

Application Recommended for Approval

APP/2008/0579

Whittlefield with Ightenhill Ward

Outline Planning Application

Erection of building use class (D1) including details of access, layout and scale (all other matters reserved for future approval)

LAND AT PARKHILL COMPUTER CENTRE PADIHAM ROAD BURNLEY

Background:

The application relates to the site of the former caretakers' supervising station (comprising a pair of semidetached houses with an integral site control office), within the large grounds of an existing business centre.

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

E26 - Development in the Green Belt

E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt

GP1 - Development within the Urban Boundary

GP2 - Development in the Rural Areas

TM20 - Car Parking Standards

National Policy Guidance:

PPG2 - Green Belts

Site History:

TP11518:Outline application: Erection of offices, training, recreational and some residential accommodation all to be used as an integral part of a building society Head Office development – Granted (1973; not implemented)

79/0141:Erection of computer building and caretaker's supervisory station – Granted (County Matter)

2003/0192:Proposed change of use from Computer Centre to Church - Granted

2004/0339:Proposed change of use to B1 use (single unit) and associated car park and access – Granted

2004/0359:Removal of condition 4 on planning permission 79/0141 restricting the two houses to be occupied by a member of Burnley Building Society – Refused.

2004/0704:Improvement and extension of existing office building - Granted

Consultation Responses:

Highway Authority (Lancashire County Council) – No objections. Car parking space should be identified to serve the new use. [*Space is identified in accordance with car parking standards*]. This should be paved and marked out. A pedestrian route from the access road should be identified. [*Conditions are recommended to deal with these matters*]

Environmental Health – No objections. A condition is recommended to require remediation in the event of unexpected contamination being discovered during building operations.

National Grid Gas – (In relation to a nearby gas main) – Negligible risk.

Ightenhill Parish Council – The following comments are made:

1. The existing building is partly demolished and unsightly.
2. A fence to Cornfield Grove has been removed and fly-tipping has taken place. [*These matters would be resolved if the site is developed under the terms of the present application*].
3. No objections to the present proposal provided there is no access via Cornfield Grove. [*Such access is not proposed in the application. A condition is recommended to prevent any such future access*].
4. That a contribution to improvement of the footpath alongside the site be sought from the applicant. [*This has been discussed with the applicant – the footpath does not serve the proposed new use and a financial contribution for its improvement would be inappropriate under planning law*].

Neighbouring Resident – One letter received seeking clarification about the terms of the application and expressing concern about the amount of car parking (too high), the increased amount of traffic at the access with Padiham Road, and the height of the proposed building.

Planning and Environmental Considerations:

The pair of semi-detached houses was constructed as a 'caretaker's supervisory station' to serve the former Burnley Building Society Computer Centre under the 1979 permission. A condition was attached to the permission for the Computer Centre restricting occupancy to 'a member of Burnley Building Society for the purposes of security of the land and building'.

In more recent years the Building Society was taken over by the Abbey National who continued to occupy the site for some time, but have now moved away. Subsequently the main building has been refurbished for use as offices. An application to remove the condition and allow a general residential use of the dwellings was refused in 2004.

Permission was granted later in 2004 for alteration and extension of the building for use as offices. The development commenced; a significant amount of demolition was carried out. A legal debate ensued about whether this could have invalidated the planning permission. The conclusion was that the permission remained valid; as the development has commenced, the 'altered and extended building, can be completed at any time.

The present proposal is for the erection of a new building. It would be of similar proportions and footprint as the previous building. It would be constructed of facing brickwork, with a slate roof, designed with a steep pitch, to enable a mezzanine gallery arrangement internally.

The applicant envisages the proposed use Class D1 resulting in establishment of a crèche or day nursery.

The site occupies one corner of the large grounds of the business park. The building would back onto Cornfield Grove, separated by a landscaped area and fencing.



The building in 2004 and present day

The site lies within the Green Belt and outside the urban boundary. The main business building, together with the present building, was originally permitted (being a 'County Matter' – by Lancashire County Council), although in the then Draft Green Belt area, because of its significant employment importance.

The main planning issues in the present proposal is whether it conflicts with Green Belt policy and general impact (if any) on neighbouring residents.

Green Belt

Exceptions to National and local Green Belt policies state that re-use of buildings is not inappropriate providing they do not have a materially greater impact on the openness of the Green Belt. Another of the requirements is that their form, bulk and general design must be in keeping with their surroundings. In this case, the judgement needs to be made on the basis of the fall-back position – a very similar building has planning permission and has been partly constructed. The building now proposed would be similar in appearance to the fall-back building. Taking a realistic view, in the special circumstances, the present application should not fail because of the technicality that it is a replacement rather than a re-used building.

Impact on residents.

The site of the building is set apart from nearby dwellings in Cornfield Grove and any perceived loss of outlook would be minimal. The vehicular access is from Padiham Road via the existing entrance to the business park. No access is proposed from Cornfield Grove. However, I have concern about a proposed pedestrian entrance from Cornfield Grove, which could encourage some dropping off of children at this 'back

door' to the crèche. A condition requiring the submission of a scheme for pedestrian access would deal with this matter together with the need expressed by the Highway Authority to provide safe pedestrian access. A further condition requiring landscaping and boundary treatment would ensure a proper setting of the building and provide screening from the residential area.

Recommendation: That outline planning permission be granted subject to the following conditions:

1. Approval of the details of the appearance of the building and the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance of the building to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
5. Before the development starts a scheme making provision for pedestrian access to the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the building is brought into use. There shall be no pedestrian access from Cornfield Grove except in accordance with the approved scheme.
6. Details submitted for the purposes of Condition 1 shall include details of a fence or other means of enclosure sufficient to prevent vehicular access and pedestrian access (except such pedestrian access as may be approved for the purposes of Condition 5) to the site from Cornfield Grove.
7. Before the building is brought into use the car parking area and access road shown on the submitted site plan shall be paved and marked out in accordance with a scheme having the prior written approval of the Local Planning Authority. The scheme shall provide for any hard surface to be permeable to rainwater and/or to have a sustainable drainage system.
8. Any ground contamination being discovered during site excavation and construction of the building shall be notified to the Local Planning Authority within 14 days of discovery. The discovered contamination shall be remediated in accordance with a scheme having the prior written approval of the Local Planning Authority before any use of the building commences.

Reasons:

- 1-4 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.
5. To ensure safe and convenient pedestrian access, and in the interests of the amenities of nearby residents in accordance with Policy CF14 of the Burnley Local Plan Second Review.
6. In the interests of the amenities of nearby residents in accordance with Policy CF14 of the Burnley Local Plan Second Review.
7. To ensure adequate car parking for the use and to minimise surface water run-off in accordance with Policies GP1, GP3 and TM15 of the Burnley Local Plan Second Review.
8. To ensure proper remediation of possibly contaminated land in accordance with Policy GP7 of the Burnley Local Plan Second Review.

AR
22.9.2008