

**Application Recommended for Approve with  
Conditions**

**COU/2022/0166**

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 – 39.27sq.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 are to have a separate access and separate, self-contained kitchen and bathroom facilities. No external amenity space is being provided. External alterations are restricted to the 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 '*to rent*'. 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



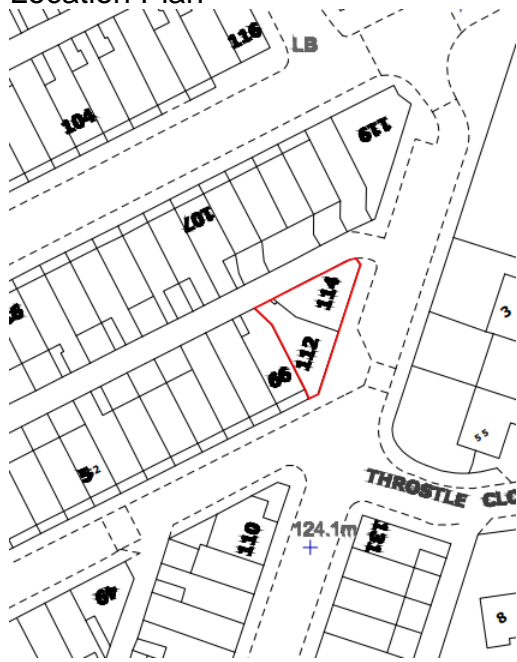
Front (East) Elevation



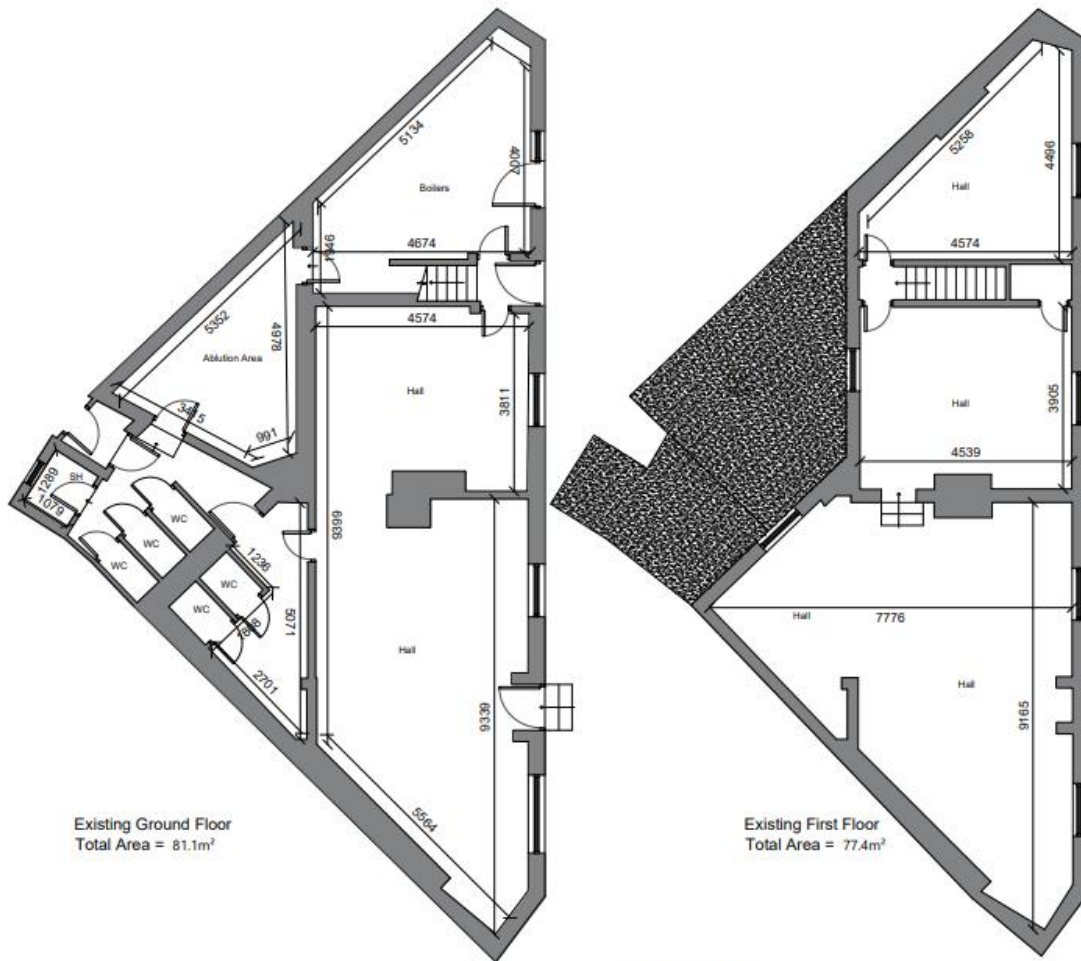
Side (South) Elevation



### Location Plan



### Existing Floorplan



EXISTING PLANS

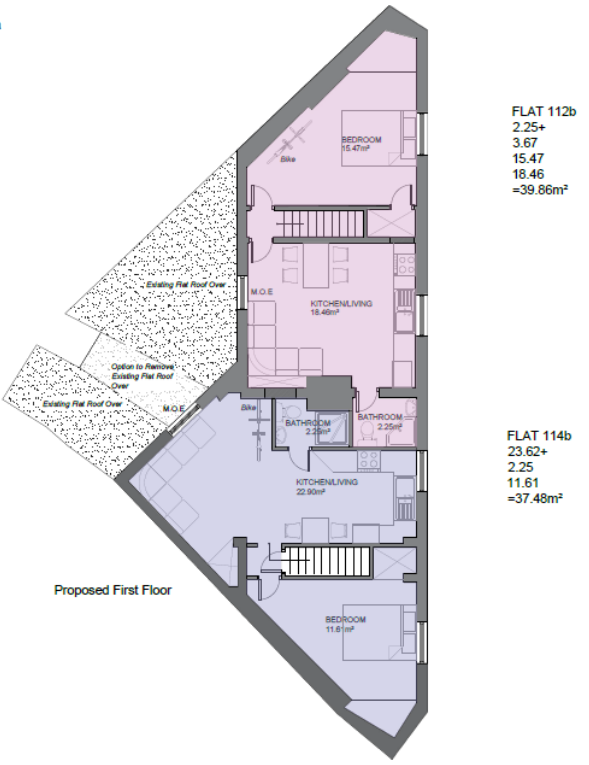
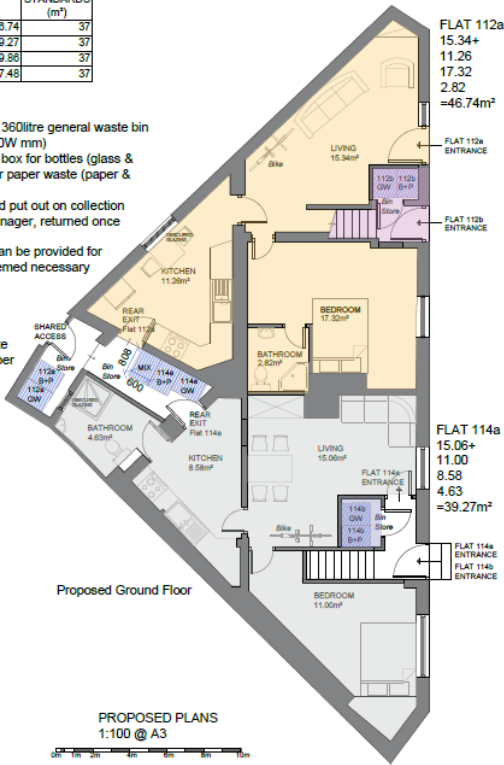
# Proposed Floorplan (ignore scale bar as incorrect)

FLAT SCHEDULE		
FLAT	AREA (m <sup>2</sup> )	MINIMUM SPACE STANDARDS (m <sup>2</sup> )
FLAT 112a	46.74	37
FLAT 114a	39.27	37
FLAT 3A	39.86	37
FLAT 4A	37.48	37

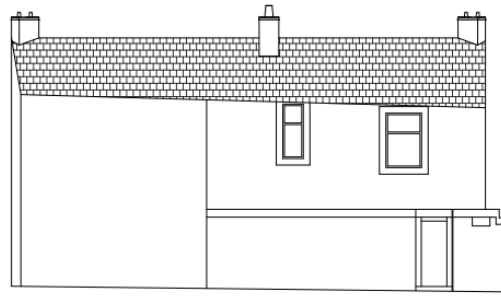
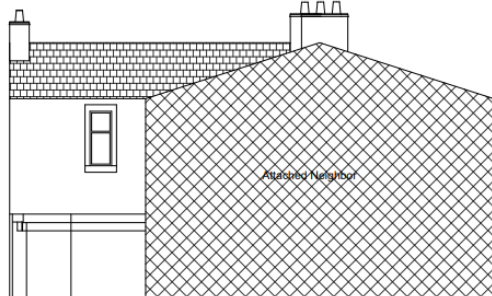
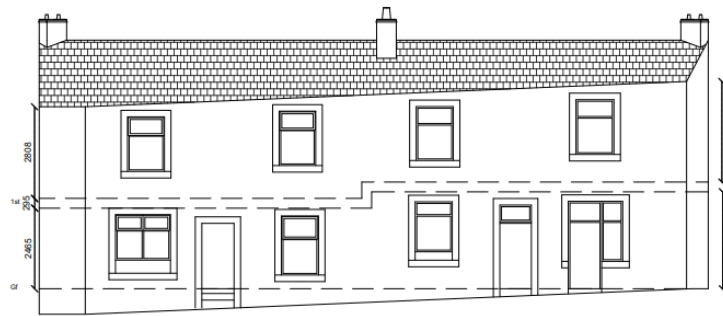
**WASTE STORES:**  
 - Each flat to have a 360litre general waste bin (1100H x 800D x 600W mm)  
 - Each flat to have a box for bottles (glass & plastic) and a bag for paper waste (paper & card)  
 - Securely stored and put out on collection days by property manager, returned once emptied  
 - Extra 360litre bin can be provided for communal use if deemed necessary

GW = General Waste  
 B+P = Bottles & Paper (recycling)  
 MIX = optional extra provisions

NDSS MIN SPACE REQUIREMENTS:  
 1BED 1P- 37m<sup>2</sup>  
 1BED 2P- 50m<sup>2</sup>

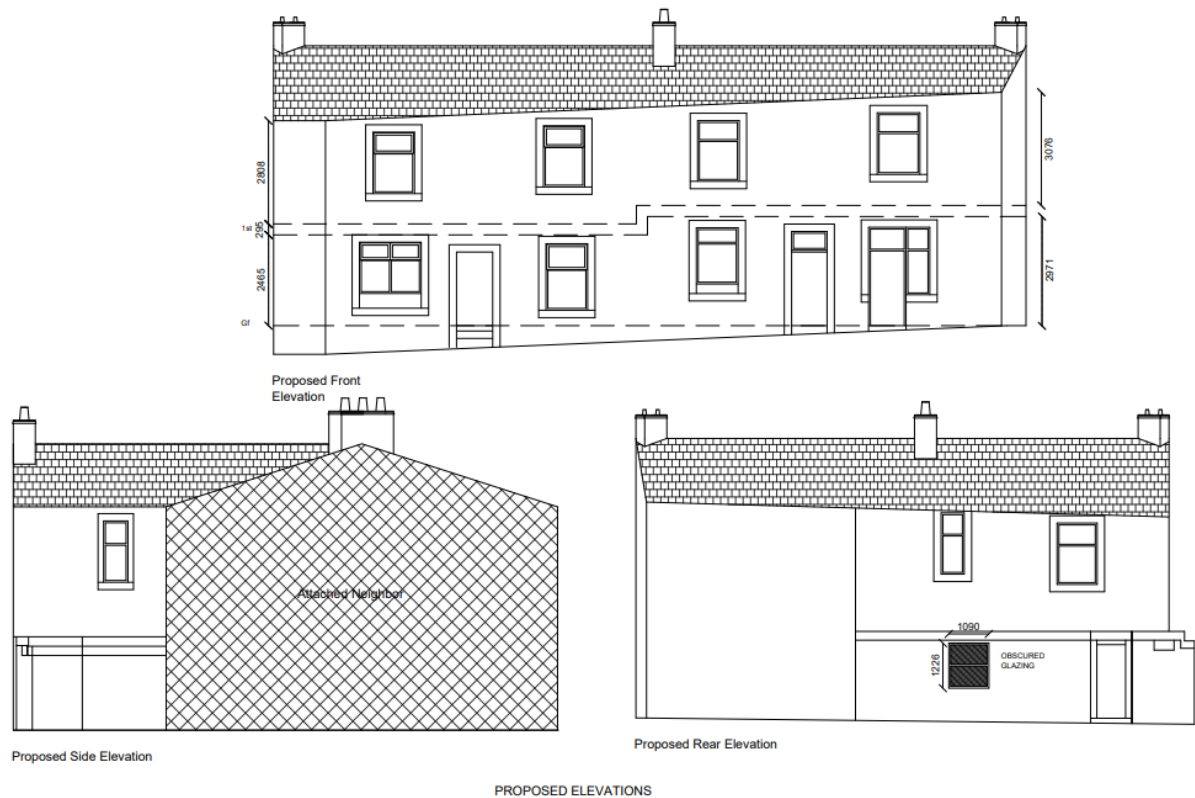


# Existing Elevations



EXISTING 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

Houses in Multiple Occupation & Small Flats SPD April 2022

National Planning Policy Framework 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 close proximity.

## Consultation Responses:

Highways – no objection

Streetscene (following submission of amended plans showing re-arranged and increased refuse provisions) – no objection

## **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 as dwellings once more, and it is considered that 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, it is considered that the proposal is in accordance with SP5 in terms of appearance. HS4 (with re-iteration in the SPD) 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 it can be accepted that no external space is provided. Note that this is contrary to guidance contained within the SPD.
- 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 Nationally Described Space Standards 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 the front (east) – habitable room windows face the highway directly and the front elevation of dwellings on the opposite side of the street at approx. 18.0m. On balance considered acceptable given the juxtaposition of existing housing stock in the area.

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

To the 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 the development is considered acceptable given that the street layout and juxtaposition of buildings is long-established, and that what is proposed is representative of what commonly exists in such circumstances. Whilst it is both straightforward and reasonable to expect a 20.0m minimum distance between habitable room windows on new-build housing schemes, on balance it isn't practical to do so in this instance.

#### 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. NDSS are referred to in the SPD.

**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** – 39.27sq.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 Gross Internal Floor Area 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'*. This need is re-iterated and elaborated upon in the SPD. 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.'*

Following an objection from Streetscene to the above, refuse storage facilities were increased to those shown on submitted plan No. HAD3399-06 Rev.C. The revision shows individual facilities in areas separate from living accommodation. The current proposal is now considered acceptable.

## Parking

Appendix 9 Car Parking Standards of the Local Plan requires 1 space per dwelling. This proposal provides no off-street parking and is therefore contrary to policy 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. Amended plan No. HAD3399-06 Rev.C shows a bicycle within each flat. It is appreciated that keeping a bicycle inside a flat isn't necessarily the best option from the point of view of circulation and convenience, and indeed the keeping of bicycles within habitable rooms is noted as 'not acceptable' within the SPD. It is also appreciated that occupants may not own bicycles and that the level of provision suggested may never be fully utilised.

Note that Highways has not objected to the proposal nor requested any Conditions.

## **Conclusion:**

As set out above the development as proposed is deficient in outdoor amenity space and parking provision (for both for vehicles and bicycles) and is contrary to Policies HS4, IC3 and guidance contained within the Houses in Multiple Occupation & Small Flats SPD as a result. However, given that the property exists already as does the historic street layout and juxtaposition of buildings, and that it was constructed originally as dwellings, on balance this proposal is considered to be acceptable for the reasons described within this Report.

## **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. HAD3399-05B – Proposed Site Plan received 16.08.2022  
Drawing No. HAD3399-06C – Proposed Floor Plans received 16.08.2022  
Drawing No. HAD3399-07 – Proposed Elevations received 29.03.2022  
Design and Access Statement (Revised) received 18.08.2022

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