

**Application Recommended for Approve with            COU/2022/0166**  
**Conditions**  
**Daneshouse with Stoneyholme**

Town and Country Planning Act 1990  
Change of use from F1(f) Place of Worship to 4no. C3 One-Bed Self-Contained Residential Flats  
Mosque, 112 - 114 Burns Street, Burnley, Lancashire BB12 0AJ

**Background:**

The property is a two storey, unusually shaped end-terrace building of traditional stone and blue slate construction, with its front elevation facing Burns Street, in Burnley. The property has a single storey extension of indeterminate age that occupies all of what would have been the external yard area. Until recently the property was used as a mosque, albeit without the benefit of planning permission. The attached property (No. 66 Belford Street) is currently used as an 'advice centre', again without the benefit of planning permission. It is assumed that both this and 66 Belford Street were dwellings originally.

Within development limits as defined by the adopted Local Plan.

**Proposal:**

It is proposed to convert the building into four self-contained flats, two on either floor.

GF Flat 1 – 48.68sq.m gross internal floor area, one bedroom.

GF Flat 2 – 43.08sq.m gross internal floor area, one bedroom.

1<sup>st</sup> F Flat 3 – 39.86sq.m gross internal floor area, one bedroom.

1<sup>st</sup> F Flat 4 – 37.48sq.m gross internal floor area, one bedroom.

All flats to have a separate access and separate, self-contained kitchen and bathroom facilities. No external amenity space provided. External alterations are restricted to creation of a new window at ground floor level to serve the kitchen of Flat 1. This window is notated as 'obscure glazed'.

The Design and Access Statement describes the intended tenure as '*supported housing for vulnerable people*'. The tenure however does not form part of the application for consideration. The Statement also states that doors and windows will be replaced, and that general repairs will be undertaken in addition to the conversion works.

**Visuals:**

Side (North) Elevation



Side (North East) Elevation



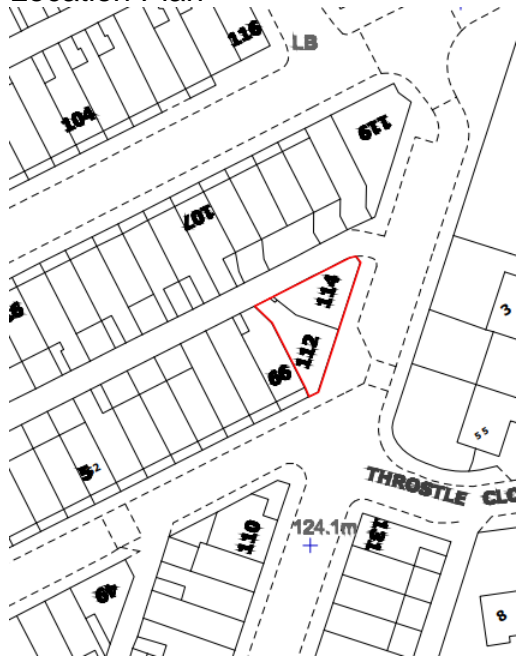
Front (East) Elevation



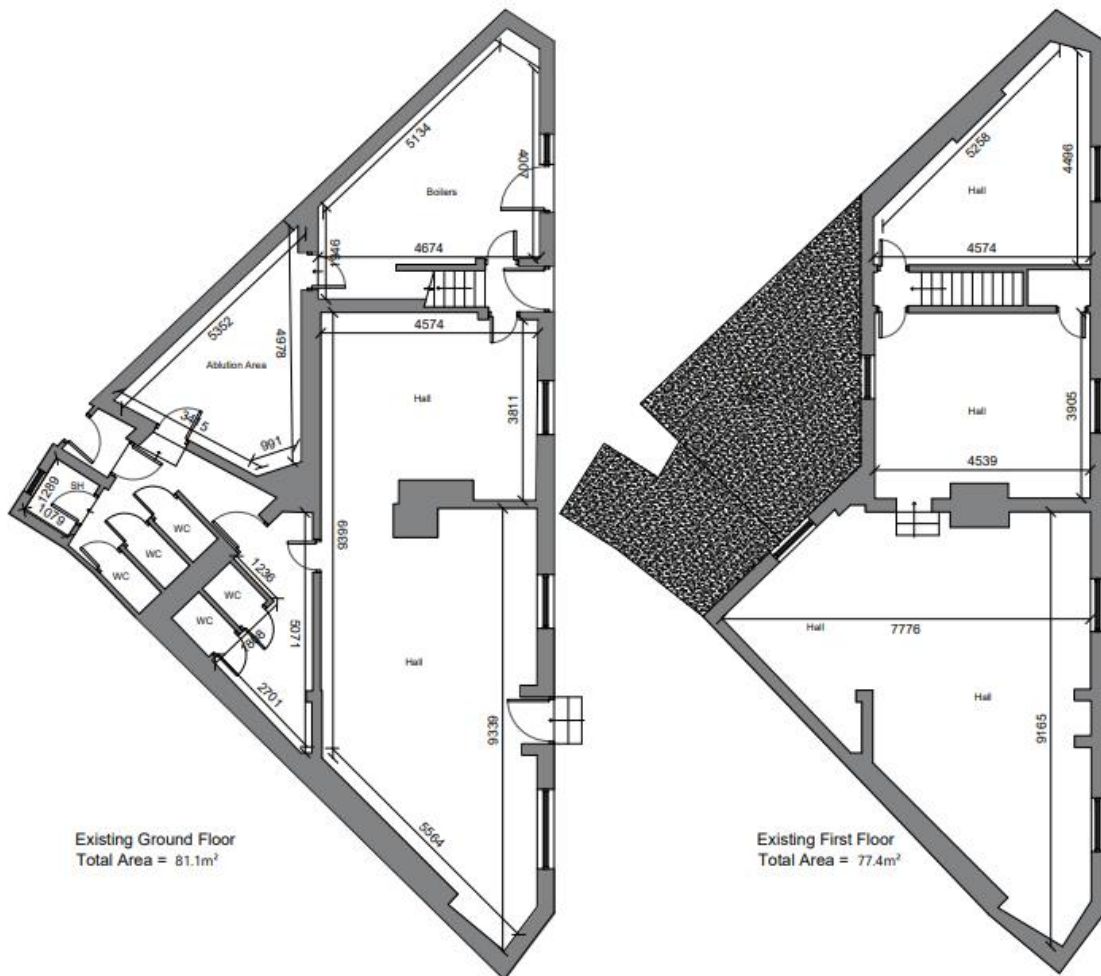
Side (South) Elevation



### Location Plan



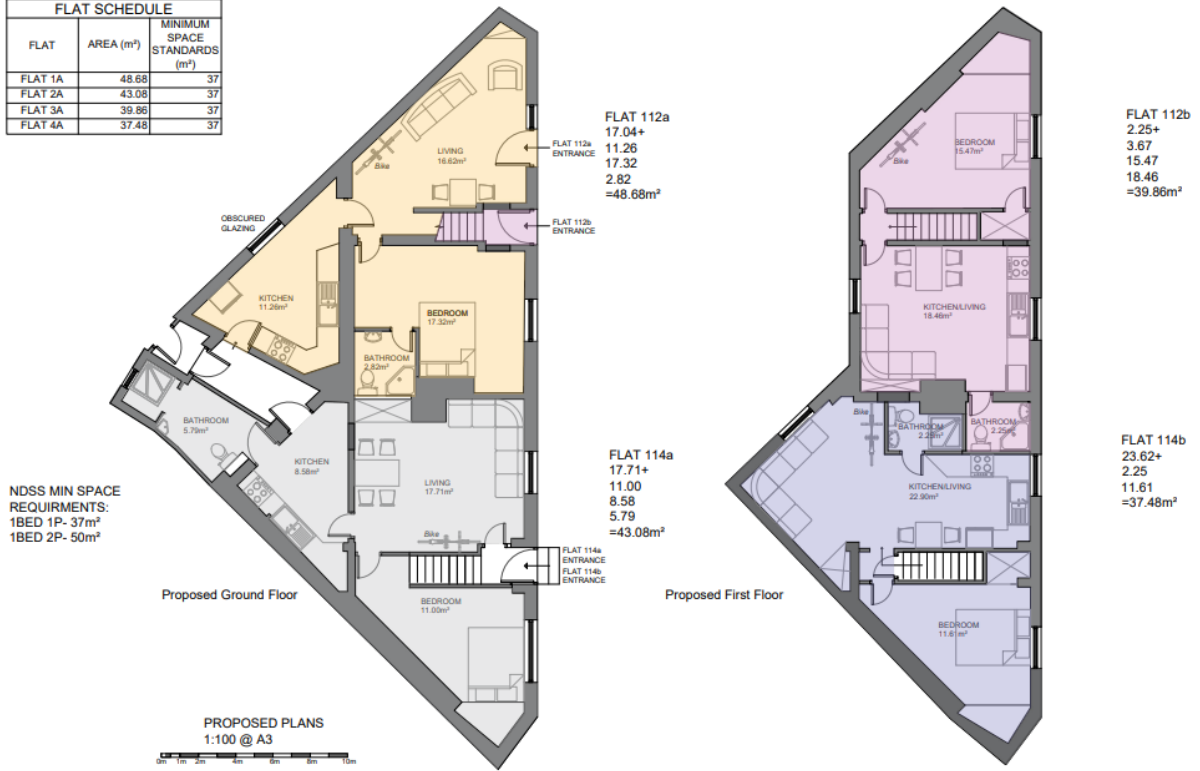
### Existing Floorplan



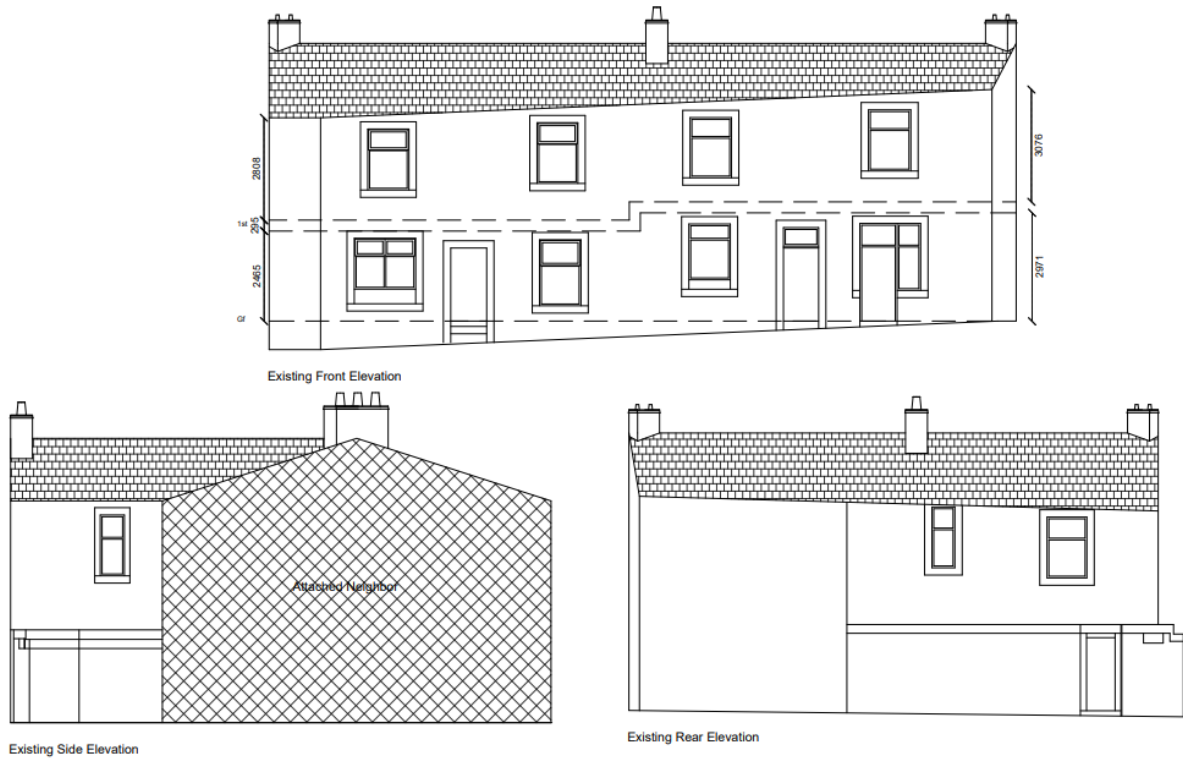
EXISTING PLANS

## Proposed Floorplan (ignore scale bar as incorrect)

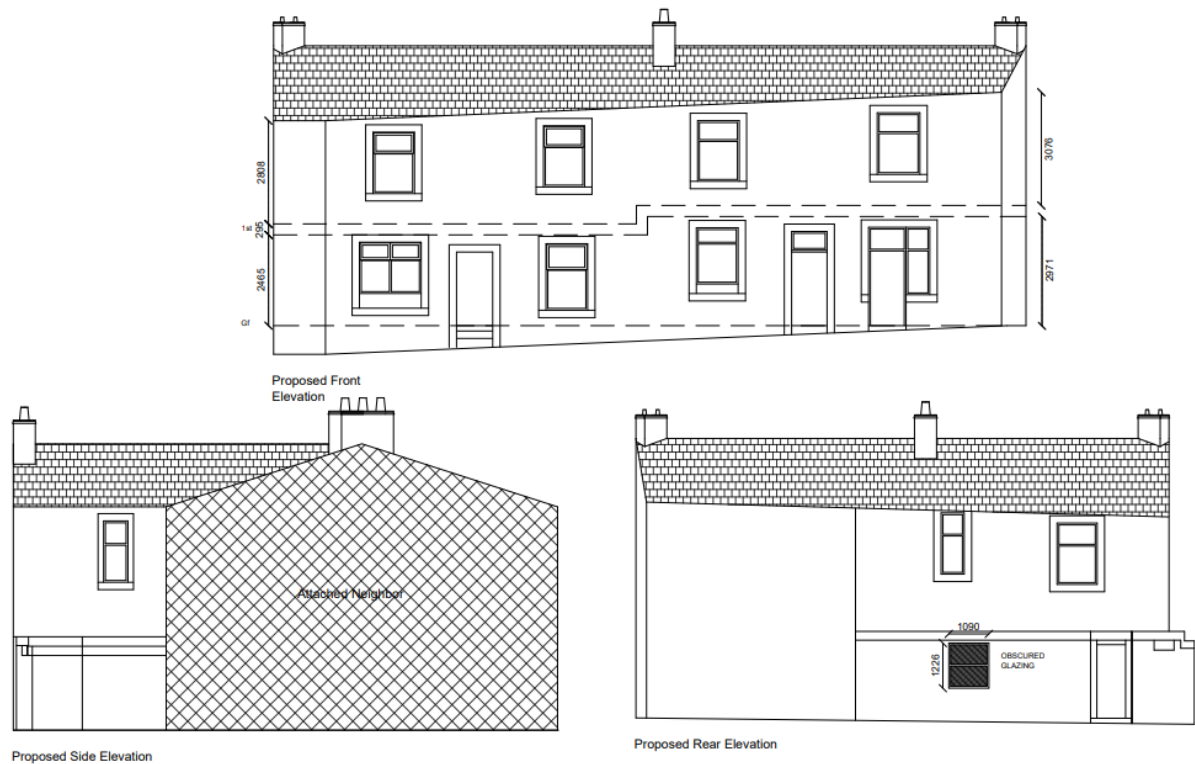
FLAT SCHEDULE		
FLAT	AREA (m <sup>2</sup> )	MINIMUM SPACE STANDARDS (m <sup>2</sup> )
FLAT 1A	48.68	37
FLAT 2A	43.08	37
FLAT 3A	39.86	37
FLAT 4A	37.48	37



## Existing Elevations



## Proposed Elevations



PROPOSED ELEVATIONS

## Relevant Policies:

### Burnley's Local Plan 2018

HS4 – Housing Developments  
HS5 – House Extensions and Alterations  
SP5 – Development Quality and Sustainability  
IC3 - Parking

NPPF 2021

## Site History:

None of relevance, bar the fact that the property was last used as a mosque. This use ceased following the recent opening of a purpose-built mosque within walking distance.

## Consultation Responses:

Highways – no objection

StreetScene – not received to date (10.06.2022)

## Public Comments:

Three letters of objection received, main points being:

Potential for increased noise and disturbance.  
Potential parking issues.  
Potential for an increase in crime.  
Potential for anti-social behaviour.  
Building should be used as a family home instead of flats.  
Unsuitable tenants would create an 'unapproachable ghetto'.

### **Consideration:**

### **The Principle of Development**

The site is located within the development boundary of a Principal Town as identified within the adopted Local Plan. Policy SP4 states that within Burnley, development of an appropriate scale will be supported. This is an application to re-use dwellings once more, and the scale of the development remains consistent with the scale of development in what is primarily a residential area.

### **Main Issues**

- Design and appearance
- Impact upon residential amenity
- Refuse storage
- Parking

### Design and Appearance

Given that external alterations are limited to a single new window opening on the ground floor, I consider the proposal to accord with SP5 in terms of appearance. See HS4 for consideration of amenity of neighbouring occupants.

Policy HS4 requires that new housing development:

- a. Provides private and functional outdoor space for occupants. None is provided, but none can be provided in this location as no external space exists within the curtilage. If the principle of the development is accepted, then one must accept that no external space is provided.
- b. Be well laid out to ensure habitable rooms have adequate levels of daylight. In this instance each flat has a single bedroom and a kitchen/living area, and all rooms bar bathrooms and toilets have at least one window. The existing window in what will become the living room of flat one is small, however the front door will open directly into this room and it is assumed that this door will be glazed to provide additional daylight. Existing fenestration is re-used. The flats accord with NDSS minimum space standards for single bedroom dwellings.
- c. Provide appropriate levels of privacy and outlook for occupants and existing adjacent residents. Given that the building was designed as two dwellings, and one assumes used as such for the majority its life, it is difficult to argue that HS4 visibility distances between habitable room windows should apply rigidly in this instance.

To front (east) – habitable room windows faces the highway directly and the front elevation of dwellings on the opposite side of the street at approx. 18.0m. On balance acceptable given the juxtaposition of existing housing stock in the area.

To side (north) – habitable room windows face the back alley directly and the rear elevation of a terrace of houses at approx. 7.5m. The only proposed new window is the kitchen window in Flat 1 and this is proposed to be obscure glazed, so no additional detriment to residential amenity likely if the principle of re-use as dwellings is accepted.

To side (north east) – blank elevation. No conflict.

To side (south) – blank elevation. No conflict.

Despite not achieving the 20.0m minimum distances between habitable room windows required by HS4.3.c, on balance acceptable given the fait accompli.

#### Impact upon Residential Amenity

HS4 distances are discussed above.

Whilst not a requirement under the Local Plan, Nationally Described Space Standards (NDSS) can be applied to the proposal as a tool to assess the suitability of the building for conversion into two flats.

**Flat 1** – 48.68sq.m. (NDSS requires 37sq.m for 1 bed, single storey with a shower room).

Bedroom size – 17.32sq.m. (NDSS requires 7.5sq.m)

**Flat 2** – 43.08sq.m

Bedroom size – 11.0sq.m

**Flat 3** – 39.86sq.m

Bedroom size – 15.47sq.m

**Flat 4** – 37.48sq.m

Bedroom size – 11.6sq.m

In respect of NDSS, the GIFA and bedroom sizes are acceptable and the proposal can be said to meet HS5.2.h in this respect.

## Refuse Storage

SP5 2.i requires *'adequate and carefully designed storage for bins and containers'*. The Design and Access Statement describes bin storage for the ground floor flats (access to the back alley) as:

*'A secure enclosure for the ground floor flats refuse has been provided at the rear of the property where wheelie bins can be stored and then wheeled out to the back street for collection on the relevant days.'*

I saw no evidence of this provision on my site visit, nor does the red line extend into the back alley. As a result the *'secure enclosure'* cannot form part of this proposal and is not for consideration. Other dwellings having access to the back alley place their wheelie-bins within it, and I feel that it is highly likely that this will occur in the case of the two ground floor flats.

The Design & Access Statement describes bin storage for the first floor flats (access to Burns Street) as:

*'The first-floor flats will use a waste-bag system where the filled refuse and recyclable bin bags are placed at the front of the property on Burns Street on collection days. The applicant will set up collection services with the council prior to occupation.'*

This suggests that large bags in lieu of wheelie-bins will be used and will appear on the pavement outside the building on collection days. This method of storage requires the retention of all waste within the first floor flats, and would in reality require sealed storage units to prevent odours. In my view this is a matter for the management company and potentially a matter for Environmental Health should the method of storage fail or be mis-used. Ordinarily placement of bags on the pavement would be a concern, however in this instance the pavement outside the building is unusually wide, so could easily accommodate bags without impeding pedestrians.

Given that no external storage space exists, that the building was originally two dwellings and the lack of an objection from StreetScene, I feel this to be acceptable on balance.

## Parking

App.9 requires 1 space per dwelling. This proposal provides no off-street parking and is therefore contrary to IC3. However, none of the dwellings in the vicinity have any off-street parking due to the character of the area and the housing stock, so on balance acceptable. Note that Highways has not objected to the proposal nor requested any Conditions.



**Recommendation:** Approve subject to 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 approved plans and Statements listed below:

Drawing No. HAD3399-01 – Location Plan received 29.03.2022

Drawing No. HAD3399-02 – Existing Floorplans received 29.03.2022

Drawing No. HAD3399-03 – Roof Plan received 29.03.2022

Drawing No. HAD3399-04 – Existing Elevations received 29.03.2022

Drawing No. HAD3399-05 – Proposed Site Plan received 29.03.2022

Drawing No. HAD3399-06A – Proposed Floor Plans received 12.05.2022

Drawing No. HAD3399-07 – Proposed Elevations received 29.03.2022

Design and Access Statement dated 29.03.2022

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