

**Applications Recommended for Approval**  
Daneshouse with Stoneyholme Ward

**APP/2008/0248**

Full Planning Application

Conversion of building to provide office/ sales /storage on ground floor and 6 self contained apartments

Listed Building Application

**APP/2008/0257**

Conversion of building to provide office/ sales /storage on ground floor and 6 self contained apartments

37-41 BANK PARADE BURNLEY

**Background:**

The property is a Grade II Listed building within the Town Centre boundary. It is currently used for offices, storage and sales in connection with a paint supply business. The business has outgrown the property and is due to relocate to more suitable premises on Thorneybank Industrial Estate, in Hapton, Burnley.

The ground floor frontage to Bank Parade will stay in commercial use as office / storage / sales, with 1 two-bed apartment created at the rear. The first floor would accommodate 3 apartments (1 two-bed and 2 one-bed) and the second floor would accommodate a further 2 two-bed apartments. There would be six apartments in total.

Concern has been expressed about car parking in the vicinity.



**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 or listed building consent should not be granted:

## Relevant Policies:

### Burnley Local Plan Second Review

- BTC10 Upper floors in Burnley Town Centre
- BTC7 Kingsway/Bank Parade
- E10 Alterations, extensions, change of use and development affecting listed buildings
- GP1 Development within the Urban Boundary
- H15 Conversion and re-use for flats and bedsits
- TM15 Car parking standards

## Site History:

12/86/0123 – Change of use from warehouse to offices and use of 1<sup>st</sup> and 2<sup>nd</sup> floors as offices – granted

12/81/0612 – Use of premises as mill shop, offices and store - granted

## Consultation Responses:

1. Lancashire County Council (Highways) – In respect of the original proposal for 8 apartments, the Highway Authority commented that whilst they were not raising objections they would prefer a lower number of units because of existing parking issues on Bank Parade and also wanted the Council to explore the possibility of obtaining contract spaces from the Council. They raise no objections to the amended scheme and accept that the properties are in the town centre, close to public transport and services.
2. Environmental Health – no objections
3. Lancashire County Council (Archeology) – Recommend that the building be recorded prior to the conversion work commencing.
4. Burnley Civic Society – These are very special buildings and great care should be taken in the conversion. It would be preferable to convert the buildings to three cottages. Also it will be difficult to find parking for apartments.
5. One letter from a neighbouring property – expresses concern about parking and obstruction issues; potential noise nuisance;

## Planning and Environmental Considerations:

The main issues relate to the impact of the use on the character and appearance of the Listed Building; the loss of employment uses; impact on residential amenity for existing and proposed residents; impact on highway safety in the area, having regard to the existing parking issues.

### *Impact on the Character and Appearance of the Listed Building*

The building has been well maintained and is in a good state of repair. There will be minimal changes to the main front elevation facing Bank Parade. The roof of part of the building is corrugated sheeting and this will be removed and the whole roof re-roofed in blue slate. The external changes will not adversely impact on the character and appearance of the Listed Building. The rear elevation is not of the same quality and has been altered in the past. The elevation is rendered and the conversion will

result in new openings in the rear, with the removal of the roof of a lean-to building, to form a roof terrace area for the occupiers.



The proposed changes are sympathetic to the character of the building and are acceptable. Finding a new use for the building will help to keep the building in good repair and ensure the long term future of the Listed Building.



Proposed front elevation



Proposed rear elevation

### *Loss of Business Use*

Policy BTC7, which covers this part of the town centre permits development for office and business uses and states that other uses will be permitted when they complement and do not have a detrimental effect on the areas existing employment uses. The original scheme has been amended so that the office, storage and sales use remains on the ground floor. The applicant has put forward that there are already several empty properties in the area, with little commercial interest in them. The current mixed use scheme represents a reasonable compromise and satisfies the policy. Apartments can complement the town centre uses and bring vitality to an area.

### *Impact on Residential Amenity*

The proposal should not have an adverse impact on the adjoining residents at No 35 Bank Parade. There would be no impact on privacy or outlook for the occupiers. The formation of the balcony at the rear would not have a detrimental impact on nearby occupiers. The applicant has considered the positioning of the rooms so that main habitable rooms are not adjoining the adjacent storage use. The adjacent building has

a roller shutter door immediately next to the application building. Environmental Health are satisfied that the standard of amenity will be satisfactory having regard to the low level of use of the door for access and the location of the apartments within the town centre.

### *Car parking Issues*

The building has a very limited parking area at the rear of the building, accessed from a narrow alley way between the building and the next door dwelling. Loading and unloading will continue to be from Bank Parade for the commercial element of the building. Problems have arisen in the past when the alley has been obstructed, but providing the occupiers park considerately the use should not lead to any increase in the likelihood of obstruction. In any case this would be a police matter. During the day, Bank Parade can be congested and there is unlikely to be parking for the occupiers, although there is sufficient on-street parking space nearby during the evenings and on Sundays. The applicant has explored other options for contract spaces or shared parking, but there is no suitable available area to utilise. The Council car park on Edward Street has been let to another operator and the operators of the St. Peter's Centre are reluctant to allow residents parking on their land. The Highway Authority raise no objection to the lack of parking facilities, recognising that the site is within the town centre close to public transport and services and where long stay town centre parking is not encouraged. It would not be reasonable to refuse proposals for town centre living based on lack of parking facilities.

On balance the proposal will help to ensure the long term future of the Listed Building by retaining the property in use. It would not have a detrimental impact on residential amenity or highway safety and it satisfies the policies of the Burnley Local Plan.

**Recommendation:** That planning permission and listed building consent be granted subject to the following conditions:

### **APP/2008/0248 (Planning Permission)**

#### **Conditions**

1. The development must be begun within three years of the date of this decision.
2. The commercial use of the ground floor, indicated as office/storage and office/sales on the approved plan, shall not operate outside the hours of 0800 hours and 1830 hours Monday to Saturday and not at all on Sundays or Bank Holidays.
3. Any new window openings to be carried out in connection with the conversion shall be constructed with stone surrounds which match in colour, size and style, the details of the existing surrounds. The window frames shall be in timber to match the existing window frames in design, as indicated on the approved plan.
4. No works shall start in connection with the development hereby granted until the developer has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written

scheme of investigation which has been submitted to and approved in writing by the local planning authority. A copy of the record shall be lodged with the local planning authority within two months of its completion.

5. A scheme for the sound insulation of the party wall between the apartments and the adjacent industrial building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be carried out to the satisfaction of the local planning authority before any of the apartments are occupied.

**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. In the interests of the residential amenity of the neighbouring and future residents.
3. To ensure that any alterations are in keeping with the Listed Building having regard to Policy E10 of the Burnley Local Plan Second Review.
4. To ensure that adequate records are made, as the site is of archeological importance.
5. In the interests of the residential amenity of the future occupiers of the apartments.

**APP/2008/0257 (Listed Building Consent)**

**Conditions:**

1. The works shall start within three years of the date of this consent.
2. Any new window openings to be carried out in connection with the conversion shall be constructed with stone surrounds which match in colour, size and style, the details of the existing surrounds. All new window frames shall be in timber to match the existing window frames in design, as indicated on the approved plan.

**Reasons:**

1. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that any alterations are in keeping with the Listed Building having regard to Policy E10 of the Burnley Local Plan Second Review.

CMR