

## Application Recommended for Approval APP/2013/0373

Briercliffe Ward

Reserved Matters Application

Application for approval of reserved matters for residential development under outline planning permission APP/2011/0329. Approval sought for access, appearance, landscaping, layout and scale

PRIMROSE MILL HARRISON STREET BRIERCLIFFE

### Background:

The application is for the approval of the details for the residential development of the former Primrose Mill site, granted outline planning permission in October 2008 and renewed in September 2011 by application APP/2011/0329.

The site lies within the Urban Boundary, within the Harle Syke Conservation Area and the Queen Street /Harle Syke Economic Improvement Area. To the north of the site is St James's Vicarage (Locally Listed) and Church which is a Grade II Statutory Listed Building. To the east is Queen Street Mill currently being considered for listing by the Secretary of State. To the south is the rural area.



The principle of residential development on the site has been established by the outline permission which gave an indication that the scheme would provide for 49 houses. All detailed matters were reserved for future approval. The current application is now for a total of 60 houses and provides details in respect of access, scale, appearance, layout and landscaping. Consideration is given to whether the additional 11 properties raise any significant issues in matters such as education and highway safety.

Discussions have taken place with the applicant in respect of the layout and appearance of the proposals and amendments have been made to take into account the impact of the development on the Harle Syke Conservation Area, Queen Street Mill and adjacent Listed Buildings.

Objections have been received to the development.

## **Relevant Policies:**

### Burnley Local Plan Second Review

E5 – Species Protection

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

E12 - Development in or adjacent to Conservation Areas

E16 - Areas of traditional construction

EW6 – Economic Improvement Areas

EW7 – Redevelopment of existing employment land and premises for non-employment use.

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

H12 – Non-Residential Uses in Residential Areas

TM4 – Transport Hierarchy within Development Proposals

TM15 - Car parking standards

## **Site History:**

APP/2011/0329 – Outline Application for residential development to replace extant outline application APP/2008/0550 - granted

APP/2011/0331 – Conservation Area Consent was granted for the demolition of the buildings on the site - granted

APP/2008/0550 – Outline application for residential development (all matters reserved for future approval) – granted Oct 2008

APP/2008/0551 – Conservation Area Consent. Demolition of existing works for proposed residential development.

APP/2007/1008 – Conservation Area Consent - Demolition of existing works: Refused

APP/2007/1005 – Outline application for proposed residential development including details of means of access: Refused

12/01/0171 – Change of use from storage area to hardware shop: Granted

12/93/0161 – Removal of Condition 1 on 12/75/0672 to allow any type of wholesale, packaging, warehousing, distribution and associated offices: Granted

12/75/0672 – Change of use from weaving mill to wholesale pharmaceutical distribution and the provision of parking, loading and unloading area: Granted

## **Consultation Responses:**

1. English Heritage makes comments as summarised below:

- Harle Syke is a significant conservation area highly important for its authenticity and integrity created by the inter-relationship of different buildings and its historic and communal value. The key elements of the special architectural and historic interest are the group of mills and church at the southern side of the settlement; the grid-iron layout of housing; the terraced form; the relationship of the housing to the mills and church; and the materials and detailing used.
- No objections are raised to the development of the Primrose Mill site as this is currently an empty brownfield site that does not contribute to Harle Syke Conservation Area. It is a highly sensitive site in terms of its location next to Queens Street Mill at the edge of the Conservation Area and opposite St. James Church a Grade II Listed Building. Queens Street Mill has been assessed as being of 'exceptional significance' during the Lancashire Textile Mills Assessment Survey and an application to list the Mill is currently being assessed.
- Care is required in the design to take cues from the conservation area in form, layout, scale and materials. The development is in keeping in terms of scale and materials but does not respect the form or layout of the Conservation Area and therefore causes harm to its character and appearance due to the building typology proposed. In particular the inclusion of semi-detached houses to Harrison Street is alien to the character and appearance of the conservation Area.
- It is considered that the scheme would be improved by the use of the terraced form, particularly along the Harrison Street elevation. If the development could follow the grid-iron pattern of the rest of the conservation area this would be an improvement. The development of the bungalows are alien to the historic character so should be set back away from views into the development.
- The use of materials compatible with the conservation area is welcome and the use of contemporary architectural language is accepted. Care should be taken that rendered elevations will not be seen in views into the development and around the perimeter of the development from the Conservation Area.
- Having regard to the above considerations, the current development is not supported but if the changes to the form and layout of the scheme

suggested above are taken on board, a scheme could be developed that will enhance the character and appearance of the Conservation Area.

2. Lancashire County Council (Highways) raises no objections to the proposal on highway grounds on the basis that site benefits from outline permission and whilst the proposal is now for 60 units instead of the 49 units indicated in the outline application, the analysis has shown that there will only be a minor impact on the traffic generated by the site and this will have a negligible effect on the highway network and the access points onto Burnley Road. The junctions are significantly within their capacity.

In response to residents' concerns about the adequacy of the Transport Assessment, the Highway Authority confirms that using an update of the existing Transport Assessment carried out in July 2008 is a standard method of assessment. The traffic counts used by the developer are consistent with the flows obtained from traffic counts by LCC and the developer's junction analyses for Queen Street and Granville Street offer a robust evaluation of the performance of the junctions. The approved gym in Kings Mill would not impact on the peak hours and is not likely to cause any problems in respect of road capacity.

In respect of accidents, currently there are 2 recorded injury accidents in the vicinity of the site (1 Jan 08 – 30 June 13) which represents a decrease in accidents from the 4 recorded in the 2008 application.

The proposal satisfies the adopted parking standards and there are two parking spaces per dwelling. There will be no impact on parking in the surrounding streets caused by the development.

3. Lancashire County Council (Education) – confirm that no contribution is required from the developer towards education provision. Whilst the two local schools are popular with more applications than places, there is sufficient capacity within a 2 mile radius to accommodate the additional children potentially arising from the development. It is not anticipated that things will change significantly within the next 5 years as births have been stable over the last four year period.
4. Lancashire County Council (Archaeology) – There are no significant archaeological implications.
5. Environment Agency - raise no objection in principle and comment that surface water run-off should be controlled as near to its source as possible through a sustainable urban drainage approach (SUDS). The site must be drained on separate foul and surface water systems with all foul drainage connected to the foul sewer and only clean water connected to surface water systems. It is recommended that the developer considers water management, including dealing with grey waters; use of sustainable forms of construction including recycling of materials; energy efficient buildings.
6. Briercliffe Parish Council strongly oppose the application on the following basis:

- The site is adjacent to a heritage site, museum and in a conservation area – will spoil the nature of the area.
- The use of synthetic stone within the scheme is not in keeping
- Access is difficult – Queen Street and Granville Street are narrow and always have cars parked on both sides.
- Access onto Burnley Road is difficult and extra traffic would exacerbate this
- Concern about validity of traffic survey. Residents know that roads are busy and congested.
- There have been problems for local children attending the two local schools, which are full.
- There would be no available parking for churchgoers
- There are contamination issues on site.
- There have been drainage problems below the site and there is concern about extra run-off from the development
- Water pressure is poor
- Concern that more houses would impact on the community feel of village
- There are already houses available for buying or renting of the type proposed.
- There is strong feeling amongst residents and the Parish Council supports them and echoes the concerns.

7. A Ward Councillor objects to the development on the following grounds:

- The application does not assess the impact on the conservation area.
- There are traffic issues – all roads from the site are parked on both sides with residents' cars parking one way traffic flows for large parts of the day. Entry onto Burnley Road is difficult and although there have been few major accidents there are frequent minor bumps.
- There are drainage problems within the vicinity and the development could cause further problems and possible river pollution.

8. The Diocese of Blackburn (owner of St James' Church and Vicarage) recognise that the principle of development is established by the grant of outline but wish to object on the grounds that the layout and appearance of the proposal does not respect the character of the Conservation Area or the setting of the nearby Listed Buildings. The points made are summarised below:

- The layout is not consistent with the terraced lined streets of the Conservation Area. Strong building lines should be provided, particularly along Harrison Street.
- The three storey apartment block is not appropriate and disproportionate to the bungalows. It may be an incongruous introduction to the skyline visible from outside the site. Information in respect of site gradients and finished slab levels should be provided.
- The materials, including render and aluminium cladding are unsympathetic to the Conservation Area. Greater emphasis should be placed on a traditional approach.
- There should be a landscaped buffer along the southern boundary to create a defined edge to the settlement.
- The parking arrangement creates a visually car dominated environment.

- Frontage parking to Plot 2 may create highway conflicts because of proximity to the junction.
- The parking arrangements for the southern corner plots is unsatisfactory
- Tandem parking may lead to conflict and on-street parking
- The level of parking provision to the apartment block is inadequate.
- Parking management should be considered along Harrison Street to deter overspill and protect amenity.

9. 108 letters /e-mails from residents of 95 properties have been received (85 neighbour consultations were sent out) Many responses reiterate the comments made from other respondents above and include objections on the following grounds:

- Highway safety and traffic Implications– many residents dispute the conclusions of the Transport Statement. There is a lack of parking and roads are congested. There is only one bus service and the development is unsustainable
- The site should be of a similar use as the mill to create long term employment and facilities for local businesses
- The scheme represents over-development of the area.
- No more houses are needed in Briercliffe
- Developing sites in outlying areas leads to the doughnut effect with areas close to the town centre becoming more derelict and run down
- The development is unsympathetic in design and materials and there will be an adverse impact on the character and appearance of the Conservation Area, the nearby Listed Buildings and Queen Street Mill. The scheme does not meet the design expectations of the outline permission granted in 2008
- The existing boundary wall to the mill will be lost
- The three storey apartment block is not in keeping
- Privacy, outlook and light to existing properties will be affected
- There will be more pressure on local services and facilities which are inadequate.
- There is a lack of school places in local schools which are oversubscribed. Children often have to travel outside the area.
- There will be a loss of trees, wildlife and greenspace
- There will be increased crime and nuisance

10. Burnley Civic Trust object on the basis that the development is too intense for the site, with too many properties proposed and insufficient public open space. The designs of the houses are not sympathetic to the nearby housing in the Conservation Area and do not reflect the natural stone terraces with blue slate roofs.

11. It is noted that an on-line petition containing around a 100 signatures is in progress, but this has not been submitted as part of the application.

## **Planning and Environmental Considerations:**

The principle of residential development has been established for this employment site by the granting of outline planning permission in October 2008 and the renewal of the application in September 2011.

The loss of the site for employment use was fully considered in granting the outline permission. Whilst the lawful use of the site currently remains as industrial until the residential use is taken up, it has been accepted, in granting outline permission, that the land is not suitable for industrial use because of its location, viability, residential amenity, access and character. The outline permission was granted on the basis that a residential use would be preferable, having regard to the potential harm which could be caused by a continuing industrial use.

The only issues now for consideration relate to the details of the scheme, namely access, appearance, landscaping, layout and scale, together with any impact arising from the increase in the number of dwellings from 49 to 60.

### *Access and Highway Issues*

The transport assessment carried out in 2008 indicated that the number of trips that would be generated by the proposed residential development of the site would be fewer than the amount of traffic created from when the site was occupied by the former Primrose Mill and the window manufacturer. In addition some of the previous trips would have been made by HGV's which by redevelopment of the site will be removed from the local highway and improve road safety in the area.

The modelling and the traffic counts undertaken by the applicant's traffic consultant indicated that there would be very little change in the operation of the Burnley Road/Queen St junction and the Burnley Road/Granville St/Parker St junctions following the introduction of the proposed residential development for 49 dwellings. The junction modelling indicated that the impact on the local highway network would be minimal and would not cause any traffic problems.

The Highway Authority concurred with the Transport Statement and considered that the site would be more suitable for residential development than industrial/business development.

The Transport Statement submitted with the current proposal updates the 2008 assessment and takes account of the additional dwellings now proposed. The method of updating the transport information used by the traffic consultant is a standard and recognised method of assessment. The assessment concludes that the junctions are significantly within their capacity and that there will be only a minor additional impact on the traffic generated by the site. This will have a negligible effect on the highway network and the access points onto Burnley Road over and above the current situation.

The Highway Authority concurs with the assessment which is consistent with traffic flows obtained from counts by LCC and confirm that the developer's junction analyses for Queen Street and Granville Street offer a robust evaluation of the performance of the junctions and the impact on the highway network.

It is accepted that the residents are concerned about existing highway issues on the surrounding streets, but it is clear from the traffic consultant's assessment and the Highway Authority advice that the proposed development will not exacerbate these issues to an unwarranted degree.

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 reasonably close to public transport routes and services and within reasonable walking distance of the local centre containing a range of services and employment opportunities. Whilst there are gradients, there are no significant restrictions to level access within the site.

### *Appearance, Layout, Scale and Landscaping including impact on the Conservation Area and adjacent Heritage Buildings*

The Conservation Area lies in the southern part of the village, being centred on St. James's Church and Vicarage. It is characterised by the relationship of its historic industrial, residential and community buildings. The key elements of special interest are the group of mills and church at the southern side of the settlement; the grid-iron pattern of terraced housing; the relationship of the housing to the mills and church; and the materials and detailing used.

The scale, materials and appearance of the scheme, using contemporary architectural language, are acceptable and supported by English Heritage.



Typical street scene within the site

Discussions have taken place with the developer to address concerns in respect of the form and layout, concentrating on the Harrison Street frontage, to ensure that it respects the character of the Conservation Area, and the nearby heritage buildings, whilst still providing a development which meets modern requirements.

The proposal is planned on a grid iron pattern which is in keeping with the street pattern in the Conservation Area. There are strong building lines within the development and this fits with the rectilinear form of the surrounding streets. The dwellings face the street to support the street scene, provide active frontages and natural surveillance to ensure that the streets feel safer

The scheme has been amended along Harrison Street to include two short terraces of three dwellings each, on either side of the access road together with three pairs of



semi-detached, all brought forward to within 2 metres of the back edge of pavement. The original scheme showed two detached and four pairs of semi-detached dwellings along the frontage. This amendment seeks to address concerns in relation to the form and layout of the development, also expressed by English Heritage. It provides a stronger, continuous built frontage, more in keeping with the Conservation Area, and a better relationship with the adjacent Queen Street Mill.

It allows for cars to be parked within the curtilage but set back between the semi-detached and behind the terraces so that they do not dominate the Harrison Street frontage. It also creates the opportunity to provide a low stone wall and railing detail along the frontage further strengthening the street scene. The stone from the original Primrose Mill wall will be re-used wherever possible. Proposed tree planting in the front forecourts will enhance the frontage further. Amended plans will be available for the meeting.

The materials of the properties on Harrison Street will be entirely in natural stone which will match in with the listed Church, Queen Street Mill and other buildings along the street. In response to concerns about the use of render, the developer has put forward that in place of the render on the rear and sides of the buildings within the site, a quality, sandstone coloured brick will be used which will harmonise with the artificial stone proposed for the buildings, softening the views from the rural area and longer range views. The roofs will be of reconstituted slate.

Generally the layout and form of the development, together with the change in materials now put forward, seek to address the concerns of English Heritage and improve the scheme so that it will be more in keeping with the Conservation Area and heritage buildings.

It would be preferable for there to be less forecourt parking within the scheme, but a balance needs to be struck between this and retaining the existing tight urban grain, in keeping with the character of the wider area and also providing for the needs and aspirations of the occupiers.

The privacy and outlook standards are met for the development and there would be no significant impact on sunlight, daylight or residential amenity for any of the existing properties.

The properties will be constructed to achieve Code for Sustainable Homes Level 3, using modern energy efficient methods within the building structure to achieve this.

### *Education Provision*

Many of the objections related to concern about the capacity of the two local primary schools and the advice of the Education Office, Lancashire County Council (LCC) have been sought in this respect.

LCC confirm that there is sufficient capacity within a two mile radius to easily accommodate the projected numbers of children arising from the development and this is likely to be the case for at least a five year forecasting period. A two mile radius is used to calculate the capacity in line with Government guidelines.

It is accepted that there have been more applications for the two local schools than there are places, but as the schools set their own admissions policy, proximity to the schools is not necessarily given top priority. Other factors, for example, religious or sibling connections may be given higher priority than locational factors.

The Headmasters of both schools were consulted on 17 September, but to date no responses have been received.

It should also be noted that the applicant will operate a lettings policy which will give priority to local people from Harle Syke and it is therefore quite possible that families with children already at schools within the area will relocate to the proposed development.

### *Ecology/Trees*

An Ecology Assessment has been undertaken which concludes that no protected species which will be affected by the development have been found at the site. Reptile studies are still in progress and the final comments will be available at the meeting.

Conditions can be imposed on any permission to ensure that recommendations in the report, which require the developer to follow best practice methods during development to mitigate any impact on species and seek further ecological advice if necessary.

There are no trees on the site which are worthy of tree preservation orders. It is proposed to plant trees in the front forecourts of the houses facing Harrison Street, undertake planting in the communal area in the centre of the site and plant trees in each of the rear gardens of the houses within the site.

The impact in views from the rural area into the Conservation Area will be softened by tree planting in the rear gardens of the properties on the southern edge of the site.

### *Drainage*

The drainage of the site will be agreed in consultation with United Utilities and the drainage scheme will ensure that it does not cause problems off the site. The comments of the Environment Agency will be taken on board. Also, there will be significant grassed areas within the gardens which will provide natural drainage, where this was not the case with the former mill buildings on the site.

### *Housing Issues*

The development provides for a good range of house types, including two and three-bedroomed properties, with properties for affordable rent and for sale, in line with Local Plan policies.

The properties would be mainly two storey, semi-detached properties with an apartment block of three storeys and 2 pairs of semi-detached in the centre of the site. The Harrison Street frontage would include two terraces of three properties in each, as described above.

There would be 2 x 2 bed, 4 person houses for sale; 10 x 2 bed, 4 person houses for rent; 12 x 3 bed, 5 person houses for sale; 20 x 3 bed, 5 person houses for rent; 12 x

2 bed, 3 person, over 55s apartments for rent; and 4 x 2 bed, 3 person over 55s bungalows to rent – a total of 60 dwellings.

This would provide a good range of properties to meet the needs of the area.

### *Conclusions*

Having regard to all the relevant planning issues set out above, the proposals provide an acceptable balance between the need for modern standards and the aspirations of the occupiers and the requirement to preserve the character and appearance of the Conservation Area.

This is a densely populated area and the application has received a high level of publicity. The letters received raise a variety of concerns about the proposal. The issues raised by the residents have been fully considered and given appropriate weight in assessing the planning merits of the application. However, it is of note that these responses are actually from quite a small proportion of the residents in the neighbourhood.

### *Recommendation:*

That the application for Reserved Matters be granted subject to the following conditions. The conditions attached to the outline permission still apply and these include requirements to provide for Public Open Space in the area; the need for any contamination of the site to be investigated and addressed; the restriction on hours of construction working; and provision for Affordable Housing on the site.

1. The development hereby permitted shall be begun before the expiration of two years from the approval of the last of the reserved matters to be approved.
2. The development shall be carried out in accordance with the approved plans and details.
3. Any redundant access points shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for the Construction of Estate Roads (concurrent with the formation of the new access)
4. 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.
5. Notwithstanding any description of materials in the application, no materials shall be used in the development until precise details have been submitted to and approved in writing by the Local Planning Authority. The materials used in the development shall be in accordance with the approved scheme, to the satisfaction of the local planning authority.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no building, engineering, mining or other operations shall be carried out in, on, over or under the land the subject of this application in respect of the dwellings fronting onto Harrison Street, at any time, other than:
  - (a) development in accordance with the application form and details shown on the approved plans, or on any subsequently approved amended plans; and
  - (b) the painting of the exterior woodwork of any building.
7. No properties shall be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Hard landscaping shall include proposed finished levels and hard surfacing materials; Soft landscaping shall include schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate.
8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.
9. The recommendations of the Phase 1 Habitat Assessment (TEP Report Ref: 4089.01) October 2013 Version 1.0, shall be carried out in full to the satisfaction of the Local Planning Authority.

**Reasons:**

1. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does not contain complete details of the proposed development.
2. To ensure continued compliance with the Development Plan.
- 3/ 4 In the interests of highway safety having regard to Policy GP1 of the Burnley Local Plan Second Review.
5. To secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity and in accordance with policy GP3 of the Burnley Local Plan, Second Review.
6. To enable the local planning authority to consider future development in respect of the impact on the Harle Syke Conservation Area and nearby heritage buildings, having regard to Policies E10 and E12 of the Burnley Local Plan Second Review and all relevant material considerations.
- 7/8. 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.

9. To ensure that any ecological interests on the site are fully considered in the development having regard to Policy E5 of the Burnley Local Plan Second Review.