

Application Recommended for Approval
Rosehill with Burnley Wood Ward

APP/2013/0303

Full Planning application

Erection of 117 no. dwellings, including the demolition of 17 no. properties and Burnley Wood Community Centre, Glebe Street; formation of new access and car park to existing Burnley Wood Medical Centre; and provision of new public footpath serving Burnley Wood School

LAND AT PARLIAMENT STREET, CROWTHER STREET, BRANCH ROAD, OXFORD ROAD, PARKINSON STREET, CLARENCE STREET AND DALL STREET BURNLEY

Background:

This is an important and significant development for Burnley Wood. It will support the continuation of ongoing regeneration work in the area.

The proposed development forms Phases 3 and 4 of the wider redevelopment to be undertaken by the Council's Developer Partner, Keepmoat. Work is already underway on Phases 1 and 2 with many of the approved properties occupied.

The current application has been amended since it was submitted. It is now proposed to build 117 houses instead of 132. There are three separate sites contained within the application – A, B and C.

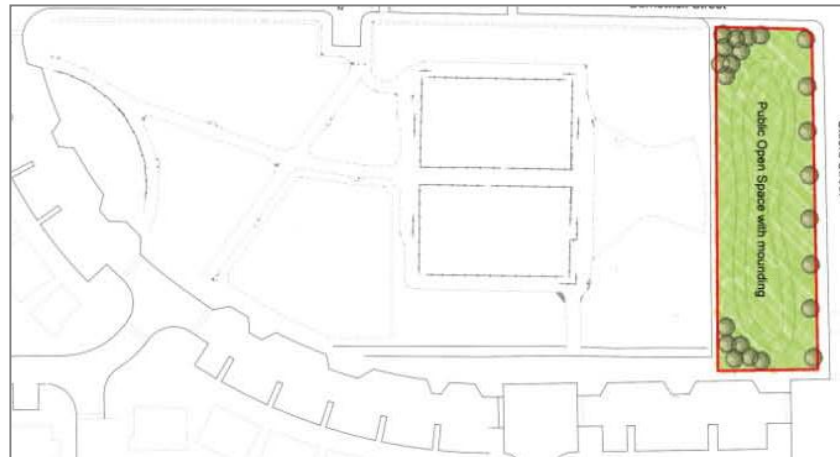
- **Site A** would contain 58 houses, bounded by Branch Road, Brunswick Street, Burnley Wood School, Waterloo Road and Parliament Street. Nine houses proposed in the original application on the east side of Parliament Street have been omitted from the scheme and the land will be landscaped and managed by the Council as an urban meadow with tree planting, following the demolition of the remaining properties.



The proposals involve the demolition of Nos.15 to133a Parliament / 15b Waterloo Road and 2-12 Crowther Street. The site includes Burnley Wood Medical Centre and it is proposed to provide housing on the existing car park with a replacement car park

adjacent to the Medical Centre. The site excludes the Pharmacy, Terracefields Community Centre and the Conservative Club, which will be retained in their present form.

- **Site B** was the land at the junction of Oxford Road and Brunswick Street, proposed for 6 houses. The houses have been omitted from the scheme with the land now being taken into the Burnley Wood Park.



- **Site C** contains 59 houses, bounded by Branch Road, Kirkgate, Dall Street and Maria Court. It covers Glebe Street Recreation Ground and the Community Centre, which would be demolished.



The application is supported by:

- A Design and Access Statement
- An Ecology Survey
- A Tree Survey and Planting Proposals
- A Phase 1 Environmental Desk Study Report

- A Flood Risk and Drainage Impact Assessment
- An Affordable Housing Statement
- A Public Open Space Statement
- An Open Space Needs Assessment

No objections have been received to the principle of housing development in itself. The objections received relate to the closure of the Glebe Street Community Centre and the loss of the Recreation Ground.

Relevant Policies:

Burnley Local Plan Second Review

CF1 – Protection, Enhancement and Replacement of Playing Pitches

CF3 – Protection of Existing Public Parks, Informal Recreation Areas, Major Open Areas, Play Areas and Other Areas of Open Space.

E5 – Species Protection

CF14 – Provision, Retention and Enhancement of Community Facilities

E6 – Trees, Hedgerows and Woodlands

E10 - Alterations, extensions, change of use & development affecting listed buildings

E12 - Development in or adjacent to Conservation Areas

E16 - Areas of traditional construction

E22 – Public Art

GP1 - Development within the Urban Boundary

GP10 - Developer Contributions

GP3 - Design and Quality

GP6 - Landscaping and Incidental Open Space

GP7 - New Development and the Control of Pollution

GP8 - Energy Conservation and Efficiency

GP9 - Security and Planning Out Crime

H1 - Land for new housing development

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

H4 - Providing a choice of housing in new development

H5 - Local housing needs

H6 - Housing density

H7 - Open space in new housing development

H9 - Regenerating urban areas and neighbourhoods

H12 – Non-Residential Uses in Residential Areas

TM4 – Transport Hierarchy within Development Proposals

TM15 - Car parking standards

Supplementary Planning Documents:

Design Guidance for Burnley Wood

Heritage Appraisal for Burnley Wood

Site History:

APP/2009/0566 – (Phase 1/2) Residential development comprising 121 dwellings, associated infrastructure and modifications to Burnley Wood Park, including demolition of 85 dwellings – granted.

APP/2010/0008 – Conservation Area Consent. Demolition of 53 properties within Burnley Wood Conservation Area – granted.

Consultation Responses:

1. Lancashire County Council (Highways) raises no objections in principle and makes the following comments:
 - The southern section of Waterloo Road, whilst currently adopted, has become largely redundant since the demolition of the adjacent properties and is in a poor state of repair. There are 2 options for the developer to consider, either apply for the highway to be closed, or retain the highway as adopted but carry out a refurbishment / reconstruction - *the making up or closure of Waterloo Road is not critical to this application, but Keepmoat are considering the issue.*
 - the junction of "Clarence Court" with Dall Street/ Glebe Street has borderline sight lines (43m) The proposed boundary treatment is 900mm railings, this is acceptable however an appropriate sightline condition to restrict any planting/building within the sight line will be required
 - Additional conditions should be imposed requiring: a Construction Method Statement; the permanent closure of any redundant access points; new estate should be constructed to base course level before any development starts.

It should be noted that the development will require the closure of a number of highways and back streets off Parliament Street and Oxford Road. The precise requirements will need to be agreed with the highway authority and the necessary closures effected through the appropriate legislation

2. English Heritage commented in respect of Site B which is within Burnley Wood Conservation Area. These comments no longer apply as the site has been omitted from the scheme.
3. Natural England raise no objection to the proposal, commenting that the proposal is unlikely to affect statutorily protected sites or landscapes. In terms of protected species the proposed development would be unlikely to affect bats.

The local planning authority should consider securing measures to enhance the biodiversity of the site. The application may provide opportunities to enhance the character and local distinctiveness of surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community for example through green space provision and access to and contact with nature.

The omission of the houses on site A and the proposal to use the land as an urban meadow will enhance the biodiversity of the site)

4. Sport England initially raised concerns about the loss of the playing pitch and lack of open space in the proposal but now confirm that the amendments made to the scheme satisfactorily address their concerns.

The application has been amended to provide more play space and public open space. An up-to-date Needs Assessment has been provided that demonstrates that recreation provision in the area meets the necessary requirements and that open space provision is satisfactory following the amendments

5. Environment Agency raise no objection in principle subject to conditions requiring the development to be carried out in accordance with the recommendations of the Flood Risk and Drainage Assessment and requiring a suitable site investigation scheme to identify appropriate measures to deal with potential contamination on the site.
6. The Coal Authority comment that they concur with the recommendations of the Environmental Desk Study Report and raise no objections providing that a condition is imposed requiring that the recommended intrusive site investigation works and any necessary remedial works are carried out prior to start of development.
7. A Pre-printed Letter signed by approximately 880 residents has been received making the following points:

- Closure of the Glebe Street building will kill the community
- If you don't give kids somewhere to play then you are looking at problems
- Our children are losing the one safe-to-get-to place, where they can come and be off the streets. It will mean that our youngsters will have to cross busy roads.
- The centre is used by all ages, from tots to senior citizens
- The centre and recreation ground are the only suitable facilities in the area for our children to use and play

The Halloween night party for the children and the senior citizens Christmas party are just two of the events held at the centre every year. The centre has supported the residents of Burnley Wood for over 100 years. It holds many activities and functions for all ages from the tots to senior citizens all year round.

8. 10 individual letters from residents have been received, objecting to the loss of Glebe Street Centre and recreation ground for the following reasons:
- The centre is well used by the community as a whole, in constant use with sessions for senior citizens and other residents, with activities involving sport, crafts and team building for young people
 - It is self-funding run by local volunteers, giving the area community spirit
 - It is a safe and caring environment for young people who would otherwise be on the streets
 - Older residents have weekly meetings and if these are curtailed many would be deprived of social stimulation and company.
 - Government policies are to keep all playing fields and activity areas.

- The recreation ground has been a play area for many years, in use every day, giving people in the community a place to sit, meet and watch their children safely play.
- There is nothing else in the area to cater for the needs of the people and families in the area.

Planning and Environmental Considerations:

The main issues for consideration relate to the principle of housing development on the land and related housing issues including the provision of affordable housing; the design of the proposal, including layout, appearance, impact on the street scene, Burnley Wood Conservation Area and the nearby Listed Building, security, energy efficiency; residential amenity including privacy and outlook; highway safety, including pedestrian linkage and car parking; impact on trees and ecology; the provision of community facilities in the area; and the provision of appropriate Public Open Space.

Housing Issues

Housing development is acceptable in principle. The area is identified in the Burnley Wood Area Action Plan (AAP) pre-submission document as a key housing site. The first phase of development is well underway and the continuation of the housing development is in line with the Council's aspirations to continue ongoing regeneration work in the Burnley Wood area.

The development would be in line with the housing policies of the Local Plan in terms of density, housing choice; local housing needs and affordable housing. There would be 25 two-bed properties; 82 three-bed properties and 10 four bed properties, a total of 117 dwellings. This would provide a good range of properties to meet the needs of the area, building on the success and experience of the first phases of development.

In respect of affordable housing provision, 4 affordable housing units built to HCA standard will be provided. There are a higher proportion of units contained in Phases 1 and 2, so that this type of accommodation was provided at an early stage in the development to ensure delivery. The overall provision exceeds the requirement set out in the Local Plan.

Design of the proposal

Layout: The layout generally follows the grain of the original street pattern, with the Crescent facing the Burnley Wood Park being continued along Crowther Street and meeting Parliament Street, which helps to build on the existing identity and character of the area.

The site is legible with a clear network of streets, linking well to existing routes which will help residents and visitors to find their way around the area, giving a sense of security and encouraging walking and cycling.

The dwellings face the street in most cases, to support the street scene, provide active frontages and natural surveillance to ensure that the streets feel safer. Corner plots have been designed to support both streets.

There are a variety of car parking solutions including in curtilage parking; parking courts; and forecourt parking. Whilst the development includes a relatively high level of forecourt parking, a balance needs to be struck between this and retaining the existing tight urban grain, including the provision of terraces in keeping with the character of the wider area and also providing for the needs and aspirations of the occupiers.

The Burnley Wood Medical Centre car park would be relocated to the junction of Parliament Street and Crowther Street, to relate better to the Medical Centre and to allow the existing car park to be developed for housing. The existing footpath along the side of the Medical Centre would be closed and a new school footpath would be created between Crowther Street and the School gate.



Position of new school footpath from Crowther Street

Appearance and Impact on the Street Scene

The appearance of the properties will reflect the style of the first phases of the development, picking up on vernacular features such as horizontal emphasis to window detailing and roofing and facing materials. The house types and materials will be consistent with Phases 1 and 2.



Existing development showing the Crescent, off Oxford Road facing the Park

Following the omission of the houses on Site B, the Burnley Wood Park will extend up to Oxford Road providing open views across the Park.

The demolition of the houses on the west side of Parliament Street and landscaping of the land, to be managed as an urban meadow, will provide a pleasant open aspect on a busy thoroughfare in the town.

Highway Issues

The Highway Authority's comments have been integrated into the development and there are no outstanding issues of highway safety. Two parking spaces have been provided per dwelling which is in line with the parking standards.

The site is close to public transport routes and services and within reasonable walking distance of the town centre. Whilst there are gradients, there are no significant restrictions to access and level access to entrances is possible across the site.

The layout will accommodate the existing Pennine Cycleway which runs from Parliament Street, along Crowther Street, the newly formed Crescent and onto Oxford Road.

Provision of Community Facilities in the Area

The site is served by a range of local shops and services along Parliament Street and is close to employment opportunities. Burnley Wood School is immediately adjacent, with Unity College at Towneley Holmes within reasonable walking distance.

There are currently two Community Centres within the application site area – Glebe Street Community Centre and Terracefields Community Centre. Glebe Street Centre is housed in a pre-fab type building and set within the Burnley Wood Recreation Ground. Terracefields is a substantial stone built property with a small rear yard, formerly a Sunday School, later converted to a Children's Day Nursery, with Terracefields Community Centre taking up the building in recent years.



Glebe Street Recreation Ground



Existing Terracefields Centre

Extensive discussions have taken place with the local community in respect of the future of the centres on the basis that it would be logical and ultimately more beneficial for the community facility to be focussed on one site. It is proposed therefore to close the Glebe Street Centre and concentrate resources at Terracefields.

Undoubtedly, the Terracefields building is more robust and suitable and with some adaptations, is capable of providing all of the facilities and events which take place at Glebe Street.

Terracefields is sited close to the facilities of the new Burnley Wood Park, which provides high quality play space and could also be utilised in conjunction with the Centre on a priority booking system.

It is not sustainable to continue to maintain both Centres. The option put forward represents a compromise which will provide a Community Centre capable of providing for the needs of the area.

The Management Committees of both centres would benefit substantially in working together and becoming involved in developing a Centre which meets the aspirations of the residents in future years.

Public Open Space

An up-to-date Needs Assessment has been carried out in respect of the Open Space requirements for the area, taking into account the loss of the Burnley Wood Recreation Ground and the projected population of Burnley Wood once the new housing is fully occupied.

In terms of children and young people provision, the new Burnley Wood Park is being developed specifically to replace Burnley Wood Recreation Ground and when complete the area of Burnley Wood Park will be 0.91 hectares compared with Burnley Wood Recreation Ground which is 0.89 hectares. There will be a deficit of 0.40 hectares against the Local Plan standard for the quantity of provision for children and young people, but provision is of a much higher standard than existing provision in terms of quality. It is centrally located within Burnley Wood, near to the school and opposite the children's centre. It consists of two separate floodlit, fenced and marked out Multi-Use Games Areas and a large play area (currently being installed) with play equipment for a wide age range, together with tree planting, paths, benches, lighting. The extension to the Park, proposed as an amendment to the application, is planned to provide an area for small community events on the Oxford Road frontage.



Park to be extended to include land up to Oxford Road

The applicant has made a contribution to the development of the Park in Phases 1 and 2.

In terms of amenity green space, the Local Plan identifies that residents should be able to access amenity green space within 400 metres travel distance. Approximately 60% of residents live within 400 metres of Towneley Park. The remaining 40% live within 400 metres of the Leeds and Liverpool Canal. Whilst younger children would not be expected to travel unaccompanied to Towneley Park or the canal, adults can readily access both for informal recreation.

Outdoor sports facilities, including grass sports pitches, bowling greens, tennis courts and golf course, are assessed at a Borough wide level, with a travel time of 15 minutes by car and a travel distance of up to 6 Km. There is adequate provision to meet this standard in Burnley Wood.

The residential area of Burnley Wood is all within 1.2 Km travel distance of Towneley Park which extends to over 184 hectares and the adopted local standard for provision of parks and gardens is comfortably exceeded.

The adopted local standard of 0.5 hectares of semi-natural green space within 1.2 Km walk is also comfortably exceeded, where residents can access Towneley Park, the Major Open Area to the south west and the canal towpath.

In terms of access to green corridors, Burnley Wood adjoins the Leeds and Liverpool Canal's recently upgraded towpath / cycleway which forms part of Burnley's extensive network of Greenways.

On the basis of the above assessment, it is considered that Open Space provision in Burnley Wood is of a high quality and the proposed development is acceptable in this respect.

Other Matters

Trees: The development of the Burnley Wood Recreation Ground involves the removal of 7 trees in the centre of the site. Most of the trees along the road frontages will be retained (17 trees) and conditions requiring protection measures during construction would be appropriate, with suitable replacement planting to be incorporated into the landscaping scheme.

The Parliament Street frontage also contains several trees which would be protected during construction works. Three trees would be removed to accommodate the dwellings and these would be replaced in accordance with the submitted landscaping scheme.

Ecology: An ecological assessment has been carried out on the site. No evidence of protected species, including bats has been found.

Conclusion

The development will make an important contribution to the future of Burnley Wood and on balance the need to progress the regeneration of the area and to provide homes which meet the needs and aspirations of the local community is seen to significantly outweigh all other considerations.

Recommendation

On the above basis, it is recommended 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 approved plans and details.
3. The recommendation of the Tree Survey Report prepared by Ecus Limited, dated May 2013, reference no. 4584, shall be fully implemented throughout the course of development, in accordance with the Report, to the satisfaction of the Local Planning Authority.
4. All landscape works shall be carried out in accordance with the approved details as set out on Drawing Nos. L4584/05; L4584/06; L4584/07 and L4584/08. The works shall be carried out prior to the occupation of any dwelling or in accordance with a programme submitted to and approved in writing by the local planning authority.
5. In line with the recommendations of the Phase 1 Environmental Desk Study Report by Avie, dated June 2013, reference P1091, intrusive site investigation works shall be undertaken prior to the development starting on each site, in order to establish the exact situation regarding the coal mining legacy issues on the site. In the event that site investigation works confirm the need for remedial works to treat areas of

shallow mine workings to ensure the safety and stability of the proposed development, the remedial works shall be undertaken and incorporated into the development as necessary, before any of the houses are occupied.

6. The development hereby permitted shall be carried out in accordance with the Flood Risk and Drainage Impact Assessment for Burnley Wood (Phase 3 & 4) by Avie Consulting Ltd dated June 2013 reference P1091 Rev 01 (the FRA) and subject to the following requirements:

a) surface water run off from the site shall be attenuated up to a 1 in 100 year critical storm event (plus an allowance for climate change) so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

The mitigating measures detailed in the FRA shall be fully implemented prior to occupation of the development or within any other period as may subsequently approved in writing by the Local Planning Authority.

7. No development approved by this permission (or such other stage in development as may be approved in writing by the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risk associated with the contamination of the site has been submitted to and approved in writing by the local planning authority:

a) A site investigation scheme, based on the Phase 1 Environmental Desk Study for Burnley Wood Phase 3 & 4 by Avie Consulting Ltd (dated July 2013; reference P1091), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off the site.

b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirement for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the express written consent of the Local Planning Authority. The scheme shall be implemented in full, as approved, to the satisfaction of the Local Planning Authority.

8. No development shall take place, including any works of demolition, 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. It shall provide for:
- The parking of vehicles of site operatives and visitors;
 - The loading and unloading of plant and materials;
 - The storage of plant and materials used in the construction of the development;
 - The erection and maintenance of security hoarding;
 - Wheel washing/road sweeping facilities;

- Details of working hours, this will be especially pertinent to the development of the site adjacent to the school / medical centre
 - Contact details of the site manager to be made available to the head teacher at the Springfield Community School, Burnley Wood Health Centre and the Highway Authority, to enable the reporting /resolution of any issues associated with the development
9. Any redundant access points shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be re-instated in accordance with the Lancashire County Council Specification for the Construction of Estate Roads (concurrent with the formation of the new access)
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain on the land hereby defined any building, wall, fence, hedge, tree shrub or other device.

The visibility splay to be the subject of this condition shall be the land in front of a line drawn from a point 2.4 metres measured along the centreline of the proposed road (named Clarence Court on plan ref 1020) from the continuation of the nearer edge of the carriageways of Dall Street and Glebe Street to points measured 43 metres in each direction along the nearer edge of Dall Street and Glebe Street from the centreline of the access. A boundary treatment consisting of a wall, fence or hedge will be permitted subject to the details being agreed with the planning authority in consultation with the highway authority.

11. All the new estate roads hereby permitted which connect to the public highway shall be constructed in accordance with the LCC Specification for the Construction of Estate Roads to at least base course level before any development takes place.

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 continued compliance with the Development Plan.
3. In order to maintain a continuation of tree cover in the area; to ensure that trees are protected and not damaged during the course of construction; and that tree work is carried out to a suitable standard, having regard to Policy E6 of the Burnley Local Plan Second Review.
4. In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in accordance with policy GP6 of the Burnley Local Plan, Second Review.
5. To ensure that the developer has demonstrated that the development can be undertaken and occupied in a safe and secure manner given the potential risk that the

coal mining legacy poses on the site, having regard to Policy GP7 of the Burnley Local Plan Second Review.

6. To ensure that the development does not pose an unacceptable risk of flooding or exacerbate flood risk elsewhere, having regard to Policy E8 of the Burnley Local Plan Second Review.
7. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy GP7 of the Burnley Local Plan Second Review.
8. To ensure adequate measures are in place to safeguard highway safety.
9. To limit the number of access points to, and to maintain the proper construction of the highway.
10. To ensure adequate visibility at the street junction.
11. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes occupied