

Application Recommended for Approve with Conditions

FUL/2020/0349

Town and Country Planning Act 1990

Conversion of offices to House in Multiple Occupation with 19 bedrooms, including external alterations

and;

Application Recommended for Approve with Conditions

LBC/2020/0499

Planning (Listed Building and Conservation Areas) Act 1990

Internal and external alterations to convert offices to House in Multiple Occupation with 19 bedrooms

At 66-68 Bank Parade Burnley Lancashire BB11 1TS

Bank Hall Ward

Applicant: Mr G. Kay, Kay and Sons.

Background:

Theses applications are being considered by the Committee following the receipt of a neighbour objection.

This prominent two and three storey vacant office building stands at the corner of Bank Parade and Bankhouse Street, with a rear yard entrance from South Street. The buildings which date between 1820-1825 (66-68 Bank Parade) and between 1820-1830 (4-6 Bankhouse Street) are Grade II listed and situated within the Top O`The Town Conservation Area.



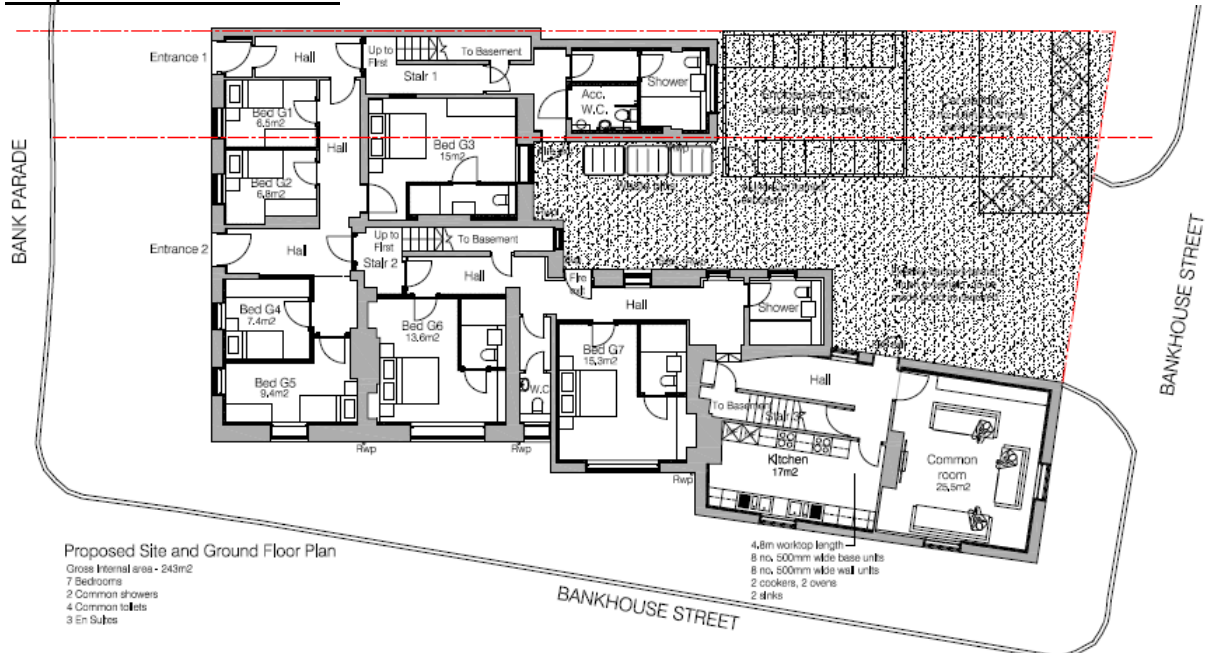
The property consists of nos. 66 - 68 Bank Parade and nos. 4-6 Bankhouse Street.

Image from submitted Planning and Heritage Assessment

The proposal involves internal and external alterations to form a House in Multiple Occupation, comprising 7 bedrooms with a common room and kitchen on the ground

floor, 8 bedrooms with a common room and kitchen on the first floor and 4 bedrooms with a kitchen/living area on the second floor. All bedrooms would be for single occupancy.

Proposed Ground Floor



The internal alterations consist mainly of the removal of lightweight internal partitions and the installation of new partitioning. New lower ceilings would be installed except where there are feature cornices at the ground floor. All the internal doors, door architraves and skirtings would match the existing. A staircase (ground to first floor) within the two storey section of the building at Bankhouse Street would be removed.

Externally, only minor alterations are proposed, involving improvements to replace some of the existing Upvc windows in the rear courtyard elevations. The existing timber windows would be retained, made good and repainted. The stonework would be lightly cleaned but not sandblasted.

The courtyard space would be modified to provide a secure area for 13no. cycle lockers, space for bins and two car parking spaces (one suitable for disabled use).

Relevant Policies:

Burnley's Local Plan(adopted July 2018)

- SP1 – Achieving sustainable development
- SP5 – Development quality and sustainability
- TC2 – Development within Burnley and Padiham Town Centres
- HE2 – Designated heritage assets
- NE5 – Environmental protection
- CC4 – Development and flood risk
- IC1 – Sustainable travel
- IC3 – Car parking standards

The National Planning Policy Framework

Site History:

No relevant applications.

Consultation Responses:LCC Highways

No objection to the principle of the works. The cycle storage has been increased and the levels should be adequate. Conditions are recommended to ensure the provision of the cycling facilities; to require a Construction method Statement; and, to restrict delivery times for construction vehicles (9.30am to 2.30pm Monday to Friday only).

LCC Historic Environment Team

Identified some errors and omissions in the supporting statements which have now been addressed. Advises that it is possible that the upper parts of the staircase which is to be removed at 4-6 Bankhouse Street are not original and could have been altered as part of the previous workshop or office conversion but this is not conclusive and should be explored. Advises that once these matters have been addressed to the satisfaction of the Council that a condition is recommended to require a rapid record be made of the structure prior to conversion commencing.

Housing Team

Identified various issues with the layout and facilities with the initial scheme. Following amended plans and reduction to 19 bedrooms, the scheme conforms with the Councils HMO standards.

Environmental Health

No comments made.

Publicity

One letter of objection has been received from a resident on Bank Parade, making the following comments:-

- Lack of parking for a scheme where some tenants will have cars
- There is already not enough parking on Bank Parade due to the overspill parking from the Landmark Centre, DWP Office, dentist, Brooks Centre, PO Sorting Office. Long term parking on weekdays and Saturdays is almost impossible.
- The area cannot cope with the amount of development – bars, apartments on Bank Parade
- The area requires long term parking.

Planning and Environmental Considerations:Principle of proposal

The site is within the defined Burnley Town Centre boundary where Policy TC2 applies which is concerned with maintaining and enhancing the retail and service function of the Town Centre. In respect of sites outside the Primary Shopping Area, the policy states that proposals for residential development , including new build, conversion or change of use on appropriate sites within the Town Centre, will be considered favourably subject to meeting other Plan policy requirements and a number of further criteria. This requires that the proposal would not lead to a concentration of residential uses which undermines the overall mix of main town centre uses; and, would not prejudice the lawful operating conditions or viability of adjacent land uses.

The site is at the northerly edge of the Burnley Town Centre boundary where late Georgian and Victorian buildings were built as houses and later adapted to accommodate professional services and offices at a prominent and attractive location close to St Peter's Church and the town centre which historically would have been closer to this site. Larger purpose-built office buildings are located close to the site and Bank Parade now displays a variety of professional, residential and commercial uses. There has been a reversion to residential use in more recent years, although the area still displays a mix of uses and this proposal would not lead to a concentration of residential uses. The adjoining premises on Bank Parade are occupied as offices which are unlikely to generate levels of noise or activity which would be compromised by a neighbouring residential use. The proposed use of the premises for residential use would not, therefore, conflict with Policy TC2. In addition, it would offer a sustainable location for this type of residential accommodation which is based on rooms for single occupancy and likely to be attract people without a car who would benefit from convenient access to the Town Centre its amenities as well as bus and rail transport.

The proposed use would therefore be acceptable in principle subject to impacts on parking and amenities and consideration of the heritage impacts from the proposed changes to the buildings.

Impact on heritage assets

Policy HE2 states that proposals affecting designated heritage assets 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 its conservation and that all levels of harm should be avoided.

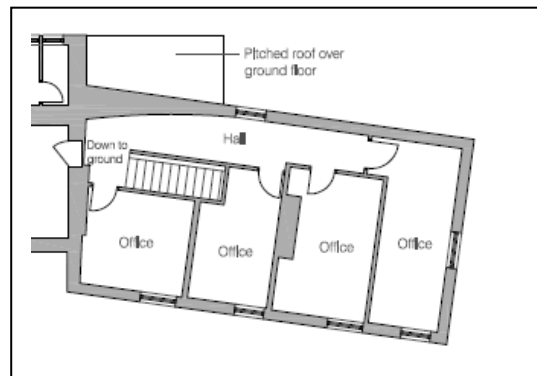
Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confer upon local planning authorities a duty to have special regard to the desirability of preserving the interest of a listed building and the character or appearance of a Conservation Area. In this case, the buildings that form the application site (nos. 66 and 68 Bank Parade and nos. 4-6 Bankhouse Street) are Grade II listed and within the Top O`th Town Conservation Area.

The National Planning Policy Framework (NPPF) states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal and take into account the following:-

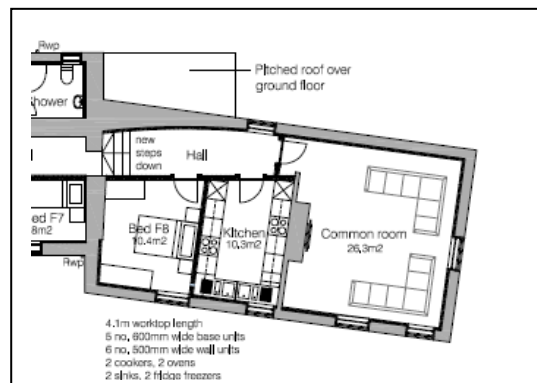
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF states that great weight should be given to the asset's conservation. Substantial harm should not be allowed but where a development will lead to less than substantial harm to the significance of a designated heritage asset then this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The submitted Planning and Heritage Assessment specifies the proposed works to the building to adapt it to a HMO. The proposed external works are limited. One of the second floor windows on the Bankhouse Street elevation had been indicated to be altered which would have removed some of the symmetry of the openings and this has been amended to retain the window opening unchanged. All timber windows would be repaired and repainted and existing Upvc windows to the rear, replaced with similar windows. These improvements would help to preserve the listed building. The proposed internal works are mainly minor, involving the removal of lightweight partition walls and the installation of new partitioning. The proposed slight lowering of ceilings would avoid any decorative features on the ground floor. The most significant alteration would be the removal of a staircase (ground to first floor) within the two storey section of the building (Nos. 4-6 Bankhouse Street).



Existing First Floor



Proposed First Floor

Photo from the submitted Planning and Heritage Assessment

It is not clear whether the staircase is in its original position; it is most likely to have been altered in its past. The listing description states that it was previously used as a workshop prior to its use as offices and integrated with no. 68 Bank Parade. The description states that the interior is altered. Notably, the exterior doors are not functional and the plan form does not display its original use as a pair of townhouses. Whilst therefore it is recognised that staircases can be a significant element of a building's plan form, the loss of this staircase would not in this case lead to a significant loss of building fabric or special interest of the building. The internal alterations which would facilitate the adaptations to a HMO would therefore lead to less than substantial harm. Any minor harm from the removal of the staircase would be outweighed by the benefits in bringing an important and prominent building back into viable use, thus helping to preserve and sustain the listed building for a future period.

Subject to conditions to restrict works to those described in the supporting Planning and Heritage Assessment and to require a recording of the building (as recommended by LCC Historic Environment Team), the proposed new use and alterations would be consistent with preserving and sustaining the Grade II listed building and its positive contribution to the Top O`th Town Conservation Area and would comply with Policy HE2 and the NPPF.

Impact on amenities

Policy SP5 requires new development to ensure that there is no adverse impact on the amenity of neighbouring occupants or land users as well as ensuring acceptable conditions for new occupants. A residential use would generate only low levels of noise and activity and is unlikely to adversely impact on the working conditions in the adjoining office premises (no. 64 Bank Parade). Similarly, a daytime office use would provide quiet evening and weekend conditions and is unlikely to affect the amenity of new occupiers. The proposed layout provides 19no. bedrooms with adequate outlook, daylight and ventilation with adequate facilities on each floor. Adequate facilities for external refuse storage have been provided within the courtyard. The HMO would be managed by the applicant. The proposal would therefore have an acceptable impact on local amenities and provide a satisfactory level of amenity for new occupiers.

Impact on parking

Policy IC1 seeks to promote sustainable travel and safe pedestrian, cycle and vehicular access, including adequate visibility splays. Policy IC3 requires adequate parking in line with Appendix 9 . The site is a sustainable location, providing a choice of sustainable means of travel and high accessibility to the Town Centre.

The car parking standards set out in Appendix 9 of Burnley`s Local Plan normally require up to one car parking space per bedroom, although in Town Centres, the minimum standards will not apply where public parking exists nearby or where on-street parking is available and the proposal would not cause or exacerbate congestion. It is recognised in this case, where the accommodation is relatively basic and for single occupancy only, that most occupiers are unlikely to need to park a car. Two car parking spaces (including one for disabled use) would be available but the main provision would be 13no. secure cycle lockers that would be installed within the courtyard which would cater for occupiers with cycles and encourage their use. Notably, on-street parking is restricted outside the premises and on surrounding streets, in which case a residential use is unlikely to lead to congestion on the streets and is more likely to attract occupiers without cars. Town centre car parks are also available for parking nearby.

LCC Highways has no objection to the proposal subject to various conditions relating to the provision of cycle lockers and measures to mitigate the impacts of construction on the highway. The proposal would comply with Policies IC1 and IC3.

Other issues

The site is adjacent to the River Brun but is located within Flood Zone 1 where there is the lowest risk of flooding.

Conclusion

The proposal would be an acceptable use of the building at this location on the edge of Burnley Town Centre and would comply with development plan policies. The proposed internal and external alterations to the building would not significantly impact

on the significance of the Grade II listed buildings or on its positive contribution to the Top O`th Town Conservation Area.

Recommendation for FUL/2020/0349: Approve with Conditions

Conditions

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 listed on this notice below.

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

3. The approved House in Multiple Occupation (HMO) shall have no more than 19 bedrooms and occupied as single rooms only.

Reason: To ensure the satisfactory implementation of the proposal, to ensure an adequate level of amenity for occupants in respect of space, facilities and car parking/cycle parking provision, in accordance with Policies SP5 and IC3 of Burnley`s Local Plan (July 2018).

4. No part of the approved House in Multiple Occupation shall be first occupied until a minimum of 13no. cycle lockers in a secure enclosure have been installed and made available for use by occupiers, in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall thereafter be retained and available for use by occupiers of the approved development in perpetuity.

Reason: To encourage the use of cycles as a sustainable mode of transport, in accordance with Policy IC3 of Burnley`s Local Plan (July 2018).

5. No part of the approved House in Multiple Occupation shall be first occupied until the car parking spaces as indicated on the approved plans, including a space suitable for disabled use, have been surfaced, marked out and made available for use by occupiers of the approved development only. The approved car parking spaces shall be retained and available for use only by occupiers of the approved development in perpetuity.

Reason: To ensure a degree of on site car parking is available for occupiers of the development, in order to minimise pressure on on-street parking, in accordance with Policy IC3 of Burnley`s Local Plan (July 2018).

6. No part of the approved House in Multiple Occupation shall be first occupied until refuse/recycling storage facilities have been provided in a secure area of the courtyard, as indicated on the approved plans. The refuse/recycling storage facilities shall thereafter be retained in perpetuity.

Reason: To ensure adequate provision for the tidy storage of waste, in the interests of residential amenities, in accordance with Policy SP5 of Burnley`s Local Plan (July 2018).

7. Deliveries to the site during the construction period shall not be permitted or accepted other than between the hours of 9.30am and 2.30pm Monday to Friday.

Reason: To avoid peak traffic on the surrounding highway network, in the interests of highway safety, in accordance with Policy IC1 of Burnley`s Local Plan (July 2018).

8. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for the following:

- a. The parking of vehicles of site operatives and visitors;
- b. The loading and unloading of plant and materials;
- c. The storage of plant and materials used in constructing the development ;
- d. The erection and maintenance of security hoarding ;
- e. Measures to control the emission of dust and dirt during construction;
- f. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- g. Details of working hours; and,
- h. Routing of delivery vehicles to/from site.

The approved Construction Method Statement shall be implemented and adhered to throughout the construction period until the completion of the development.

Reason: - In the interests of the safe operation of the public highway and public amenity, in accordance with Policies IC1 and NE5 of Burnley`s Local Plan (July 2018). The Construction Method Statement is required prior to the commencement of development in order that the agreed measures are put in place at the appropriate stage for the purposes that they are intended.

9. No works to the application buildings, including any clearance, demolition or preparation works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation which shall be first submitted to and agreed in writing by the Local Planning Authority. The programme of works shall comprise the creation of a photographic record of the buildings as set out in the `Understanding Historic Buildings ` (Historic England, 2016) and shall be carried out by an appropriately qualified person. A digital copy of the report and photographs shall be placed in the Lancashire Historic Environment Record prior to any part of the approved development being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site, in accordance with Policy HE2 of Burnley`s Local Plan (July 2018). The programme of building and recording is required prior to the commencement of

any demolition or works in order that a proper and full recording can be made.

Recommendation for LBC/2020/0499: Grant Listed Building Consent

Conditions

1. The works shall start within three years of the date of this consent.

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed on this notice below.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings.

3. The external and internal works to the buildings shall be carried out as specified in the supporting Planning and Heritage Assessment.

Reason: To ensure the satisfactory implementation of the proposal, to protect the fabric and special interest of these Grade II listed buildings, in accordance with Policy HE2 of Burnley`s Local Plan (July 2018).

4. No works to the application buildings, including any clearance, demolition or preparation works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation which shall be first submitted to and agreed in writing by the Local Planning Authority. The programme of works shall comprise the creation of a photographic record of the buildings as set out in the `Understanding Historic Buildings` (Historic England, 2016) and shall be carried out by an appropriately qualified person. A digital copy of the report and photographs shall be placed in the Lancashire Historic Environment Record prior to any part of the approved development being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site, in accordance with Policy HE2 of Burnley`s Local Plan (July 2018). The programme of building and recording is required prior to the commencement of any demolition or works in order that a proper and full recording can be made.

Janet Filbin
28th May 2021