

Application Recommended for Approval

Hapton with Park Ward

APP/2013/0210

Full Planning Application

Change of use of former public house into a children's day nursery, external alterations, laying out of play area and car parking at rear; together with provision of drop-off car park (with landscape screening) on part of adjacent landscaped area; additions to landscaping including provision of footpath and sitting area, and re-location of 'welcome stone' (re-submission of APP/2012/0444)

4 BRIDGE INN (FORMER PUBLIC HOUSE) MANCHESTER ROAD HAPTON

Background:

At the 25th April 2013 meeting the Committee refused the previous application for this proposal for the following reason:

The development would have a detrimental effect on the visual amenity of the residents and the streetscene generally, contrary to Policies GP1 and E6 of the Burnley Local Plan Second Review.

This was in relation to the alterations to the Manchester Road landscaped area. In addition to the reason for refusal, the Committee expressed concern about proximity of the car park access to the canal bridge, and a wish to see current images of the landscaped frontage land.

The present application is a re-submission, with amendments, seeking to overcome the reason for refusal and should be considered in relation to the reason for refusal.

Objections have been received.

Summary of Reason for Recommendation:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

CF14 - Provision, retention and enhancement of community facilities

E15 - Locally important buildings, features and artefacts

E6 – Trees, hedgerows and woodlands

GP5 - Access for All

TM15 - Car parking standards

Site History:

2008/0186: Conversion of existing public house into 7 apartments - Granted

2008/0372: Change of use of former public house to 9no apartments re-submission of application (APP/2008/0186) - Granted

2009/0695: Proposed installation of shop front, erection of rear porch, external alterations, creation of five apartments, access alterations and laying out of parking - Granted

2012/0444: Proposed change of use of former public house into a children's day nursery, external alterations, laying out of play area and staff car parking on land to the rear; together with provision of drop-off car park (with landscape screening) on part of adjacent landscaped area – Refused

Consultation Responses:

Highway Authority – No objections. Staff parking and drop-off parking standards are met. The position of the access to the drop-off car park on Manchester Road has been amended and now meets highway safety requirements.

Canal & River Trust – No objections but request imposition of a condition requiring details of any canal side boundary treatment. [*Comment: Whilst it would not be reasonable to remove existing 'permitted development' rights as regards boundary treatment, a condition is recommended in relation to higher means of enclosure*].

Health and Safety Executive – Standing Advice in relation to the former Blythe's Chemical plant – Does not advise against.

Environmental Health Officer – No objections.

Hapton Parish Council – Made comments on the previous application as follows (summarised):

- Welcomes need for nursery in Hapton but feel this not the favoured option.
- Sight lines from the bridge causing hazard at the entrance.
- Increased traffic and parking problems.
- Loss of trees and the welcome to Hapton sign.
- Suggest using the back street as a parking area.

Ward Councillor Jonathan Barker – On behalf of residents expresses concerns as follows:

- There remains highway safety concern over the positioning of the drop off car park due to its close proximity to the hump back bridge.
- Increased volume of traffic through Hapton, especially on Water Street may put elderly residents at risk.
- The green space is the gateway to Hapton and there would be loss of visual amenity due to its dramatic reduction in size.
- Nursery car parking provision would be inadequate.
- Suggests alternative layouts – either at the East Street end of the land or along the back of the land with access from the back street.

Neighbouring Residents – Letters from 11 residents of Water Street were received in response to the previous application, as follows (summarised):

1. Wrong site for a children's nursery due to highway danger to new users of the building caused by front entrance close to the main road, proximity of hump-back bridge, and dangers associated with the canal alongside the building.
2. Access to rear car park would be via Water Street which is a residential cul-de-sac serving 10 terrace houses and 8 elderly persons bungalows. It already has

to accommodate residents parking, and would become congested as the building has inadequate staff parking.

3. Problem of highway safety, traffic noise and disturbance on Water Street.
4. The proposed drop-off car park would be inadequate. Water Street would still be used.
5. Access to Manchester Road drop-off car park would be in a dangerous position..
6. There is unlikely to be significant use of public transport to access the nursery.
7. Loss of visual amenity due to use of landscaped area as drop-off carpark. Trees would have to be removed. Green space is scarce in Hapton.

To the time of writing two further residents' letters/comments have been received re-stating the above objections in relation to the re-submitted application. Any further correspondence will be reported at the meeting.

Planning and Environmental Considerations:

The application relates to a traditional canalside public house, fronting Manchester Road, in the centre of Hapton Village. It is of stone and slate construction being mainly two-storey, with a partial lower ground floor at the rear and on the Canal frontage. It has a rear yard with access from Water Street. The building dates from the latter part of the nineteenth century and is of considerable character. It has been vacant since around 2007.



Front elevation

The building has heritage value and significant presence in the street scene.

The proposal is to use the building as a children's day nursery. A new access would be created from the south west gable elevation of the building. The access would be ramped and provided with railings. There would be a staff car park (7 spaces in the existing rear yard/car park to which access is via Water Street; and parent's drop-off car park on part of an existing landscaped area fronting Manchester Road.



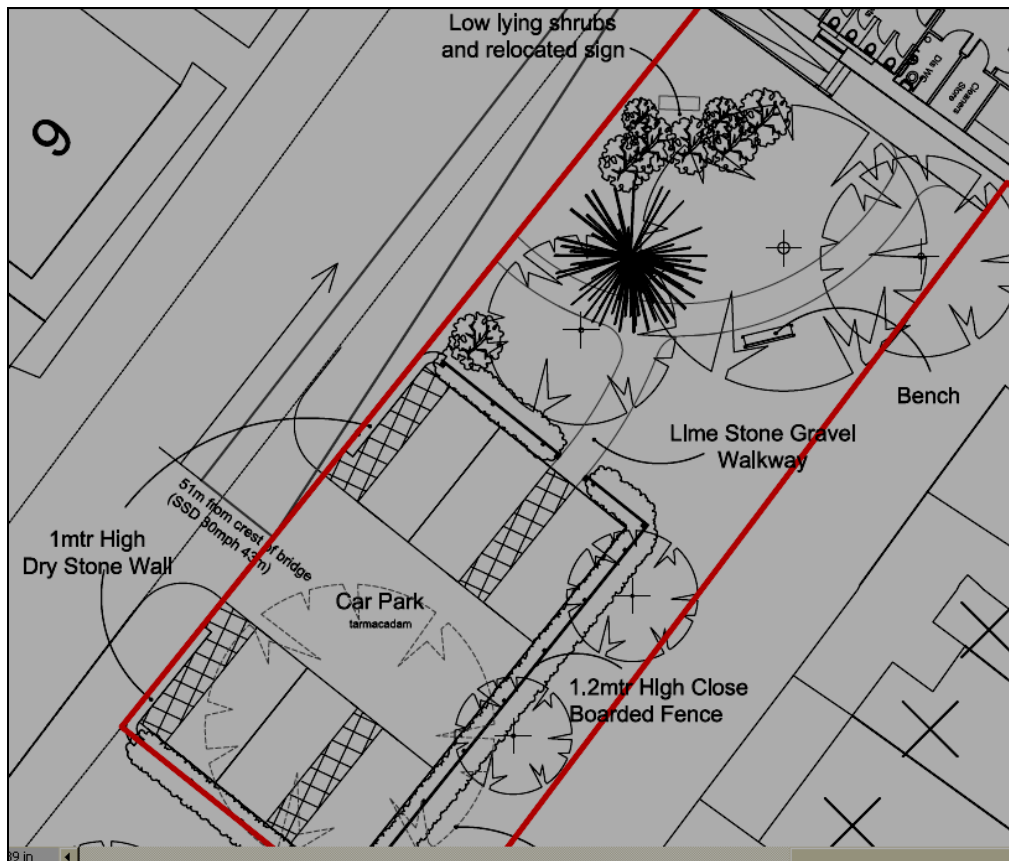
Current image, showing proposed car park site

At the 25th April 2013 meeting the Committee refused the previous application for the following reason:

The development would have a detrimental effect on the visual amenity of the residents and the streetscene generally, contrary to Policies GP1 and E6 of the Burnley Local Plan Second Review.

This was in relation to the alterations to the Manchester Road landscaped area. In addition to the reason for refusal, the Committee expressed concern about proximity of the car park access to the canal bridge, and a wish to see current images of the landscaped frontage land.

The revised application should be considered against the reasons for refusal. It shows the following amended layout of the Manchester Road frontage land:



Notably, it makes the following amendments:

- Increased distance of access from bridge from 46m to 51m.
- Reduced area of car park.
- Retain 10 of the 11 trees on the land.
- Re-siting the existing 'Welcome to Hapton' sign.
- Screen car park with one metre dry stone wall along frontage
- Footpaths and bench for both nursery customers and general public.

Possible alternative layout

Suggested alternative layouts are not considered appropriate for the following reasons:

Back of green area – this would create a tortuous route for vehicles that would have to enter the back street from East Street, and then exit via Water Street using an unadopted length of highway. There could be congestion due to narrowness of the back street, and because there would not be a formal one way system. The residents of Water Street would experience significant loss of amenity due to frequent movement of vehicles and pedestrians.

East Street end of land – this would be too remote from the proposed nursery building to ensure convenient use, possibly resulting in use of Water Street as a closer point of access.

Conclusion

The proposal would bring an important heritage building back into use and avoid its long term deterioration. And, it would make appropriate nursery provision, assisting

the improvement of employment opportunities for families in the area, besides providing immediate local employment.

The revised proposal appears to address matters of concern raised by the Committee, and the application is recommended for approval on that basis.

Recommendation:

That planning permission be granted subject to the following conditions:

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the application details and the drawings listed above.
3. The parents drop of car park and stone gravel walkway shall be provided in accordance with layout drawing KIND/36a DWG 03D before the Nursery comes into use and shall thereafter be kept available in connection with the nursery at all times it operates.
4. The 1m high dry stone wall and 1.2m high close boarded timber fence shown on layout drawing KIND/36a DWG 03D shall be constructed before the parents drop off car park is brought into use and shall be retained in place thereafter.
5. Within the first planting season after the parents drop off car park is brought into use the landscaped areas indicated on layout drawing KIND/36a DWG 03D shall be treated in accordance with a detailed landscape scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include schedules of plants, noting species, plant sizes and proposed numbers.
6. Full details of any means of enclosure exceeding 2m in height (or 1m where adjacent to a highway used by vehicular traffic) shall be submitted to and approved in writing by the Local Planning Authority before erection thereof.
7. The nursery shall not be brought into use before a pedestrian guard rail (in accordance with details having the prior written approval of the Local Planning Authority) has been constructed along the edge of the footway along the Manchester Road frontage of the site (excluding that part of the frontage south west of the most northerly part of the kerb radius of the car park access), or in such other position as may be approved in writing by the Local Planning Authority.

Reasons

1. 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. To ensure that the development remains in accordance with the development plan.
3. To ensure adequate and safe provision for short term parking in the interests of highway safety and the amenity of nearby occupiers, in accordance with Policy TM15 of the Burnley Local Plan, Second Review.
4. To safeguard the amenities of nearby residents, in particular, by reduction of noise, light and fume pollution, in accordance with Policy CF14 of the Burnley Local Plan, Second Review.
5. In the interests of the visual amenities of nearby residents and of the area generally; and, to ensure adequate tree cover is retained, in accordance with Policies CF14, GP6 and E6 of the Burnley Local Plan, Second Review.
6. In the interests of visual amenity of the area generally, including the adjacent residential cul-de-sac, canal, towpath and listed canal bridge, in accordance with Policies GP3 and E7 of the Burnley Local Plan, Second Review.
7. In the interests of highway safety.