ground to the west that was formerly the site of an adjoining school. While the building in the main still retains its external character as a place of worship, along the northern flank a modern workshop has been added which along with a vehicle repair garage gives this aspect a distinctly industrial appearance. The surrounding area is characterised by a mix of uses with predominantly Victorian terraced houses to the south west of Tabor Street and a primary school, medical centre and recreational ground to the north east.

The church (c.1891) ceased use as a place of worship in the 1960s and since that time has been used for light industrial and retail purposes. Though the building has been subject to a number of insensitive later alterations and additions during its period of industrial use, it is considered to retain sufficient heritage interest at a local level which is reflected in its status as a locally listed building (non-designated heritage asset). The nature of its significance lies principally in its architectural and historical interest as a late nineteenth century Methodist Church and for its presence within the street-scene. While the exterior retains its character as a place of worship, the interior has lost most of this character owing to extensive alteration and insertion of floors, with the exception of the few original features which remain. These are chiefly the plasterwork of the chancel, a staircase and several memorial tablets. The modern garage/workshops at the rear of the former church are of no interest and detract from its significance and character.

The building is presently vacant and is showing signs of lack of maintenance.

The site is accessed by vehicles, pedestrians and cyclists from the existing highway, Claremont Street and Tabor Street, which are lightly trafficked side streets with no Traffic Regulation Orders restricting on-street parking of vehicles. Cycle access to the site is relatively good and there is presently high levels of bus accessibility and service frequency.

The site is located within the development boundary for the settlement of Burnley as defined in Burnley's Local Plan.



Elevation (south-west) fronting Claremont Street



View north-east across the site



Elevations fronting Claremont and Tabor Streets



Elevation to Tabor Street (north-west gable)

### **The proposal:**

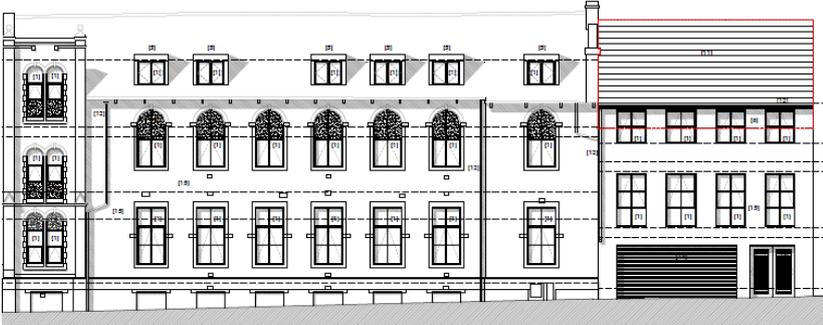
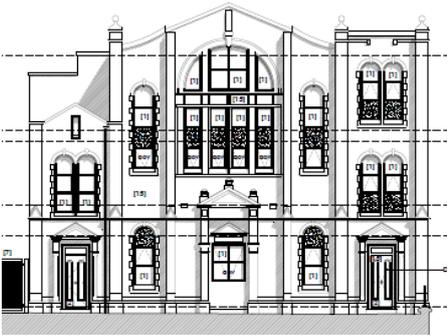
This application seeks planning permission for the conversion of the existing building and adjoining two storey workshop/garage last used as an upholstery workshop with associated warehouse and retail showroom (Use Class B2) into 18 one bedroomed assisted-living apartments (Use Class C2).

The end user is a charitable housing association and registered social landlord. The tenants will live largely independent lives but benefit from easy access to the support functions. Staff will regularly visit properties for the purposes of conducting property and maintenance inspections, to provide tenant advice and guidance and to attend emergency call outs (if required).

The proposal includes the following:

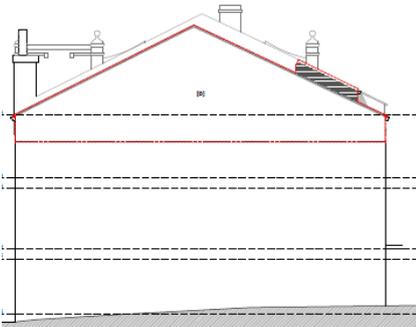
External: The principal elevations of the former Church will remain essentially unaltered. Blocked window openings will be re-instated and existing frames replaced with Crittall style steel windows. The greatest change is to the roof-space, where on the north-east plane of the nave a series of dormers are to be introduced, to light the second floor apartments. The dormers and steel windows add a complementary modern aesthetic to the building. At the rear the modern red-brick workshop/garage extension is proposed to be remodelled to give it a domestic appearance including rendered elevations, vertically proportioned windows and an increase of approximately 2.5m in height with a steeper roof pitch to provide an additional floor.

Internal: The three existing floors are proposed to be subdivided to create 18 apartments comprising 5 at ground floor, 7 at first floor and 6 at second floor. The surviving historic features will be retained.



Proposed South-West Elevation

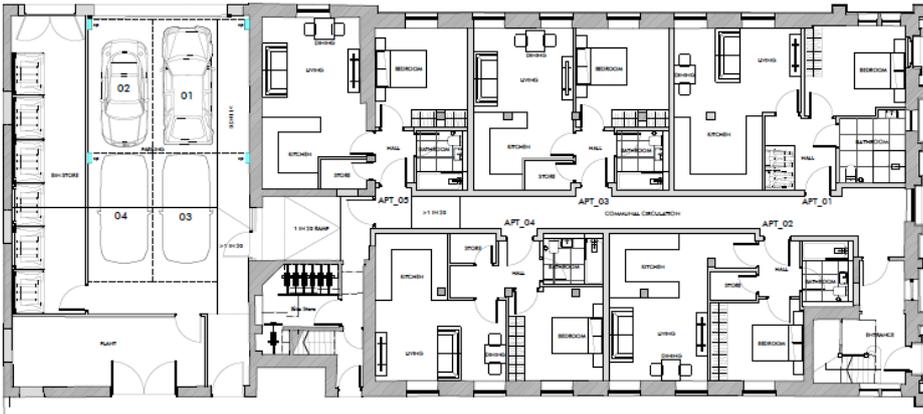
Proposed East Elevation to Tabor Street



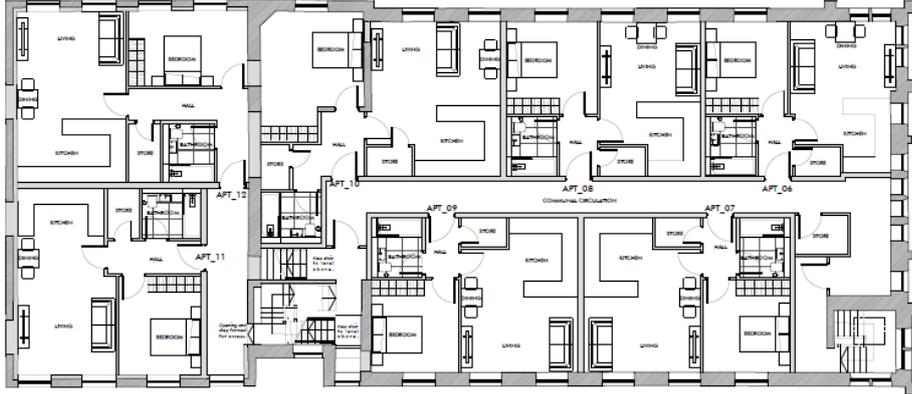
Proposed West Elevation

Proposed North-West Elevation

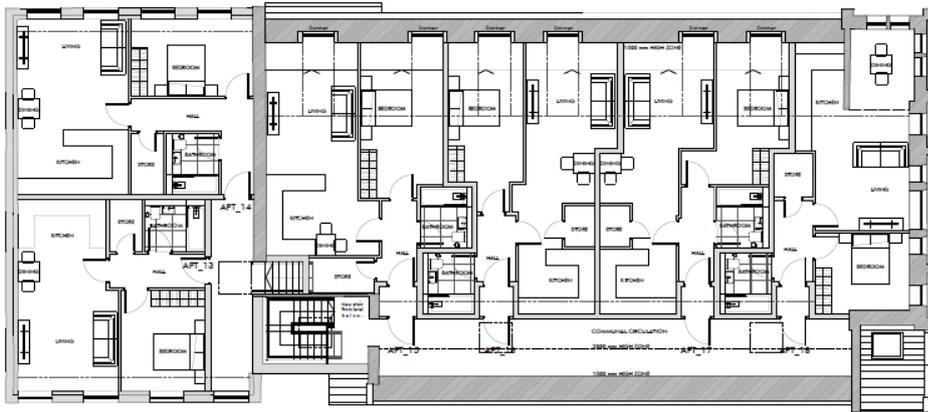
Proposed Floor Plans



Ground Floor



First Floor



Second Floor



Visual showing the proposed alterations to the elevations fronting Claremont and Tabor Streets

Access: The present pedestrian access arrangement via the adopted highways will be retained. A secondary pedestrian access (via the side access path from Claremont Street) will also be provided as part of the proposed development.

Parking and Refuse/Recycling Facilities: The existing garage building to the rear will house a facility at ground floor for 4 car parking spaces accessed off Tabor Street. The bin store will also be facilitated here.

**Relevant Policies:**

Burnley's Local Plan (July 2018)

- SP1: Achieving Sustainable Development
- SP4: Development Strategy
- SP5: Development Quality and Sustainability
- HS4: Housing developments
- EMP3: Supporting Employment Development
- HE3: Non-Designated Heritage Assets
- NE1: Biodiversity and Ecological Networks
- NE5: Environmental Protection
- IC1: Sustainable Travel
- IC3: Car Parking Standards

The National Planning Policy Framework (2019)

**Relevant Planning History:**

APP/2018/0089 - Proposed change of use to childcare facility – withdrawn

APP/2008/0261 – Outline application for the demolition of the church and erection of 15 apartments (landscaping reserved for future approval) – Granted

**Consultation Responses:**

LCC Highways

Following the submission of additional information and amendments to the submitted plans, there are no objections to the proposal on the basis that the apartments are for assisted living (C2

Residential Institution) and not a C3 dwelling house. A section 278 agreement is required to form two new dropped kerb crossing point on Claremont and Tabor Streets.

### Environmental Health

Recommend the imposition of a condition to secure, where practical, a single electric vehicle charging point within the resident's parking area.

### Greater Manchester Ecology Unit (GMEU)

The preliminary bat roost report assessed the building as having moderate bat roost potential and recommended two nocturnal bat surveys which were subsequently carried out in August and September 2019. No bats were found to be roosting in the building at the time of survey. GMEU confirms that the nocturnal bat surveys have been undertaken by suitably qualified ecologists and to appropriate standards. They accept the findings of the bat surveys and consider that no further surveys are needed before determining the application.

### Publicity

Three neighbour responses have been received, including two objections. The comments provided have been summarised below:

- Observations about roosting bats
- Loss of historic features of the building
- Lack of on-site car parking provision
- Highway disruption
- Private land dispute

### **The Principle of Development:**

Local Plan Policy SP1 sets out a presumption in favour of sustainable development and makes clear that development proposals that are sustainable will be welcomed and approved without delay. In order to be sustainable, development must accord with national and local policy and have regard to, amongst others, the priority afforded to accommodating growth in Burnley and Padiham through the efficient use of land and buildings; and the need to develop sites that are well located in relation to services and accessible by public transport, walking and cycling.

The application site is located within the development boundary for the settlement of Burnley as defined in Burnley's Local Plan. Policy SP4 provides the development strategy for the borough and supports the re-use of existing buildings within the development boundary provided they are compatible with other relevant policies of the Local Plan.

The proposed development is located within the development boundary, it re-uses an existing building and is considered to be locationally sustainable. The proposal is therefore considered acceptable in principle subject to the acceptability of the details of the proposal.

The main issues arising from this proposal relate to the loss of employment floorspace; the impact on the significance of the non-designated heritage asset; the impact on visual and residential amenities, highway safety and parking; and refuse and recycling arrangements. Matters relating to ecology and land contamination have also been assessed.

### Loss of Employment Floorspace

The proposal involves the loss of employment floorspace of around 880 sqm. Local Plan Policy EMP3 allows for the loss of an employment use to an alternative use where redevelopment would not prejudice the operating conditions or viability of adjacent land uses. The application site is in a predominantly residential area and there are no adjacent employment uses. It is to be noted that the last use of the building, as an upholsterers' workshop, operated with minimum impact on the amenities of the area. However the building could be re-occupied by a different industrial operator without the need for planning permission. There are limited car parking, delivery and servicing facilities, with access through residential streets and used to its potential, there is a strong likelihood that an industrial use would be incompatible with the surrounding residential uses and

cause harm to the amenities of the residents. Having regard to this, the loss of employment use on the site is justified in terms of Policy EMP3.

#### Impact on the Significance of the Non-Designated Heritage Asset

The property is a locally listed building (Non-Designated Heritage Asset) which is valued for its architectural and historic interest as a late nineteenth century Methodist Church. Its significance primarily resides in its external form and appearance and its presence within the street-scene, all of which establish its character and legibility as a former place of worship. It is noted that the building has been subject to insensitive later alterations and additions, both internal and external, which have resulted in a reduction in its authenticity and heritage interest. Local Plan Policy HE3 requires proposals affecting non-designated heritage assets to relate appropriately in terms of siting, style, scale, massing, height and materials.

The significance of the building, as a heritage asset, has been assessed and the impact of the proposal examined. The conclusion being that the significance of the heritage asset, which resides primarily in its external qualities, will be essentially unharmed. While a limited degree of change will result from the addition of roof dormers to light the proposed second floor apartments, it is considered this is counterbalanced by enhancements to the exterior of the building and the wider public benefit of securing a viable alternative use for the building which will ensure its long term prospects. Furthermore the proposal will retain and restore the important aspects of the historic fabric and will relate appropriately to its architectural and historic interest. The overall impact the proposal will be to sustain the significance of the heritage asset and as such is considered acceptable under Local Plan Policy HE3 and the NPPF.

#### Visual Amenity - Design and Appearance

Local Plan Policy SP5 seeks high standards of design that positively address local context and characteristics.

Minimal changes are proposed to the principal elevations of the former Church building. The greatest change is to the roof-space on the Tabor Street (north east) elevation where a series of 6 dormers are proposed to be introduced, to light the second floor apartments. At the rear the modern red-brick workshop/garage extension is proposed to be remodelled to give it a domestic appearance, with rendered elevations and vertical windows, and extended in height to provide an additional floor.

Precise details have not been provided for windows, doors, rooflights, dormers, facing materials, roof materials and rainwater goods. The submitted drawings refer to these details being subject to approval by the Local Planning Authority. It is considered appropriate and necessary in the circumstances of this case to require the submission of details through condition in order to ensure that the proposed alterations complement the building's historic character and context in terms of style, appearance and materials.

The proposed alterations have the potential to enhance the character and appearance of the building which is supported in view of its local heritage value and its prominence in the streetscape. Subject to appropriate conditions to control the precise details it is considered possible for the conversion work to be carried out to a high standard of design and without detriment to visual amenity in accordance with Policy SP5.

#### Impact on the amenity of neighbouring properties

In accordance with Local Plan Policy SP5 and HS4 development should not have a detrimental impact on the amenity reasonably expected to be enjoyed by the occupants of neighbouring properties through overlooking, lack of privacy or reduction of outlook or daylight.

The nearest properties with the potential to be impacted by the proposal are Nos 23 to 17 Mitchell Street, with habitable room windows to their rear elevations which are positioned at a distance of approximately 18m from the north-west gable of the existing modern red-brick workshop/garage, proposed to be remodelled. There are presently windows to the ground and first floor of the north-

west gable. The proposed remodelling includes the removal of these window openings as they are incompatible with the proposed internal layout.

Local Plan Policy HS4 sets out the separation distances where habitable room windows face a blank gable and for a three-storey apartment the separation distance is a minimum of 18m. The habitable room windows are adequately distanced and positioned such that the proposal will not present opportunities for direct overlooking of neighbouring residential properties.

It is recommended that a condition be attached to this permission restricting the hours of construction in order to safeguard the amenities enjoyed by the nearby residents.

Taking account of the above, it is considered proposal would not cause a significant loss of privacy or overlooking with neighbouring properties and would not result in a significant or unacceptable reduction of outlook or daylight in accordance with Policies SP5 and HS4.

### Highway Safety and Parking

Policy IC1 seeks to ensure sustainable travel, highway safety and a safe and convenient means of access for all users. Policy IC3 requires the adequate provision of car parking for developments in accordance with specific parking standards set out in Appendix 9. In applying the parking standards Appendix 9 allows for local circumstances to be taken into account which includes the accessibility of the site by public transport, walking and cycling; the availability of existing public parking provision or on-street parking nearby; and whether any under-provision might cause or exacerbate congestion, highway safety issues or on-street parking problems.

The site is situated within a highly sustainable and accessible location. It is accessed by vehicles, pedestrians and cyclists from the existing highway, Claremont Street and Tabor Street, which are lightly trafficked side streets with no Traffic Regulation Orders restricting on-street parking of vehicles. Cycle access to the site is relatively good and there is presently high levels of bus accessibility and service frequency.

Given the expected economic profile of future tenants, it is anticipated that car ownership levels amongst residents will be very low indeed i.e. typically less than 5%. Some visitor car parking demand is expected to occur at the site, i.e. staff and tenants' friends and family. This is expected to result in around 4-5 vehicle arrivals per day. Car parking surveys have been submitted that demonstrate significant levels of on-street parking availability surrounding the application site. It can therefore be concluded that the local highway network has the capacity to safely accommodate any future resident / visitor car parking demand generated by the proposed development.

It is proposed that the existing garage building to the rear will house a facility at ground floor for 4 on-site car parking spaces accessed off Tabor Street. LCC Highways have confirmed that this is acceptable having regard to the sustainable location of the site and that there would be convenient on-street space for visitor parking.

It is considered that parking for cycles could adequately be provided on site and this should be controlled by a condition.

Taking into account the scale and nature of the proposal and other local circumstances as set out above it is considered that the proposal would not cause or exacerbate congestion, highway safety issues or on-street parking problems. It would satisfy the relevant local plan policies IC1 and IC3 and the NPPF which aims to only prevent or refuse development on highway grounds where there is an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

### Refuse and Recycling Arrangements

Local Plan Policy SP5 requires adequate and carefully designed storage for bins and recycling containers located and designed in a way which is both convenient and safe for occupants and supports the quality of the streetscene. The remodelled former garage building to the rear will house a facility at ground floor for refuse/recycling facilities. These arrangements are considered to meet the requirement in Policy SP5.

#### Other Considerations

In terms of land contamination from previous industrial textile uses. Following the submission of a preliminary desk top assessment it is accepted that the site can be classified as low risk in terms of contamination.

In terms of ecology, the site is generally of low ecological value with the main potential being the potential for bat roosting and bird nesting opportunities. Bat surveys have been carried out which found no evidence of bats foraging, commuting or roosting at the buildings. The results of the surveys have been assessed on behalf of the Council by a qualified ecologist at the Greater Manchester Ecology Unit who confirms acceptance to the risk of the development to bats being low and is satisfied that the works to the building can proceed without being detrimental to maintenance of the local bat population. A condition is recommended to require a further bat survey if works are not begun by September 2020. In order to mitigate for any loss of bat roosting and bird nesting habitat a condition is recommended that requires the installation of one bat brick and one house sparrow terrace fitted to the retained building.

#### **Conclusion:**

The proposed development would be beneficial in bringing the building into active viable use, providing convenient and accessible accommodation and securing sensitive alterations and repairs that would safeguard the integrity and future of the non-designated heritage asset. Subject to suitable conditions, the proposed development does not raise any significant concerns in terms of visual and residential amenity and is considered to be acceptable in relation to highway safety and parking. The proposal complies with the development plan and it represents a sustainable form of development and there are no material considerations which would outweigh this finding.

#### **Conditions:**

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

Reason: 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. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No RBA-143-(2)-A100 (Proposed Location Plan Scale 1:500) dated 7.11.19; Drawing No RBA-143-(2)-A201 (Proposed Sectional Study Sheet 01 Scale 1:100) dated 7.11.19; Drawing No RBA-143-(2)-A202 (Proposed Sectional Study Sheet 02 Scale 1:100) dated 7.11.19; Drawing No RBA-143-(2)-A101 (Proposed Site Plan Scale 1:100) dated 7.11.19; Drawing No RBA-143-(2)-A102 (Proposed Plans Sheet 01 Scale 1:100) dated 7.11.19; Drawing No RBA-143-(2)-A103 (Proposed Plans Sheet 02 Scale 1:100) dated 7.11.19; and Drawing No RBA-143-(2)-A200 (Proposed Elevations Scale 1:100) dated 7.11.19.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity

3. Prior to the commencement of any development, full and precise details of the proposed windows, doors, rooflights, dormers, facing materials, roof materials and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter

Reason: To ensure a satisfactory appearance to the development, in accordance with Policies SP5 and HS4 of Burnley's Local Plan (July 2018).

4. Prior to the commencement of any development, details and representative samples of the external materials of construction to be used on the walls and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved materials.

Reason: To ensure a satisfactory appearance to the development, in accordance with Policies SP5 and HS4 of Burnley's Local Plan (July 2018). The details of materials are required prior to the commencement of development to ensure that only approved materials are used throughout the development process.

5. Prior to first occupation of the development hereby permitted a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to first occupation of the development and shall thereafter be retained at all times.

Reason: To ensure a satisfactory appearance to the development, in accordance with Policies SP5 and HS4 of Burnley's Local Plan (July 2018).

6. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with Policy SP5 of Burnley's Local Plan (July 2018).

7. The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy IC3 of Burnley's Local Plan (July 2018).

8. Prior to first occupation of the development hereby permitted, cabling and dedicated socket should be installed to all parking spaces that adjoin a wall where practical to allow for future installation of ULEV charging points at the owner's discretion.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generation in accordance with Policy IC3 of Burnley's Local Plan (July 2018).

9. Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy IC1 and IC3 of Burnley's Local Plan (July 2018)

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows other than those expressly authorised by

this permission shall be constructed in the north western elevation of building hereby approved without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with Policies SP4, SP5 and HS3 of Burnley's Local Plan (July 2018)

11. If the development hereby permitted has not begun by 01 September 2020, a further daytime assessment will be required to confirm bats are not using the site as a roost

Reason: In order to satisfy current wildlife guidance and legislation including the NPPF and Policy NE1 of Burnley's Local Plan (July 2018).

12. Prior to first occupation of the development hereby permitted details showing the type, number, location and timescale for implementation of a compensatory bat brick and house sparrow terrace shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

13. Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 08.00 hours and 17,00 hours on Mondays to Fridays and between 08.00 hours and 13.00 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policies SP5 and NE5 of Burnley's Local Plan (July 2018).

14. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with Policy NE5 of Burnley's Local Plan (July 2018).

EEP 19.12.19

### **Informatives**

*Nesting Birds: The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.*

*Bats: The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly*

*disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.*