

Application Recommended for Approval
Gawthorpe Ward

FUL/2020/0337

Full Planning Application

Change of use of former public house to residential flats, extension and alterations
THE NEW BLACK BULL 4-6 MILL STREET PADIHAM

Agent: Avalon Town Planning

Applicant: Hodgson Property Group

This application is brought before Development Control Committee as objections have been received.

Site and Surrounding Area:

The application relates to a disused public house known as The New Black Bull. It is situated in an attractive terrace of nineteenth century commercial premises directly adjacent to the highway on the south side of Mill Street. The public house has its accommodation spread over two principal floors together with a cellar. It fronts onto Mill Street and is adjoined by the Kings Arms Public House to its immediate west and residential apartments to the east.

The property dates from the early 1800s and has simple detailing and an understated form typical of the period. The building's principal elevation is built of coursed squared sandstone under a slate roof and has strong repeated patterns of fenestration with traditional sash windows. It is a simple and well-proportioned vernacular building that lacks any architectural features clearly distinguishing it as a public house. Prior to its closure in early 2013 the public house was operating on the ground floor with residential accommodation on the first floor. To the rear are modern flat roof additions within the enclosed yard accessed via Calder Street onto Back Shuttleworth Street. The building does not offer on-site parking. Parking restrictions are in place along the Mill Street frontage.



Front (Mill Street) Elevation



Rear Elevation

The building is identified as a locally listed building (non-designated heritage asset) and lies within the Padiham Conservation Area, the special character and appearance of which is described within the Padiham Conservation Area Appraisal (June 2020).

The site is located within the development boundary and Padiham Town Centre, as defined in Burnley's Local Plan, with the immediate area being characterised by a mix of commercial and residential uses. It is considered to be in a sustainable location being situated within walking distance of parks and open space; local shops and services; and convenient public transport.

Heritage Significance:

The New Black Bull is located at the centre of Padiham Conservation Area in an area notable for its concentration of pre-1850 vernacular buildings, including a clustering of coaching inns and public houses around St Leonard's church which retains a strong sense of place and historic character. In terms of the physical form, use of materials and external detailing the New Black Bull adds variety and visual interest to the townscape and contributes positively to the character and appearance of the Conservation Area. The building has group value as part of a cluster of long established coaching inns and public houses, developed along the route of the former historic turnpike road, that add vibrancy to the Conservation Area and illustrate its historic development.

Though the building is showing some signs of deterioration due its prolonged period of vacancy, it does not distract from its local heritage interest as a non-designated heritage asset. Its significance being derived from the historic and architectural interest in its physical fabric; and its communal value and sense of identity associated with its long established use a public house.



Streetscene

Proposal:

This application seeks planning permission for the change of use of the public house to 5 no. residential flats. The building would be divided horizontally over the ground and first floors to create 2 flats with 2 double bedrooms; 2 flats with one double-bedroom; and 1 single bedroom flat. There would be associated physical alterations to reconfigure the internal layout with external alterations largely limited to the existing toilet block at the of the building and include the installation of two roof lights and construction of a small extension. The principal (Mill Street) elevation will be handled sensitively with the retention and repair of the traditional sash windows and panelled timber door and the removal of modern signage and the plastic door canopy.

A single storey rear extension is proposed to facilitate the change of use. The extension would form a continuation of the existing modern flat roof former toilet-block at the common boundary with No 8 Mill Street. The extension would project approximately 2.0m from the

rear of the existing toilet block and span the full width at approximately 4.3m. The height of the extension, which has a flat roof, would be approximately 2.6m. The finish to the external walls would be render to match the existing and the roof would be a rubber membrane. There would be a window and door into the yard.



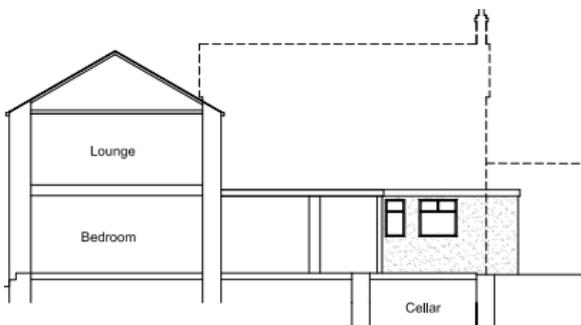
Proposed Site Plan



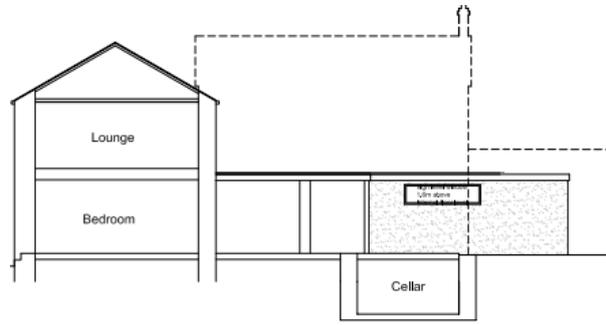
Existing Rear (South) Elevation



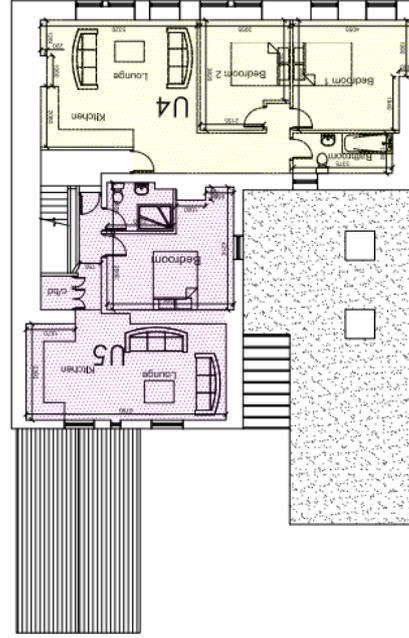
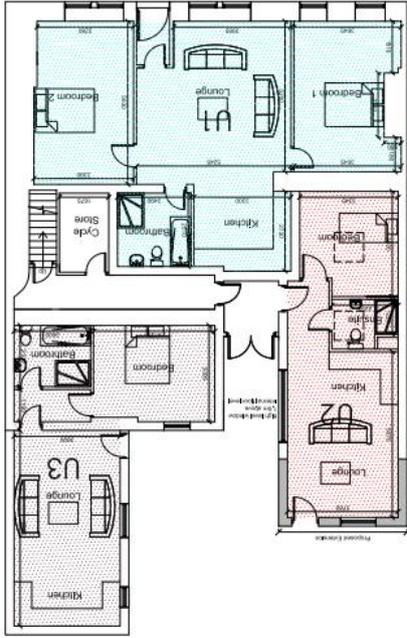
Proposed Rear (South) Elevation



Existing Side (West) Elevation



Proposed Side (West) Elevation



Proposed Ground Floor Layout (Flats U1, U2, U3)

Proposed First Floor (Flats U4 and U5)

The application proposes two pedestrian accesses, one via the existing pub entrance off Mill serving Flat U1, with the other flats being accessed from the rear alley. Wall mounted low pressure sodium lights are proposed to assist in lighting both the entrance gateway and rear yard. Refuse storage is proposed to the rear yard and a small area, approximately 16sqm, of communal amenity space. The development proposes secure bike storage. No provision is made for off-street parking.

Following submission of the application concerns were raised about the lack of any amenity space for future occupiers; and inadequate daylight and outlook of Flat U2. Revised drawings were submitted that reduced the projection of the proposed extension and relocated the bike store to allow for some amenity space; and addressed outlook and natural light by re-configuring the layout of the flat and reducing the occupancy to a single person to take account for the reduction in floorspace. In addition, the existing traditional sash windows and doors are proposed to be retained and repaired rather than replaced with modern equivalents. Due to the nature of the revisions it was considered necessary to undertake further public consultation.

Relevant Policies:

Burnley's Local Plan (July 2018)

- SP1: Achieving Sustainable Development
- SP4: Development Strategy
- SP5: Development Quality and Sustainability
- HS4: Housing developments
- HE1: Identifying and Protecting Burnley's Historic Environment
- HE2: Designated Heritage Assets
- HE3: Non-Designated Heritage Assets
- IC1: Sustainable Travel
- IC3: Car Parking Standards
- IC5: Protection and Provision of Social and Community Infrastructure

The National Planning Policy Framework and National Design Guide (2019)
Planning (Listed Buildings and Conservation Areas) Act 1990

Relevant Planning History: None.

Consultation Responses:

The Highway Authority: Raise an objection on the grounds of pedestrian safety. The lack of street lighting to the back street, the sole access for all but one of the flats, would make pedestrian access unsafe during the hours of darkness. It is expected that a single street-light should be sufficient to adequately light the rear alley and this should be funded by way of a Section 106 agreement (or similar) to the value of £3,000. Request the following condition: *No part of the development hereby approved shall be occupied until the approved street lighting has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority. Reasons: In order that the pedestrian movements generated by the new development can be carried out safely.*

[Officer Note: This request has been conveyed to the planning agent and is not agreed on the basis that as the highway is already used by other residents the need for lighting therefore already exists and does not arise as a result of this application. It is the view of the agent that the highway request does not therefore meet the test of reasonableness in NPPF paragraph 55. The applicant has agreed to provide wall mounted lighting to the yard and entrance gateway the details of which can be secured through condition]

Environmental Health: Advise that a noise assessment is secured through a pre-commencement condition. The assessment shall identify all noise attenuation measures which may be determined appropriate to reduce the impact of noise on the residential properties, and internal transmission of noise between properties. It is also recommended that an advisory note is added to any subsequent permission drawing attention to the proximity of a historical mining feature which has the potential of creating a pathway for mine gas to gain access to within the building.

Publicity

Two letters of objection were received to the proposal as initially submitted with the main points summarised as follows:

- Residents will park on the back alley blocking the access for residents of Smithy Court
- Flats are small and the development appears over-crowded
- Construction activity negatively impacting on neighbouring amenity
- Inadequate on-street capacity to accommodate parking for 5 additional dwellings
- Bins will be kept on the back alley rather than beneath the kitchen window as shown on the plans, causing obstacles in the highway and attracting vermin
- 5 flats is over-development of the site and will cause harm to neighbouring amenity

During the second consultation (following submission of revised plans on 22.01.20) a further 3 representations were submitted reiterating some of the matters raised within the first round of consultation and raising the following additional issues.

- Increased noise and disturbance from residents using the back alley to access the flats
- Street lighting will shine directly into bedroom windows overlooking the alley
- Street lighting was not required for residents of the Smithy's Court flats
- Obstructions on rear alley during the construction phase
- Insufficiently sized refuse storage area
- Unacceptable loss of privacy through direct overlooking to houses across the back alley

- Demolition of the rear boundary wall would cause direct overlooking and loss of privacy
- There is insufficient soundproofing between the property and the Kings Arms. Without adequate sound proofing residents will complain about the noise from the pub which could be detrimental to the operation of the business.

The above representations are a summary of the comments that have been received. Full details of the representations (with details redacted as relevant) have been made available for inspection upon request. The material planning issues raised are considered in the report below.

Planning and Environmental Considerations:

Principle of development: Whether the loss of the public house use is acceptable

The development would result in loss of the established use as a public house. The NPPF regards public houses as community facilities for their wider social role and contribution to the sustainability of local communities and advises against their unnecessary loss. This is reflected in Local Plan Policy IC5 which seeks to safeguard community facilities where there is a continued or likely future need for the use. In assessing the acceptability of the loss of the public house regard has been had to the following factors:

Adequacy of efforts to retain the public house use

The public house ceased trading and was brought to the market in early 2013. The applicant has provided evidence that demonstrates that the loss of the public house is justified on the basis that no tenant or owner for the premises could be found through the unrestricted offer of sale or rent at a realistic guide price through a reasonably robust marketing campaign covering a period of over 5 years. The agent confirms that the marketing did not attract any positive interest from parties wishing to continue the public house use. Reference is made to the cost of refurbishment; lack of prominence and passing trade; and competition within the area against general trends in the public house sector.

Alternative existing public house provision within the locality

There are a number of public houses/social clubs that are currently trading within close proximity of the application site, the Kings Head (adjoining), the Starkie Arms (opposite) and Molly Rigby's (50m east). Whilst Molly Rigby's Club is not a traditional pub, it serves an important social and community function and is well-supported within the local area. It is considered that these establishments collectively continue to meet the needs of the local community.

Community support for the retention of the public house use

The public house has remained closed and unoccupied since it ceased trading in early 2013 and as such has not serviced or supported the community for a considerable period of time. Moreover, the local community did not raise any objection to the application on grounds of loss of use. This is a strong indication that the public house is not valued as a community facility.

Having regard to the above, it is considered that in this instance the loss of the public house use would not unacceptably compromise the provision of community facilities in the area. The proposed loss of public house use is therefore found to accord with the objectives of Policy IC5 and the NPPF and is acceptable in principle.

Principle of Development: Whether the proposed residential use is acceptable

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 within the development boundary 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 in accordance with the development strategy in Policy SP4.

The application site is considered to be in a sustainable location being well located in relation to an adequate range of existing services and facilities; and accessible by public transport, walking and cycling. It is not considered that the proposal would compromise the ability to achieve the Local Plan's strategic objective of sustainable development as set out in Policy SP1. Neither are there any direct conflicts with the development strategy for the Borough as set out in Policy SP4 resultant from the proposal by virtue of its sustainable location within the defined development boundary. Moreover it provides the opportunity to secure the viable long-term future of the locally listed building which is a key objective of Policy HE1. As such, the principle of the proposed residential use is considered to be acceptable subject to consideration of the following main matters:

- Impact on the significance of the non-designated heritage asset
- Impact on the character and appearance of the Conservation Area
- Visual Amenity (design and appearance)
- Impact on neighbouring amenity
- Living Conditions of future occupiers
- Highway safety and parking

Impact on the significance of the non-designated heritage asset

The property is a locally listed building (Non-Designated Heritage Asset). Its significance primarily resides in its historic and architectural interest and its presence within the street-scene, but also for its communal value and sense of identity associated with its long established use as a public house. NPPF paragraph 197 states that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. This is supported by Local Plan Policy HE3.

The significance of the building, as a heritage asset, has been assessed and the impact of the proposal examined. The conclusion being that although the architectural and historic values will be essentially remain unharmed by the proposed physical works, the proposed change of use would however result in less than substantial harm to the non-designated heritage asset through the loss of its communal value as a public house.

As set out above the loss of the public house use, and therefore the harm arising, is justified. It is considered this harm 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 its principal facade and will relate appropriately to its architectural and historic interest. The overall impact of the proposal will be to sustain a considerable degree of significance of the heritage asset and as such is considered acceptable under Local Plan Policy HE3 and the NPPF.

Impact on the character and appearance of the Conservation Area:

As the site is located in a Conservation Area, special regard is to be paid to sections 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which confers upon the local planning authority a duty to “have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.” Preservation in this context means protecting the character and appearance (significance) from harm as opposed to keeping it utterly unchanged.

The external alterations are limited to the rear of the building which does not contribute to any significant perception of the character and appearance of the Conservation Area. Having regard to the design, appearance and siting it is considered that the proposed rear extension would, in its entirety, preserve the character and appearance of Padiham Conservation Area. Moreover the viable re-use of the building and the restoration of its principal elevation would have a positive impact on the Conservation Area. This represents an enhancement of the character and appearance of the Conservation Area and the proposal would therefore comply with the Local Plan Policy HE2 and the relevant statutory duty.

Visual Amenity - Design and Appearance

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

The principal (Mill Street) elevation will be handled sensitively with the retention and repair of the traditional sash windows and panelled timber door and the removal of modern signage and the plastic door canopy. This would represent an enhancement to the character and appearance of the building which is supported in view of its local heritage value and its prominence within the streetscape.

A modestly sized extension is proposed to the rear of the building which would form a continuation of the existing modern flat roof former toilet-block. This element of the proposal would have a limited impact on the character and appearance of the host building or the wider area. The design, materials and scale of the proposed extension relates appropriately to the host building, presenting a satisfactory composition when considered as a whole. It is clearly subordinate and subservient in appearance and would nevertheless be largely screened from the surrounding area by existing boundary wall.

Accordingly, it is considered that the conversion and extension of the building would be carried out to a high standard of design and without detriment to visual amenity in accordance with Policy SP5.

Impact on neighbouring amenity:

Paragraph 127 of the NPPF requires planning decisions to ensure a high standard of amenity for existing and future users. Similarly, Policy SP5 seeks to ensure there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users through overlooking, lack of privacy or reduction of outlook or daylight.

The application property is situated in an area of high density terraced properties. Accordingly the surrounding dwellings and their relationship with neighbouring properties present inherent amenity issues in respect of outlook, light and privacy. In particular, there already exists a significant degree of overlooking to first floor habitable room windows. All window openings would remain as existing and as such the proposal would not result in an unacceptable impact on privacy over and above the current situation.

The proposed rear extension would not introduce considerable additional height or bulk that would result in unacceptable reduction of outlook or daylight to neighbouring properties. Furthermore, the proposed windows would only overlook the property's own private amenity space and as such overlooking and loss of privacy will not be an issue.

Objections have been raised in relation to harm to neighbouring amenity during the construction phase. Whilst these concerns are acknowledged, the temporary nature of construction noise and disturbance would not be sufficient to warrant the refusal of planning permission. Nevertheless, conditions are recommended in order to safeguard neighbouring amenity during the construction phase whilst specific instances of excessive noise or antisocial working practices would be dealt with under other legislation outside the planning process.

Accordingly, the proposal would not give rise to any unacceptable adverse impacts upon neighbouring amenity beyond that of the existing situation such that a refusal would be warranted. The application is therefore found to comply with Policy SP5.

Living conditions of future occupants:

Paragraph 127 of the NPPF requires planning decisions to ensure a high standard of amenity for existing and future users. Similarly, Policies SP5 and HS4 seek to ensure that developments provide a good level of amenity for future occupiers. This includes providing living accommodation that is of an appropriate size, offers appropriate outlook and adequate natural daylight, protects privacy and ensures an appropriate juxtaposition of rooms to prevent general noise and disturbance issues. This also includes providing good quality outdoor amenity space and adequate waste and cycle storage.

Outlook, natural light and privacy

Policy HS4 requires dwellings to be well laid out to ensure habitable room windows receive adequate levels of daylight and appropriate levels of privacy. Taking account of the existing level of amenity afforded to the property in respect of outlook, natural light and privacy it is considered that the individual units are laid out and positioned such that an acceptable standard of outlook, daylight and privacy would be achieved to the main habitable rooms. Whilst the outlook is somewhat limited to Flats U2 and U3 due largely to the positioning of windows within close proximity to boundary walls this factor is not considered sufficient to justify a defensible refusal of the application given the overall standards of amenity achieved. Accordingly, the proposal would on balance, comply with the relevant policy criteria in HS4.

Size, layout and facilities

In accordance with Policies SP5 and HS4, it is important that the size, layout and facilities provided are sufficient to provide occupants with a positive living experience. Whilst the Local Plan does not adopt the Nationally Described Space Standards, they are a useful guide to ensuring comfortable living space within developments. The size and layout of the units has been guided by the retention of the existing historic fabric and the plans provided indicate that Flats U1 and U2 would exceed the national space standards; and Flats U3, U4 and U5 are within 90% of the relevant standards. Taking into consideration the constraints of the site and the adequacy of the accommodation in terms of its functional layout and provision of facilities, it is considered that the proposed flats would on balance provide an acceptable standard of amenity in respect of the space provided in accordance with the relevant policy criteria in SP5 and HS4.

Outdoor amenity space

Policy HS4 requires new housing development to provide private and functional outdoor space for occupants, and in the case of apartments allows for communal provision. The National Design Guide reinforces the importance of external amenity spaces in supporting health and wellbeing and acknowledges that appropriate solutions will vary by their context. All external amenity space should be well designed, fit for purpose and incorporate planting

where possible. The scheme makes provision for a small area, approximately 16sqm, of communal amenity space to the rear which would allow limited outside seating. The location of the site also gives easy access to a range of public recreation facilities with Padiham Memorial Park and Padiham Greenway, being located within 400m of the site, which are considered reasonable alternatives to offset any shortfall of on-site provision. Accordingly, it is considered that future occupants will be able to enjoy amenity space either on site or in public recreational space locally such that the proposal would comply with the relevant policy criteria in HS4

Noise and disturbance

The proposed layout gives rise to the potential for the transmission of noise and disturbance between flats and adjoining properties. The Council's Environmental Health Officer recommends conditions that would mitigate against potential noise affecting the future occupiers of the proposed flats and also to protect adjoining properties. Subject to these controls, the proposal would comply with the relevant policy criteria in SP5 and HS4.

Waste (Refuse and Recycling) and Cycle Storage

The proposal makes adequate provision for communal refuse storage and cycle storage. Conditions are recommended to ensure that the proposed refuse and cycle store is made available for use before any of the development is first occupied.

Highway Safety and Parking:

The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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 there is an allowance 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.

In accordance with the parking standards, the proposal would generate a requirement for 7 parking spaces. The site is unable to offer any off-street parking but it does not make provision for secure cycle storage, which is required to maximise opportunities for the use of sustainable modes of travel in accordance with Policy IC1. Moreover the site is in a highly sustainable location with good access to public transport and within easy walking and cycling distances of local services including outdoor amenity space, places of education and community facilities, and future occupiers may therefore choose not to own a car. Given these factors, the Highways Authority have indicated that they would accept the lack of parking provision.

The Highways Authority has assessed the application and consider that due to the lack of street lighting to the rear alley (Back Shuttleworth Street) pedestrian access would be unsafe.

There is very little vehicular traffic on this back alley and whilst street lighting could enhance the pedestrian experience it is observed that Back Shuttleworth Street is used by a number of residents as the main means of access, it has a degree of activity, natural surveillance and passive lighting and is not considered to present an unacceptable impact on highway safety such that it would be so detrimental as to justify refusal of the application. It is noted that there is strong objection from neighbours as to the installation of street lighting on Back

Shuttleworth Street which would indicate that the alley does not present significant safety issues.

Taking into account the comments of the Highway Authority; the nature of the proposed use; and the sustainability of the location it is considered that the impact on highway safety or local highway conditions would not be so detrimental as to justify refusal of the application.

Conclusion:

The proposed development would secure the long term future of the locally listed building and deliver 5 no. residential dwellings which would contribute to the housing mix and supply within the locality. It has been adequately demonstrated, through an active marketing campaign, that the building has no potential for continued public house use and its loss is considered acceptable given that it would not unacceptably compromise the provision of community facilities in the area. It is further considered that the design of the proposed development would relate appropriately and sensitively to the host building and enhance the character and appearance of the Padiham Conservation Area. The proposed change of use to is considered to be an appropriate use for the area and does not raise any significant concerns in terms of neighbouring amenity and living conditions for future occupants. It is also considered acceptable in relation to highway safety and parking.

Subject to conditions the development is considered to accord with the Local Plan and represents a sustainable form of development and there are no material considerations which would outweigh this finding.

Recommendation: Approve with conditions.

Conditions and Reasons:

1. The development must be begun within three years of the date of this decision.

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 THOM/01 Dwg 02c (Proposed Plans and Elevations at 1:100 Scale) received 22.01.21; and Drawing No THOM/01 Dwg 04b (Proposed Site Plan at 1:200 Scale) received 20.01.21.

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

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance in accordance with Policies SP5, HE2 and HE3 of Burnley's Local Plan (July 2018).

4. All existing sash windows (13 no in total) to the Mill Street (east) elevation of the building as shown on the approved plans, shall be retained and repaired except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure an appropriate development that safeguards the special character of the Non Designated Heritage Asset and Conservation Area, in accordance with Policies SP5, HE2 and HE3 of Burnley's Local Plan Submission Document (July 2018).

5. The existing door to the Mill Street (east) elevation of the building as shown on the approved plans, shall be retained design except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure an appropriate development that safeguards the special character of the Non Designated Heritage Asset and Conservation Area, in accordance with Policies SP5, HE2 and HE3 of Burnley's Local Plan Submission Document (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 and remain available for the storage of refuse and recycling waste by all occupants of the development in perpetuity.

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

7. The development hereby approved shall not be occupied until the cycle storage facilities shown on the approved plans have been fully implemented and made available for use. The storage facilities shall thereafter be retained and remain available for the storage of cycles by the occupants of, and visitors to, the development 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)

8. Prior to the commencement of development, an assessment of the noise likely to affect the development from external sources and internally generated noise shall be submitted to and approved in writing by the Local Planning Authority. The submitted noise assessment shall identify all noise attenuation measures which may be determined appropriate to reduce the impact of noise on adjoining properties, and internal transmission of noise between properties. The approved noise assessment and recommendations shall thereafter be carried out during the conversion of the premises and shall be completed prior to any part of the development being first brought into use or occupied. The approved noise mitigation measures shall thereafter be retained at all times.

Reason: To ensure adequate mitigation against potential noise to occupiers of the approved flats and adjoining neighbours, in accordance with Policy SP5 of Burnley's Local Plan (July 2018). The noise assessment is required to be submitted prior to the commencement of development in order to ensure that any insulation or other mitigation can be carried out at the appropriate stage in the course of the development.

9. Prior to first occupation of the development hereby permitted, details of external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to the first occupation of the development and shall thereafter be retained in perpetuity and remain available at all times.

Reason: To safeguard the residential amenities in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

10. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i) the parking of vehicles of site operatives and visitors; ii) loading and unloading of plant and materials; iii) storage of plant and materials used in constructing the

development; iv) measures to control the emission of dust and dirt during construction; v) details of working hours; and vii) contact details for the site manager.

Reason: To safeguard the local amenity of the site within the town centre in accordance with Policies SP5 and TC5 of Burnley's Local Plan (July 2018).

11. 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 of 07:00hrs to 19:00hrs hours on Mondays to Fridays and between 0800 hours and 1300 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 local amenity of the site within the town centre in accordance with Policies SP5 and TC5 of Burnley's Local Plan (July 2018).

Principal Planner
EEP