

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 1st March 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 01 MARCH 2016

Application Ref: 13/15/0600P

Ref: 19184

Proposal: Full: Major: Conversion and change of use of buildings to sports facilities (Use class D2), change cladding to outbuildings with landscaping, car parking, infrastructure and associated works.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

Date Registered: 16 December 2015

Expiry Date: 10 February 2016

Case Officer: Neil Watson

Site Description and Proposal

The application relates to the former mill warehouse building. This lies on the east side of the mill complex to the north of the former office complex servicing the wider mill complex when it was last in use. To the north of the warehouse lies a car park which is level with Glen Way.

Access to the site is proposed mainly through the northern access which links in turn to junction 12 of the M65.

The proposal is to change the B8 warehouse use of the building into a D2 sports facility. The proposal is similar to that approved under application 13/15/0019P, the main difference being the retention and recladding of sections of the modern extensions to the side of the building.

The proposal is to incorporate teaching facilities and a children's play area with associated party rooms. There will also be two rooms devoted to a dancing.

The proposal is also to demolish the link bridge which connects the building to the canal side part of the complex.

Relevant Planning History

13/15/0019P – Conversion of the Mill to Hotel and Warehouse to Leisure Facility – Approved 24/02/2015.

13/15/0020P – Listed Building Consent. Approved 24/02/2015.

Consultee Response

LCC Highways: The Highway Development Control Section is of the opinion that the conversion and change of use of buildings to sports facilities (Use class D2) would have a similar impact on transport generation and car parking as the leisure use approved as part of planning application 13/15/0019P. As part of the overall development the applicant should avoid allocating car parking spaces to individual units to allow better use of the overall car parking provision for the full development. It is understood that some units will have different peak periods for parking and a give and take approach would provide more over spill parking within the development site. Allocating the shown parking to this phase of the development only, may jeopardise the required future car parking strategy, for the remaining development.

As part of this development the Highway Development Control Section is of the opinion that the applicant should include the following off-site highway recommendations as part of this planning application and these works to be carried out under a section 278 agreement for off-site works with Lancashire County Council.

1. A routing and signing scheme to and from the site to Junction 12 is required to encourage traffic flows along Hollin Bank.
2. Glen Way is long and straight with limited features to reduce traffic speeds as additional vehicle two-way traffic movements are proposed with greater use of junctions it is recommended in the interest of highway safety that this road is traffic calmed to provide a 20mph zone. Speed cushions or junction tables to be provided at maximum 75m centres.
3. Current road closure on Junction Street to be legally removed before any works begins on site with construction traffic being routed along Junction Street to and from junction 12.
4. Junction improvements and signage at the junction of Glen Way and Junction Street to encourage M6 traffic to Junction Street to access junction 12.
5. Junction improvements and signage at the junction of Junction Street and Hollin Bank to encourage M6 traffic to use this route to access junction 12
6. Sight line investigation at the junction of Junction Street and Hollin Bank as speeds and vehicle numbers will increase if Hollin Road is opened to traffic for this development and any future development at the north of the site.

Pedestrian facilities should be provided on the west of Dale Drive and there should be secured cycle and mobility parking.

Six conditions are recommended.

Health and Safety Executive: Advise that they should be consulted on the application but raise no objections to it.

Lancashire County Council – Lead Local Flood Authority: The Lead Local Flood Authority **objects** to the development proposal on the basis of:

1. Inadequate flood risk assessment: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until an acceptable flood risk assessment (FRA) has been submitted to the local planning authority:

Reason: The FRA submitted in support of this application (Ref: 'FRA 286 Rev 1'; Dated: '06/01/2015'; By: 'Betts Associates') does not fully comply with the requirements set out in paragraph 30 of the Planning Practice Guidance and therefore, paragraph 103 of the NPPF cannot be satisfied. The submitted flood risk 2 assessment does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted flood risk assessment fails to:

- Sufficiently assess the risk of fluvial flooding to the site - whilst it is recognised that the FRA has considered the impact of fluvial flooding from the main river, the FRA does not appear to have sufficiently assessed the risk of fluvial flooding from the culverted mill race that is reported to be located within the boundaries of the site. According to the FRA, the location of this mill race is yet to be confirmed and for that reason, the impact that this may have on the proposed development would therefore be unknown.
- Take in to account the impact of climate change – whilst it is recognised that the FRA does highlight the necessity to include an allowance for climate change, the FRA does not appear to have sufficiently demonstrated how this can be achieved. The FRA indicates that the proposed development will generate a similar runoff rate to that of the existing site, however, there are no proposals to alter the existing surface water drainage regime for the site. This would suggest that the development proposal does not include any allowance for climate change.
- Adequately demonstrate how surface water can be safely managed within the proposed development – whilst it is recognised that the FRA highlights the necessity to safely manage surface water for the lifetime of the development, the FRA has failed to provide an indicative surface water drainage strategy that demonstrates how this can be achieved.

It should also be noted that the FRA has incorrectly indicated that the proposed surface water drainage system will need to be sized to prevent overland runoff from storm events up to and including the 50 year (design life of the development) return period. However, in line with Standards S7, S8 and S9 of the Non-Statutory Technical Standards for Sustainable Drainage Systems, applicants are required to demonstrate that the drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur during a 1 in 100 year rainfall event in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

Overcoming our objection: It will be possible for you to overcome our objection if an adequate FRA is submitted which specifically and satisfactorily addresses the following points:

- Further information regarding the risk of fluvial flooding from the culverted mill race that is reportedly located within the boundaries of the site.

- The provision of an indicative surface water drainage strategy that demonstrates how surface water can be safely managed for the lifetime of the development. This should include approximate surface water runoff rates and volumes from the proposed development (1 in 1 year, 1 in 2.2 year (Qbar), 1 in 30 & 1 in 100 year + allowance for climate change) and any provisions for intercepting and slowing the flow of surface water. The indicative surface water drainage strategy should also provide details relating to the indicative size and location of any proposed sustainable drainage systems. If this cannot be achieved then we are likely to maintain our objection to this application.

Please note that any permeable paving used **must not** be included as part of the hydrological calculations. This is because permeable paving can be changed to non-permeable materials in future which has the potential to increase surface water runoff which was previously unallocated for in the design of the sustainable drainage system.

2. Proposal contrary to National Planning Guidance - Runoff Destinations: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until robust evidence has been submitted to the local planning authority demonstrating why higher priority discharge points for the runoff destination of surface water are not reasonably practicable, in line with Planning Practice Guidance.

Reason: The Planning Practice Guidance requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The Planning Practice Guidance states that '*sustainable drainage systems should be provided unless demonstrated to be inappropriate*' and '*the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.*' The hierarchy for surface water runoff destinations is as follows:

- *into the ground (infiltration);*
- *to a surface water body;*
- *to a surface water sewer, highway drain, or another drainage system;*
- *to a combined sewer.*

It is evident from the application form that the applicant intends to dispose of surface water via a main sewer. However, this appears to be contrary to Paragraph 80 of the PPG as the hierarchy for surface water runoff destinations does not appear to have been given adequate consideration. Whilst it is recognised that the FRA suggests infiltration drainage is unlikely to provide a suitable means of surface water disposal for the flows generated by the proposed development. The FRA does indicate that it may be possible to use infiltration as part of the drainage strategy and recommends soakaway testing to be carried out to determine its feasibility. The FRA also indicates that there are existing culverted watercourses located within the boundaries of the site and these should be explored to determine whether they can be used to dispose of surface water from the development. 4

The absence of any robust justification as to why other preferable run off destinations cannot be utilised is contrary to policy and therefore, sufficient reason in itself for a refusal of planning permission.

Overcoming our objection: The LLFA objection may be overcome by submitting further evidence of the chosen runoff destination and robust justification of this runoff destination over preferable destinations set out in the hierarchy contained in the Planning Practice Guidance (as identified above). If robust justification or evidence is provided as to why preferable runoff destinations cannot be achieved is not provided, in line with Planning Practice Guidance, we will consider whether there is a need to maintain our objection to the application.

Objection 3: Proposal contrary to National SuDS Standard: Peak Flow Control: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until evidence is provided to demonstrate that the peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event is as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, and does not exceed the rate of discharge from the development prior to redevelopment for that event. This is to satisfy Standard S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems

Reason: Standards S2 and S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems require applicants to demonstrate that post-development peak flows of any proposed development do not exceed existing pre-development surface water runoff rates up to the 1 in 100 year rainfall event. The submitted FRA fails to contain peak flows within these parameters and therefore is contrary to Standard S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

Overcoming our objection: You can overcome our objection by submitting evidence of how the peak runoff rate for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event is as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, and does not exceed the rate of discharge from the development prior to redevelopment for that event. Production of a revised FRA will not in itself result in the removal of an objection.

Objection 4: Proposal contrary to National SuDS Standard: Volume Control: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until evidence is provided to demonstrate that runoff volume from the development for the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event. This is to comply with Standard S5 of the Non-Statutory Technical Standards for Sustainable Drainage Systems 5

Reason: Standard S5 of the Non-Statutory Technical Standards for Sustainable Drainage Systems requires applicants to demonstrate that post-development surface water runoff volume from the development in the 1 in 100 year, 6 hour rainfall event does not exceed the runoff volume for the development site prior to redevelopment for that event. The submitted FRA fails to contain surface water volume flows within the parameters set out in Standard S5 of the Non-Statutory Technical Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

Overcoming our objection: You can overcome our objection by submitting evidence of how the peak runoff volume for the 1 in 100 year, 6 hour rainfall event is constrained to a value as close as reasonably practicable to the greenfield runoff volume from the development for the same rainfall event, and does not exceed the rate of discharge from the development prior to redevelopment for that event. Production of a revised FRA will not in itself result in the removal of an objection. We ask to be re-consulted following the submission of additional information addressing the matters above. We will then provide you with comments within 21 days of receiving formal re-consultation.

For the avoidance of doubt, our objection will be maintained until an adequate level of information has been submitted which satisfies the principles outlined above.

Environmental Health: No objection but want self closing doors fitted to reduce noise emissions and sound insulation for the odour control systems. A method for assessing contamination also needs to be agreed.

Environment Agency: No objection in principle but point out that there is a “main river” crossing the site.

Historic England: Comments made relating to this application and for the application for the adjacent building. No objections to this part of the mill complex development.

United Utilities: With reference to the above planning application, United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

Drainage Comments

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Lancashire Constabulary: No objection subject to appropriate conditions being imposed.

The Coal Authority concurs with the recommendations of the Walkover Survey and Desk Study; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

Coal Authority: The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

The Coal Authority considers that the content and conclusions of the Walkover Survey and Desk Study are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has **no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.**

Public Response

No comments have been received from members of the public.

Policy Issues

The planning application is accompanied by a listed building consent submission. As with all planning applications the statutory requirement is that the application must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the area is the adopted replacement Pendle Local Plan ("the Local Plan") and the adopted Core Strategy ("Local Plan Part 1"). National planning policy is now contained in a single document - the National Planning Policy Framework ("the Framework"). Guidance on its implementation is contained in the online National Planning Practice Guidance.

The Local Plan

The Local Plan Part 1 has several relevant policies:

ENV 1 – Protecting Our natural and Historic Environments: The policy requires the significance of any heritage asset must not be harmed or lost without clear justification.

ENV 7 – Water Management: Requires flood risk on and off site to be considered as part of any planning application.

County and district heritage sites are protected under policy 4C. The policy states that where there will be loss or damage to a designated site then appropriate and adequate mitigation and compensation will be required through a section 106 agreement.

Policy 6 relates to flood risk. It deals with sites that may be at risk of flooding and policy 8 indicates that development must not expose occupiers to unacceptable risk from pollution.

Policy 9 - Buildings of Special Architectural or Historic Interest. Whilst a separate application will be considered for listed building consent the impact on designated heritage assets must be assessed as part of planning applications. The policy seeks to safeguard listed buildings and indicates that consent will not be granted for demolition except in exceptional circumstances where every effort has been made to safeguard it.

National Planning Policy Framework ("the Framework")

The Framework is the single composite national policy on planning matters in England. It replaced all previous national planning policy documents.

The Framework sets out that the purpose of planning is to contribute to achieving sustainable development. This comprises of three dimensions: social, environmental and economic. The Framework continues to place Local Plans at the heart of decision making. At paragraph 17 it sets out 12 core principles, one of which is to encourage the effective use of land by re-using land that

has been previously developed. Another core principle is to conserve heritage assets in a manner appropriate to their significance.

Section 2 sets out policies regarding town centres. It states that authorities should apply a sequential test to planning applications for main town centre uses which in turn should be required to be located in town centres before other locations.

Section 4 recognises the importance of transport in sustainable development. It says that development that generates significant amounts of traffic should be supported by a Transport Statement/Assessment.

Good design is seen as an important element in the built environment. Paragraph 64 states that planning permission should be refused for development of poor design.

The role the historic environment plays in society and in planning is principally dealt with in Part 12 of the Framework. Opportunities should be taken of sustaining and enhancing the significance of heritage assets ("HA") and the social, cultural and environmental benefits that conserving the historic environment brings is recognised.

The Framework sets out the mechanism for how heritage assets need to be assessed in planning applications. Applicants must assess the significance of the heritage asset affected and Local Authorities need to assess the impact on it. New development should where desirable make a positive contribution to local character and distinctiveness.

The more important the HA the greater the weight should be given to its conservation. Any harm or loss to a HA requires a clear and convincing justification.

Paragraph 133 states that where a development would lead to significant harm or loss of a HA consent should be refused. Where less than substantial harm would occur any harm should be weighed against the public benefits it would bring which includes securing its optimum viable use.

In terms of climate change Local Plans should set out positive strategies to mitigate and adapt to climate change. The long term effects of climate change need to be taken into account.

In terms of flood risk the Framework states that in determining planning applications flood risk should not be increased elsewhere.

Officer Comments

The Brierfield Mill is a large and locally iconic building complex which is listed for its historic and architectural significance. It holistically comprises of 380,000 ft² of floorspace built around three main sections of buildings. The buildings on site were built from 1868, although the site had buildings on it prior to that. The mill was constructed for the production of textiles but was last used around 2006 for the production of medical products.

The site forms part of a wider area of historic sites which holistically have been designated as a conservation area. To the north is a gas holder, to the west the Leeds and Liverpool Canal; and to the south is the Lob Lane complex with its converted mill and complimentary new housing. Beyond the site to the west is the cleared Clitheroe Road housing site which is the subject of further development proposals. The immediate area around the Mill is seeing renewal and regeneration and a new lease of life for the mill would be a significant element in these wider regeneration efforts.

The Mill complex has been vacant since 2006 and finding a new use for such a large scale complex has proved to be challenging, this being more constrained with the constraints on change that its listed status brings.

The overall use of the site and its potential has been looked at in a master planning process. The scale of the complex means that a number of different but complimentary uses will be brought forward. This application forms the first set of proposals for the site, as well as setting a design framework for the exterior design of the western main weaving building.

The application has been accompanied by a number of supporting documents. These include a Transport Assessment, Flood Risk Assessment, Ecology Survey, Landscape Strategy and Heritage Assessment.

Proposed Uses

The proposals have been briefly described at the start of the report. The following describes in detail the component elements of this application. There is also a current proposal to develop the land and mill complex located immediately to the west of the high bay warehouse. This is the subject of a separate planning and listed building applications.

The application building was formerly the north east weaving shed. The proposal is to utilize this for leisure purposes for activities such as climbing, high ropes, football, cricket, dancing as well as for a children's play area.

There are external changes to the building proposed. These are minor in nature and would not be harmful in terms of this planning application. They are also discussed in more detail in the listed building application.

The building is split level. Part of the lower floor would be used in association with the leisure uses. The proposal is to create 4 retail uses at the lower level.

Ecology

A bat survey from 2014 has been submitted as part of the application. There are no other areas of ecological importance on site that require investigating. No evidence of bats roosting on the site have been found, although the latter assessment was not undertaken at the appropriate assessment time of year. An updated report has also been commissioned and information on this will be available for consideration at the Committee meeting. Verbally we are informed that there has been no evidence of bats roosting at the building found.

There are however areas of the building that have the potential to be bat roosts such as the hanging tiles on the leisure box building. The report recommends that further survey work needs to be undertaken at the appropriate time of year. It correctly highlights that bats are protected from disturbance as well as direct interference. A condition will need to be added to require a more comprehensive survey at the appropriate time. However with the current evidence of there being no bat roosts there is no reason based on the impact on bats that would lead to the application being refused.

Contamination and Coal Mining Risk Assessment

A walkover and desk survey was submitted as part of the application. The survey identified that there may be small risks from areas of imported materials and from activities associated with the operation of the mill as well as potential from adjoining land uses such as the former gas works to the north. A programme of investigation is recommended that can be covered by an approximate condition.

There is likely to be some former coal mining activity which may affect the site. This would have been to work a China Mine seam. Further intrusive investigation is recommended. This should be conditioned.

Highways

A transport statement accompanied the planning application. The TS deals with both the application site and the development of the hotel in the north west building. It is not therefore specific to this planning application.

The planning application would be specifically serviced by the car park that exists immediately to the east of the building. There would be 80 car parking spaces provided. Access to the car park would be via Glen Way. Servicing would happen from the lower part of the site via Hollin Bank. The car park would be dedicated to the leisure facility and would be laid out with 86 car parking spaces and 5 spaces for disabled drivers. This is an increase on the approved scheme and is acceptable.

LCC do not object to this scheme on highway grounds but recommend that conditions are imposed on wheel washing, car park layout, cycling facilities, off site highway work, survey of the condition of Glen Way and a construction traffic management plan.

Flooding

The application has been accompanied by a flood risk assessment. This again is a composite document that related to a previous application that encompassed the building to the north of the application site. The implications relating tot flooding from this site can still be considered through the composite FRA.

The application has raised no objection from the Environment Agency who support the scheme. There has however been a detailed objection from the Local Led Flood Authority.

The application site has been in situ since 1868 when the main complex was built. The drainage arrangements to it have not altered since then and no new development is proposed. There will be no alteration to the risk to or from flooding off site resulting from this development.

The Framework sets out the approach to be taken to climate change in new developments. It indicates that new development should be planned to avoid the increased vulnerability to climate change. It sets out a sequential test for new development to be located away from areas vulnerable to flooding. Clearly that is not a test that is applicable to the current application.

The concerns are that the Flood Risk Assessment does not adequately deal with the onsite drainage issues to ensure that the site is not vulnerable to flooding.

The principle of development on the site has long been established. The drainage has served the mill buildings for over 150 years. The development itself will not generate any increase in risk of flooding whether on site or offsite. It is however appropriate to require, by condition, a full drainage plan to be agreed prior to the development commencing on site. It would be untenable and unreasonable for the Environment Agency to object to the principle of development. As the development is already in situ and the principle of the change of use is acceptable the final form of a drainage scheme can be required by a condition.

External Alterations

The proposal is to create a new entrance into the building on its east side adjacent to Glen Way. A new bridge would be built to allow access from the car park. This would have no material impact on the design of the building or the conservation area. There would be no harm to a heritage asset through this work.

A bridge link is proposed to be removed from the north elevation. This was used as a conveyor belt to get products from one mill building to the warehouse. It has not aesthetic or historical importance and its removal will have no impact on a heritage asset.

Part of the mansard roof to the front of the building is proposed to be removed and replaced by a flat roof. This relates to the part of the site with the link bridge. Removing the mansard element of the roof would enhance it as a feature and give the outrigger more depth and prominence. It would enhance the design of the building.

Other minor external changes are proposed with the addition of louvres into the roof and the blocking up and reopening of a door and windows on the building. These again have no material impact on a heritage asset and are fully acceptable.

RECOMMENDATION: Approve subject to satisfactory further details

The application is to re-use a large listed warehouse building, keeping some of the modern extensions to the side of it and removing a bridge link to the mill complex to the north. Details regarding the bat survey need to be submitted and need to be acceptable. On the proviso that satisfactory details are submitted it is recommended that planning permission be granted subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place unless and until a full scheme for survey work to identify the presence of bats has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the proposed timing and methodology to be used to identify for the presence of bats and bat roosts as well as a phasing programme of work to ensure that bats are not disturbed during development. The development shall at all times thereafter be undertaken in strict accordance with the approved scheme.

Reason: In order to ensure that the development does not detrimentally impact on a protected species.

4. The change of use hereby approved shall not be opened to customers unless and until the car park shown on approved drawing 10813_L12 has been provided, surfaced and marked out in its entirety and is available for use by the staff and customers at all times when any part of the facility is open.

Reason: In order to ensure that the development is served by an adequate level of car parking to prevent on street parking that would be inimical to highway safety.

5. No development hereby permitted shall commence on site unless and until a full drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the foul and surface water disposal systems and the capacity of those systems. The leisure facility shall not be opened to customers unless and until the drainage has been installed in its entirety in accordance with the approved scheme.

Reason: In order that the site is served by an adequate surface and foul effluent disposal system.

6. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

7. The development hereby permitted shall not be open to customers unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

8. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period. Reason; To prevent stones and mud being carried onto the public highway to the detriment of road safety.

Reason: In order to ensure that the site is serviced by adequate transport infrastructure.

9. Prior to the first use of the building hereby approved cycling facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority

Reason: In order to ensure that the site is serviced by adequate transport infrastructure.

10 A Traffic Management Plan for the construction works, to be approved in writing by the planning department before any works begin on site and to include:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: To maintain the construction of Glen Way, Hollin Bank and Function Road in the interest of highway safety.

11 The entrance doors into the building shall be self-closing with seals.

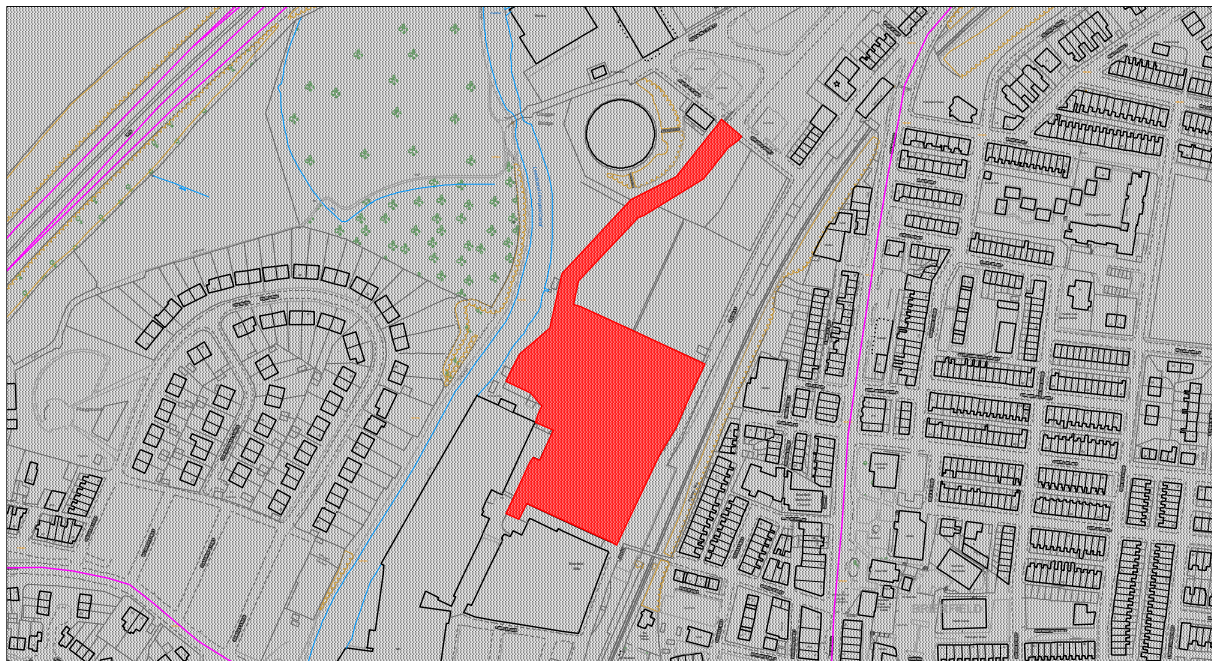
Reason: To minimise emission of noise to the neighbouring area.

- 12** Any fumes, vapours and odours from cooking shall be extracted and discharged from the premises in accordance with a scheme (which shall incorporate grease and carbon filters and discharge at roof ridge level) to be submitted to and approved in writing by the Local Planning Authority before the use is commenced. The approved scheme shall be fully implemented before the permitted use is first commenced and shall be maintained in efficient working order thereafter

Reason: To ensure that odours do not affect neighbouring land uses.

- 13** Prior to their installation samples of the materials to be used externally on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The materials used thereafter shall strictly comply with the approved materials.

Reason: In order that the Local Planning Authority can control the external appearance of the development in the interests of the visual amenity of the area.



Application Ref: 13/15/0600P

Ref: 19184

Proposal: Full: Major: Conversion and change of use of buildings to sports facilities (Use class D2), change cladding to outbuildings with landscaping, car parking, infrastructure and associated works.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 01 MARCH 2016

Application Ref: 13/15/0601P

Ref: 19185

Proposal: Listed Building Consent: External alterations to mill building, demolition of bridge link and repairs to main shed roof.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

Date Registered: 16 December 2015

Expiry Date: 10 February 2016

Case Officer: Neil Watson

Site Description and Proposal

The application site comprises of a substantial part of a grade 2 listed building complex. The building consists of the former mill warehouse building. This lies on the east side of the mill complex to the north of the former office complex servicing the mill when it was last in use. To the north of the warehouse lies a car park which is level with Glen Way.

The proposal, in broad terms, is to undertake external and internal alterations to the main spinning mill warehouse which is proposed to be converted from its B8 warehouse use into a leisure facility.

The principal issues relate to the removal of a bridge link over to the mill building to the north and to minor works to the exterior to the building. A new entrance is proposed on the east of the building linking the car park and some modern extensions to the east side are proposed to be retained and re-clad. New windows are proposed on the northern elevation.

Relevant Planning History

13/15/0020P: Listed Building Consent for conversion of the warehouse to a leisure use.

Consultee Response

Historic England: Brierfield Mill is grade II listed and situated within Brierfield Mills Conservation Area. The mill complex dates largely from the mid to late 19th to early 20th century, replacing an earlier Mill of 1830, parts of which may form the central engine house between the north and south parts of the mill. The mill complex consists of a range of buildings including the main mill building (1868-73), with weaving sheds to the north-east, east and south and attached preparation blocks, warehousing and offices. The mill is a monumental structure, dominating its site and surroundings, with rugged stone masonry in simple Italianate style. It is of typical fireproof construction, with floors consisting of brick jack-arches supported off cast iron columns, with surviving line shafting and early sprinkler system. The current application relates to the weaving shed and preparation block to the north-east which had its roof and internal structure replaced in the 1990s.

The proposal is for enabling works to facilitate the conversion of the north-east weaving shed and preparation block to a sports facility. We shall make comments on this application on the basis this is an application for a local authority owned listed building in its own authority area.

We welcome the reuse of the north-east weaving shed and preparation block. These enabling works for the most part remove detrimental later features and therefore help reveal the significance of this part of the Brierfield Mill Complex. Using the information gained by creating the heritage statement to provide interpretation within shared areas would be a great heritage benefit. We therefore are happy to support this scheme subject to the agreement of the detailed design with your conservation officer.

Public Response

No comments have been received from members of the public.

Policy Issues

Policy

The listed building consent application is accompanied by a planning application. As with all applications the statutory requirement is that the application must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration of the application must also be in accordance with primary legislation which in this case is primarily the Planning (Listed Buildings and Conservation Areas) act 1990 ("the Act").

The Act states in section 16

In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The site also lies in a conservation area. There is a duty under section 72 to have regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

The development plan for the area is the adopted replacement Pendle Local Plan ("the Local Plan"). National planning policy is now contained in a single document - the National Planning Policy Framework ("the Framework"). Guidance on its implementation is contained in the online National Planning Practice Guidance.

The Local Plan

The Local Plan Part 1 has several relevant policies:

ENV 1 – Protecting Our natural and Historic Environments: The policy requires the significance of any heritage asset must not be harmed or lost without clear justification.

Policy 9 - Buildings of Special Architectural or Historic Interest. Whilst a separate application will be considered for listed building consent the impact on designated heritage assets must be assessed as part of planning applications. The policy seeks to safeguard listed buildings and indicates that consent will not be granted for demolition except in exceptional circumstances where every effort has been made to safeguard it.

National Planning Policy Framework ("the Framework")

The Framework is the single composite national policy on planning matters in England. It replaced all previous national planning policy documents.

The Framework sets out that the purpose of planning is to contribute to achieving sustainable development. This comprises of three dimensions: social, environmental and economic. The Framework continues to place Local Plans at the heart of decision making. At paragraph 17 it sets out 12 core principles, one of which is to encourage the effective use of land by re-using land that has been previously developed. Another core principle is to conserve heritage assets in a manner appropriate to their significance.

Good design is seen as an important element in the built environment. Paragraph 64 states that planning permission should be refused for development of poor design.

The role the historic environment plays in society and in planning is principally dealt with in Part 12 of the Framework. Opportunities should be taken of sustaining and enhancing the significance of heritage assets ("HA") and the social, cultural and environmental benefits that conserving the historic environment brings is recognised.

The Framework sets out the mechanism for how heritage assets need to be assessed in planning applications. Applicants must assess the significance of the heritage asset with the detail being proportionate to the importance of the asset. The particular significance of the asset needs to be assessed.

In making a decision on the application account needs to be taken of

- The desirability of sustaining and enhancing the significance of the assets and putting them to a viable use consistent with their conservation.
- The positive contribution assets can make to sustainable communities
- The desirability of new development making a positive contribution to local character and distinctiveness

Great weight should be given to be given to the asset's conservation when the impact on the significance of a designated asset is considered. The more important the asset the greater that weight should be.

Harm to assets is not precluded from happening but this needs clear and convincing justification. If there is substantial harm or loss of a grade 2 listed building the justification for that should be exceptional.

Substantial harm to a designated asset should not be allowed unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefit that outweighs that harm unless the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term though appropriate marketing that will enable its conservation; and
- conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use

Where there is less than substantial harm to the significance of the designated asset the harm needs to be weighed against the public benefits of the proposal.

Officer Comments

The Brierfield Mill is a large and locally iconic building complex which is listed for its historic and architectural significance. It comprises of 380,000 ft² of floor space built around three main

sections of buildings. The buildings on site were built from 1868, although the site had buildings on it prior to that. The mill was constructed for the production of textiles but was last used around 2006 for the production of medical products.

The site forms part of a wider area of historic sites which holistically have been designated as a conservation area. To the north is a gas holder, to the west the Leeds and Liverpool Canal and to the south is the Lob Lane complex with its converted mill and complimentary new housing. Beyond the site to the west is the cleared Clitheroe Road housing site which is the subject of further development proposals. The immediate area around the Mill is seeing renewal and regeneration and a new lease of life for the mill would be a significant element in these wider regeneration efforts.

The Mill complex has been vacant since 2006 and finding a new use for such a large scale complex has proved to be challenging, this being more difficult with the constraints on change that its listed status brings.

The cessation of the active industrial use of the site prompted a period of uncertainty for the building. No viable use for the site has come forward since it was vacated until the current proposal. Efforts have included seeking to use the building as a training college as well as seeking public funding from a range of sources that are currently available. The only viable use that has been found over the 9 year period of its vacancy comprises of the development proposals that are now before Committee.

Part of the issue is the scale of the building which comprises of 380,000ft² of floor space. The premises are not suitable for modern industrial processes and the scale of the building in the location it is would preclude it being occupied as commercial offices.

The first three tests set out in paragraph 133 of the Framework are applicable to the Mill.

It is important in the consideration of the impact the proposals would have on the significance of the designated heritage asset to define what that asset comprises of. There are two designated heritage assets to be considered. The first is the Brierfield Conservation Area. This incorporates Lob Lane Mill, the application site and the gas holder to the north. The heritage asset is the whole of the conservation area.

Similarly the designated heritage asset for the mill is the whole of the mill complex. The designated heritage asset is the whole of the mill complex and any harm is required to be assessed against the whole of the designated asset not parts of it. There are different interventions proposed for different parts of the mill with differing impacts.

The overall use of the site and its potential has been looked at in a master planning process. The scale of the complex means that a number of different but complimentary uses will be brought forward. This application forms the first set of proposals for the site, as well as setting a design framework for the exterior of the western main spinning building. Comments have been made that the whole of the site should be looked at in parallel. That would be an ideal scenario but the scale, complexity and financial issues involved in bringing together a scheme to cover the whole complex means that the reality is that a phased, but complimentary approach, to development is the only realistic one that will occur.

Impact on Designated Heritage Assets (“DHA”)

The application is supported by Historic England. No objections to the scheme have been received from any source. The main issues revolve around specific impacts on the listed building.

In order to consider the changes proposed to the building and the impact it has on the designated heritage asset a Heritage Impact Assessment has been submitted. The assessment has built on a previous Conservation Statement which looked at the historic significance of the building.

Significance in the assessment is defined by the cultural heritage value of the mill which is a combination of the evidence of past human activity, its historic value, aesthetic value and its communal value. The mill is recognised as being of national importance with strong links between architecture and the industrial purposes it was built for. The following considers the main impacts the scheme will have.

Replacement of Windows

The proposal is to replace the single glazed windows on the north elevation with double glazed units. The form and design of the windows would be able to fit in with the overall design and appearance of the elevation. There would be no harm caused to the building with the replacement of the windows.

Removal of the Bridge Link

The bridge link was erected to allow materials to be transferred from one building to another. It forms no part of the historic significance of the building and detracts from the openness of the route between the two buildings. Removing the mansard roof from this section of the building would help to enhance its appearance and would simplify the roof design. This would be a positive change to the building.

New Entrance and Existing Modern Additions

The entrance into the upper floors is to be from the car park on Glen Way. A new bridge and entrance is to be created. A simply designed rectangular entrance is proposed. It would be constructed of modern powder coated sheeting which would work well set against the stone of the building.

On the floor below the entrance doors into a classroom would be installed. These would be simple feature with modern glass canopies above.

The existing modern extensions are proposed to be retained and clad in black powder coated material replacing the corrugated modern additions which currently detract from the appearance of the building. These works would enhance the appearance of the heritage assets.

Other Alterations

Other alterations proposed are the re-instatement of existing openings, blocking up of some openings and the introduction of louvered openings for ventilation. None of these have a detrimental impact on the designated heritage assets.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The works approved shall be begun before the expiration of three years from the date of this consent. No later than three days after works first begin on site, written notice shall be given to the Local Planning Authority of the date on which works are first commenced.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the installation of any boundary fencing details of the proposed fencing shall be submitted to and approved in writing by the Local Planning Authority. The fencing thereafter installed shall comply strictly with the approved details.

Reason: in order that demolition of part of the designated heritage asset is not carried out without the complimentary development its demolition would facilitate.

4. No work on the repair of any stonework, formation of new openings, stone cleaning or re pointing shall take place unless and until a full schedule of the extent of the work and a method statement detailing how the work will be undertaken and what material will be used has been submitted to and approved in writing by the Local Planning Authority. Any work thereafter shall be undertaken in strict accordance with the approved details.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

5. No work on the demolition of the bridge link shall take place unless and until full details of the design and use of materials, including salvaged materials, has been submitted to and approved in writing by the Local Planning Authority. Any work thereafter undertaken shall be carried out in strict accordance with the approved details.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

6. Prior to the commencement of any work to the windows and doors on any part of the mill a full schedule of the work to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate a full itemised and numbered schedule of the windows involved, drawings of the design of each window, including materials and colour at a scale of not less than 1:20. All work to the windows shall thereafter strictly conform to the details so approved.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

7. Prior to the demolition of the bridge link hereby approved details of the proposed method of re-instatement of the scars that would be left shall be submitted to and approved in writing by the Local Planning Authority. The demolition of any part of the building shall immediately be followed by the re-instatement of the scars in accordance with the approved details.

Reason: In order to ensure that the fabric of the building is repaired to a satisfactory standard in order to protect the character and appearance of the listed building.

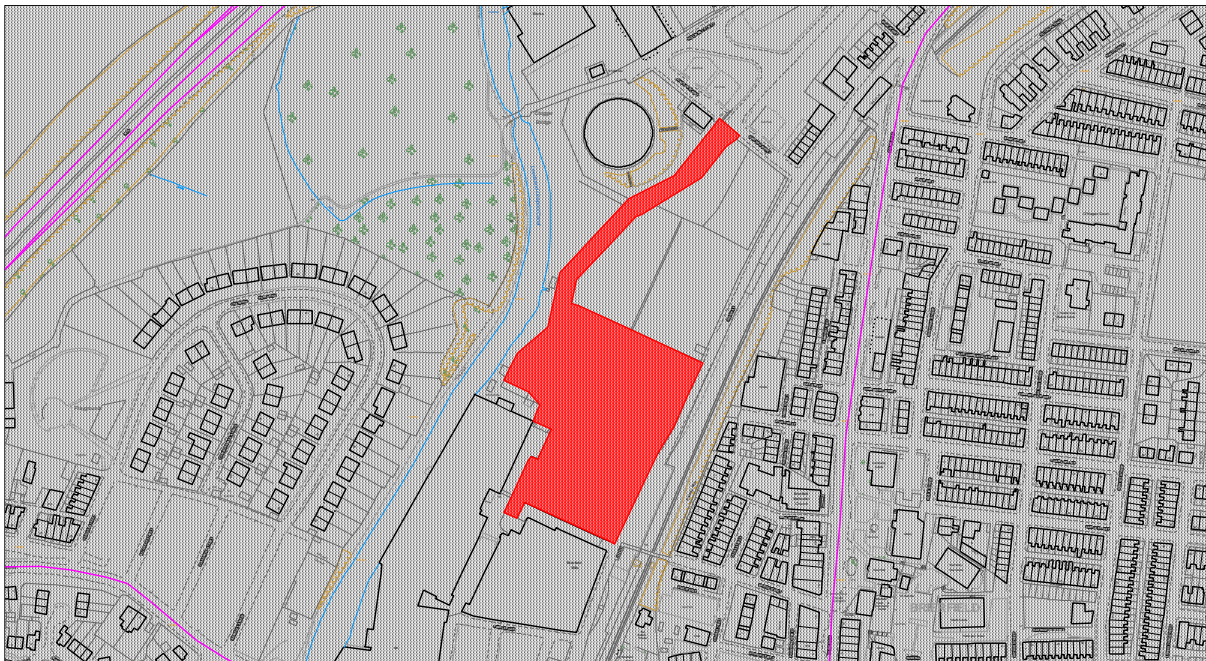
8. Prior to the recladding of the modern extensions to the building, the installation of canopies and the erection of the new entrance details of the materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The materials used thereafter shall strictly conform to the approved details.

Reason: In order to ensure that the fabric of the building is repaired to a satisfactory standard in order to protect the character and appearance of the listed building.

9. No work on site shall be commenced unless and until a full scheme for the hard and soft landscaping of the site, including details of the repair and re-instatement of stone boundary walls, railings, street furniture, signage and any proposed public art shall has been submitted

to and approved in writing by the Local Planning Authority. Any work subsequently undertaken shall conform strictly to the details so approved.

Reason: In order to allow an assessment of the work in order to protect and preserve the character and historic fabric of the listed building.



Application Ref: 13/15/0601P

Ref: 19185

Proposal: Listed Building Consent: External alterations to mill building, demolition of bridge link and repairs to main shed roof.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 01 MARCH 2016

Application Ref: 13/15/0603P

Ref: 19188

Proposal: Full: Major: Conversion and change of use of buildings to office, training/education facility, micro-brewery with retail, bar, restaurant, cafe, managed office space (Use classes A1, A2, A3, A4, A5, B1 and B2), car parking and associated landscaping, infrastructure and associated works and demolition of pub, garage/car sales to form car parking and landscaping.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

Date Registered: 16 December 2015

Expiry Date: 10 February 2016

Case Officer: Kathryn Hughes

Site Description and Proposal

The site is the Grade II listed Brierfield Mills Complex which is located within Brierfield Mills Conservation Area and the settlement boundary for Brierfield.

Brierfield Mill Complex is sited between the Leeds-Liverpool Canal to the west and the railway line to the east. The site is within walking distance of the train station and bus stops in Brierfield centre.

The site forms part of a wider area of historic sites which holistically have been designated as a conservation area. To the north is a gas holder, to the west the Leeds and Liverpool Canal; and to the south is the Lob Lane complex with its converted mill and complimentary new housing. Beyond the site to the west is the cleared Clitheroe Road housing site which is the subject of further development proposals. The immediate area around the Mill is seeing renewal and regeneration and a new lease of life for the mill would be a significant element in these wider regeneration efforts.

The Mill was built from 1860's with other buildings constructed in the early 1900's. The site is currently vacant and has remained so for around 9 years with Smith and Nephews ceasing trading in 2006. Finding a new use for such a large scale complex has proved to be challenging, this being more constrained with the constraints on change that its listed status brings.

The overall use of the site and its potential has been looked at in a master planning process. The scale of the complex means that a number of different but complimentary uses will be brought forward.

The application site comprises building 2 and the adjacent Railway Tavern Public House, Station Garage and Clitheroe Car Sales Office all of which lie to the south east of the complex.

The proposal is to convert the offices, warehouse, south east weaving shed (No.2 shed, No. 3 shed) and yarn preparation block, workshops and offices of the mill complex into the following uses:

- Cyber Security training with associated secure car park;
- Lancashire Adult Learning Centre;

- Managed Office space;
- Micro Brewery; and
- restaurant.

Also included is the formation of car parking and associated landscaping.

Some external alterations are proposed in terms of replacement windows and doors, minor demolition of modern additions and creating a new entrance on the southern elevation and ramped access to the internal car park which will be addressed in more detail as part of the Listed Building Consent (Reference 13/15/0604P) which also appears on this agenda.

This application also seeks permission to demolish the Railway Tavern Public House, Station Garage and Clitheroe Car Sales in order to form car parking spaces and landscaping.

A separate application has also been submitted for the Leisure Box elements, enhanced public realm and use of the garage as an artists studio (13/14/0600P).

Existing permission has been granted for hotel and leisure uses on this site under application number 13/13/0142P & 13/15/0143P.

Relevant Planning History

13/13/0143P: Listed Building Consent: Installation of replacement windows and refurbishment of North Light roof - Granted 28th May, 2013.

13/15/0019P: Full: Major: Conversion and change of use of buildings to a hotel (Use Class C1), leisure use (Use Class D2), including 4 small retail units (Use Class A1) and car park (Use Class Sui Generis) with landscaping, car parking, infrastructure, demolition and associated works - Approved 24th February, 2015.

13/15/0020P: Listed Building Consent: External alterations to mill buildings and partial demolition of roof on north lights shed and removal of modern extensions to warehouse - Granted 24th February, 2015.

13/15/0600P - Full: Major: Conversion and change of use of building to sports facilities (Use Class D2), change cladding to outbuildings with associated landscaping, car parking, infrastructure and associated works - Pending.

13/15/0601P - Listed Building Consent: External alterations to mill building, demolition of bridge link and repairs to main shed roof - Pending.

13/15/0604P - Listed Building Consent: Demolish gatehouse and balustrade, install gates to entrance, repair and replace stone surrounds and cills where necessary, replace windows and external doors and internal walls and doors - Pending.

Consultee Response

LCC Highways - Initial concerns have been raised on issues relating to:

- lack of comprehensive Transport Assessment for the full site;
- comprehensive car parking strategy is required for the full site;

- comprehensive Travel Plan required for the full site;
- routing and signing scheme from Junction 12 to encourage traffic flows along Hollin Bank;
- sight lines from the western car park onto Dale Street car parking area to be 2.4m x 24m in both directions;
- allocated car parking should be avoided as part of the overall development as some uses would have different peak periods and could provide overspill parking within the development as a whole;
- footpaths on Clitheroe Road, Dale Street and Glen Way need to be widened;
- Exton Street and Thomas Street are proposed to be stopped up this will affect vehicles entering and exiting the site from Clitheroe Road;
- a pedestrian crossover will be required at the junction of Glen Way and Clitheroe Road;
- speed cushions or tables will be required along Glen Way to reduce speeds;
- traffic calming on Junction Street not required;
- current road closure on Junction Street;
- improvements and signage to junction of Glen Way and Junction Street;
- improvements and signage to junction of Junction Street and Hollin Bank;
- sight line investigation at the junction of Junction Street and Hollin Bank;
- modifications to the new and exiting site accesses;
- existing accesses to be closed;
- details of signage and barriers for one way system within the site;
- interactive car parking signs;
- provision of 1 3m wide cycle link from Hollin Bank Road to Clogger Bridge;
- secured cycle provision and
- mobility parking spaces.

Update - Additional information on the above has been provided and LCC Highways response to this is expected prior to the meeting.

Architectural Liaison Unit - Within the last 12 months period, there have been recorded crimes including burglary and theft. Also 26 incidents are recorded requesting police assistance.

One burglary resulted in the theft of £6300 of computer equipment on the 31st December 2015. As this is a large complex security should be a priority.

Observations.

I note in the original application the Design and Access statement only makes reference to the

principles of Secured by Design for the design layout, in particular the parking arrangements. No mention has been made in respect of physical security.

It is not clear to me if the build has a target for achieving BREEAM Excellent?

Within the comprehensive Design and Access Statement, it is not clear if provision of secure cycle store is to be incorporated into the build.

As a general rule all internal doorsets should be fitted with locking furniture so that they can be locked when the room is left unoccupied. This building may incorporate electronic access control systems to all or most of the internal doorsets.

Rooms storing high risk/value equipment, such as IT servers, and materials or security systems/utilities services will require more robust doorsets and locking systems. Early discussions with the occupier of the building may also indicate the level of access control required for each room and floor.

The requirement for electronic access control will be influenced by some of the following factors:

- The need to protect a lone worker or vulnerable person working in the building.
- To prevent access into parts of the building beyond the reception to prevent crime and maintain health and safety.
- To prevent trespass onto the separate floors.

I recommend that this building is fitted with a CCTV system, it must be installed to BS EN 50132-7:2012+A1:2013 CCTV surveillance systems for use in security applications.

A suitably designed, fit for purpose, monitored intruder alarm system must be installed.

Landscaping across the site should be carefully considered so that it is low level particularly on and around the public green open spaces e.g. no higher than 1 metre so that it does not reduce the opportunity for natural surveillance across the site or create areas of concealment for potential offenders

Further advice on the requirements of Secured by Design for a commercial development is available from this office or at www.securedbydesign.com

The Coal Authority - The Coal Authority Response: **Holding Objection**

The application site falls within the defined Development High Risk Area. The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

Having reviewed the LPA website, The Coal Authority is unclear as to the precise extent of the application site boundary. Unfortunately many of the documents have been given the same title on the website thereby making it very difficult to ascertain the relevant information. However, we note that the Access & Circulation Strategy (Drawing No. 10813.L04 Rev.P01) appears to identify two application boundaries. **Protecting the public and the environment in coal mining areas 2**

The Coal Authority would therefore be grateful for the submission of a definitive site location plan

along with existing and proposed site plans to clarify the situation. Until we have had an opportunity to review the requested information this letter constitutes our **holding objection** to the above planning application.

Notwithstanding the above, the covering letter indicates that a Phase 1 Geo-Environmental Desk Report (previously submitted with planning application 13/15/0019P) has been submitted in support of the current planning application.

Whilst we have been unable to locate the Phase 1 Report, we note that a Walkover Survey and Desk Study (January 2015, prepared by Sub Surface North West Limited) was submitted to support planning application 13/15/0019P and therefore presume that this is the Report referred to. Having reviewed this document, we note that it does not appear to cover Application Site 2 as shown on Drawing No. 10813.L04 Rev.P01.

Update: Holding objection withdrawn and no further investigation is required for coal mining activities needs to be investigated further. An informative should be added to grant of permission giving advice.

Canal & River Trust - No comments.

Natural England - No comments.

Network Rail

Environment Agency - We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition

No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on phase 1 geo environmental desk study report 5975, (and additional inclusion of the extended site area of this proposal,) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
2. The results of the site investigation and detailed risk assessment referred to in (1 and the desk study report) 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; and
3. 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that

planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

For Information

The desk study highlights potential source areas of contamination requiring ground investigation and recommends testing of soils, leachate and groundwater. The investigation proposes to cover the assessment for capping of the 3 mine entries on site and drilling to assess if coal seams have been worked. It would be prudent to use these investigation bores to retrieve groundwater samples in addition to specific targeting of groundwater for assessment of potential contaminant linkages from the site.

A CCTV camera survey of the culverted brook is recommended to determine if there are any existing or historical connection of drains from this site. This survey is required to establish any potential pollutant linkage to surface waters.

Lead Local Flood Authority - The Lead Local Flood Authority **objects** to the development proposal on the basis of:

1. Inadequate flood risk assessment: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until an acceptable flood risk assessment (FRA) has been submitted to the local planning authority:

Reason: The FRA submitted in support of this application (Ref: 'FRA 286 Rev 1'; Dated: '06/01/2015'; By: 'Betts Associates') does not fully comply with the requirements set out in paragraph 30 of the Planning Practice Guidance and therefore, paragraph 103 of the NPPF cannot be satisfied. The submitted flood risk assessment does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted flood risk assessment fails to:

- Sufficiently assess the risk of fluvial flooding to the site - whilst it is recognised that the FRA has considered the impact of fluvial flooding from the main river, the FRA does not appear to have sufficiently assessed the risk of fluvial flooding from the culverted mill race that is reported to be located within the boundaries of the site. According to the FRA, the location of this mill race is yet to be confirmed and for that reason, the impact that this may have on the proposed development would therefore be unknown.
- Take in to account the impact of climate change – whilst it is recognised that the FRA does highlight the necessity to include an allowance for climate change, the FRA does not appear to have sufficiently demonstrated how this can be achieved. The FRA indicates that the proposed development will generate a similar runoff rate to that of the existing site, however, there are no proposals to alter the existing surface water drainage regime for the site. This would suggest that the development proposal does not include any allowance for climate change.
- Adequately demonstrate how surface water can be safely managed within the proposed development – whilst it is recognised that the FRA highlights the necessity to safely manage surface water for the lifetime of the development, the FRA has failed to provide an indicative surface water drainage strategy that demonstrates how this can be achieved.

It should also be noted that the FRA has incorrectly indicated that the proposed surface water drainage system will need to be sized to prevent overland runoff from storm events up to and including the 50 year (design life of the development) return period. However, in line with

Standards S7, S8 and S9 of the Non-Statutory Technical Standards for Sustainable Drainage Systems, applicants are required to demonstrate that the drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur during a 1 in 100 year rainfall event in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

Overcoming our objection: It will be possible for you to overcome our objection if an adequate FRA is submitted which specifically and satisfactorily addresses the following points:

- Further information regarding the risk of fluvial flooding from the culverted mill race that is reportedly located within the boundaries of the site.
- The provision of an indicative surface water drainage strategy that demonstrates how surface water can be safely managed for the lifetime of the development. This should include approximate surface water runoff rates and volumes from the proposed development (1 in 1 year, 1 in 2.2 year (Qbar), 1 in 30 & 1 in 100 year + allowance for climate change) and any provisions for intercepting and slowing the flow of surface water. The indicative surface water drainage strategy should also provide details relating to the indicative size and location of any proposed sustainable drainage systems. If this cannot be achieved then we are likely to maintain our objection to this application.

Please note that any permeable paving used **must not** be included as part of the hydrological calculations. This is because permeable paving can be changed to non-permeable materials in future which has the potential to increase surface water runoff which was previously unallocated for in the design of the sustainable drainage system.

2. Proposal contrary to National Planning Guidance - Runoff Destinations: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until robust evidence has been submitted to the local planning authority demonstrating why higher priority discharge points for the runoff destination of surface water are not reasonably practicable, in line with Planning Practice Guidance.

Reason: The Planning Practice Guidance requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The Planning Practice Guidance states that *'sustainable drainage systems should be provided unless demonstrated to be inappropriate'* and *'the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.'*

The hierarchy for surface water runoff destinations is as follows:

- *into the ground (infiltration);*
- *to a surface water body;*
- *to a surface water sewer, highway drain, or another drainage system;*
- *to a combined sewer.*

It is evident from the application form that the applicant intends to dispose of surface water via a main sewer. However, this appears to be contrary to Paragraph 80 of the PPG as the hierarchy for surface water runoff destinations does not appear to have been given adequate consideration.

Whilst it is recognised that the FRA suggests infiltration drainage is unlikely to provide a suitable means of surface water disposal for the flows generated by the proposed development. The FRA does indicate that it may be possible to use infiltration as part of the drainage strategy and recommends soakaway testing to be carried out to determine its feasibility. The FRA also indicates that there are existing culverted watercourses located within the boundaries of the site and these should be explored to determine whether they can be used to dispose of surface water from the development.

The absence of any robust justification as to why other preferable run off destinations cannot be utilised is contrary to policy and therefore, sufficient reason in itself for a refusal of planning permission.

Overcoming our objection: The LLFA objection may be overcome by submitting further evidence of the chosen runoff destination and robust justification of this runoff destination over preferable destinations set out in the hierarchy contained in the Planning Practice Guidance (as identified above). If robust justification or evidence is provided as to why preferable runoff destinations cannot be achieved is not provided, in line with Planning Practice Guidance, we will consider whether there is a need to maintain our objection to the application.

Objection 3: Proposal contrary to National SuDS Standard: Peak Flow Control: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until evidence is provided to demonstrate that the peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event is as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, and does not exceed the rate of discharge from the development prior to redevelopment for that event. This is to satisfy Standard S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems

Reason: Standards S2 and S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems require applicants to demonstrate that post-development peak flows of any proposed development do not exceed existing pre-development surface water runoff rates up to the 1 in 100 year rainfall event. The submitted FRA fails to contain peak flows within these parameters and therefore is contrary to Standard S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

Overcoming our objection: You can overcome our objection by submitting evidence of how the peak runoff rate for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event is as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, and does not exceed the rate of discharge from the development prior to redevelopment for that event. Production of a revised FRA will not in itself result in the removal of an objection.

Objection 4: Proposal contrary to National SuDS Standard: Volume Control: The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until evidence is provided to demonstrate that runoff volume from the development for the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event. This is to comply with Standard S5 of the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Reason: Standard S5 of the Non-Statutory Technical Standards for Sustainable Drainage Systems requires applicants to demonstrate that post-development surface water runoff volume from the development in the 1 in 100 year, 6 hour rainfall event does not exceed the runoff volume for the development site prior to redevelopment for that event. The submitted FRA fails to contain surface water volume flows within the parameters set out in Standard S5 of the Non-Statutory Technical Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

Overcoming our objection: You can overcome our objection by submitting evidence of how the peak runoff volume for the 1 in 100 year, 6 hour rainfall event is constrained to a value as close as reasonably practicable to the greenfield runoff volume from the development for the same rainfall event, and does not exceed the rate of discharge from the development prior to redevelopment for that event. Production of a revised FRA will not in itself result in the removal of an objection.

We ask to be re-consulted following the submission of additional information addressing the matters above. We will then provide you with comments within 21 days of receiving formal re-consultation.

For the avoidance of doubt, our objection will be maintained until an adequate level of information has been submitted which satisfies the principles outlined

Update - Further information has been submitted and a meeting arranged with LLFA to discuss an appropriate drainage system. It is expected that these objections will be withdrawn prior to the meeting.

United Utilities - Drainage Comments

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Drainage Conditions

United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

Foul Water

Condition 1

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

Surface Water

Condition 2

Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement

national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG

Water Comments

A water main crosses the site. As we need access for operating and maintaining it, we will not permit development in close proximity to the main. You will need an access strip of no less than 5 metres, measuring at least 2.5 metres either side of the centre line of the pipe.

The applicant must comply with our standard conditions, a copy of which is enclosed, for work carried out on, or when crossing aqueducts and easements.

This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense. Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

We can readily supply water for domestic purposes, but for larger quantities for example, commercial/industrial we will need further information.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

PBC Environmental Health - Conditions required for noise, sound installation, odour extraction. land contamination, construction code of practice, dust control, burning on site and external lighting.

PBC Conservation Officer - Heritage significance of mill complex

Brierfield Mill is listed Grade II and forms a major part of the Brierfield Mills Conservation Area. The mill complex is the largest in Pendle and one of the largest in the north west. Historically its integrated function i.e. carrying out both textile spinning and weaving, is relatively unusual in Pendle where the usual form for textile mills is the simple single storey weaving shed. A major part of the significance of the complex as a whole lies in its survival as a rare example of a cotton mill that remained in use as a spinning and weaving site well into the 20th century. Elements which define the character include the terracing into a sloping site, the classical and Italianate detailing and architectural embellishment used throughout the site to unify the different elements, the use of local stone, the fireproof construction and large open workspaces, and the low weaving sheds with their north light roofs. The taller multi-storey buildings have imposing stone facades of formal squared stone in regular straight courses with rows of arched-headed windows and string and lintel/sill courses. The buildings are large in scale and therefore prominent in views from a wide area. The majority of the exterior and the layout of the different buildings remains markedly complete, though there have been some significant alterations internally.

Heritage significance of building 2

The part of the mill subject to this application is essentially comprised of three linked buildings – the former warehouse and office building fronting Glen Way, the south east weaving shed, and the yarn preparation block, clock tower and engine house which fronts onto the yard.

It should be noted that the Heritage Statement submitted is the one used for the previous applications for the larger site, however this building was excluded from that application and therefore the submitted Statement does not deal with the impact of the current proposals on the fabric and significance of this part of the listed building.

The former warehouse and office building fronting Glen Way was built in two parts – the cloth warehouse of 1873-76 comprises the southern part and the offices of 1877-85 are to the north. Both parts are 2 storeys with basement, of rock faced and tooled stone respectively, and hipped slate roof behind a parapet. These buildings were the public face of the complex facing the town and have impressive architectural detailing defining windows and doors. Some original timber windows remain at basement level, at upper levels are metal windows which have mostly been altered, and there are some later replacements in upvc. Internally little of interest remains, apart from the brick ceiling arches with cast iron columns, and to the northern former office area an arched and moulded timber door surround and surrounding masonry walls on the ground floor which illustrates the historic and stylistic difference between the ‘higher status’ offices and the warehouse. The later 20th century reception area with glazed lobby also has some significance in illustrating the historic former use of the complex and its development over the years. To the rear of the offices an original stone passage with glazed roof connects the building to the weaving shed at lower level.

The south east weaving shed of 1873-76 is the earliest north light shed on the site and is attached to the back of the offices and warehouse. Due to the sloping site the main weaving shed is level with the office/warehouse basement, and there is also a smaller shed at lower basement level terraced into the slope. This 2-storey design is unusual and distinctive of this mill complex. The shed walls are of squared rubble with eaves cornices and the roof is typical saw-tooth north light construction. The tall and impressive south wall of the shed is prominent in views from Clitheroe Road. Internally the main shed retains its cast iron columns, and the lower floor has a brick arch ceiling, though the latter has lost many of its original features. To the west the main weaving shed is level with the second floor of the yarn preparation block which faces onto the yard.

The yarn prep block together with the clock tower and engine house at the northern end is one of the most distinctive parts of the complex as seen from the mill yard. Constructed in 1877-85, it is a 3 storey block originally housing a mechanics workshop and boiler house on the ground floor, offices and yarn prep area. A semi-circular stair tower projects into the yard at the northern end which is surmounted by the impressively decorated square clock tower. Behind the tower is a two storey engine house that powered the weaving shed. At the southern end an office bay by the yard entrance projects forward into the yard, presenting more elaborate detailing on the prominent elevation to Pendle Road. Most windows are original timber with a number of later replacements. Internally the spaces do not retain many original features.

An existing Listed Building Consent ref. 13/13/0143P exists for the installation of replacement windows to the front office block, and the repair and refurbishment of the north light roof to the weaving shed.

Comments on proposals for building 2

Enabling works are proposed throughout to strip out later fixtures and fittings, which will better reveal the original structure and spaces and the external elevations. Services and fittings will be installed to facilitate the new uses, including partitions, lifts and staircases. Internally there is little remaining of particular historic significance, and the new uses would be well suited to the building, generally requiring little intervention or impact on original fabric. An exception however would be to the northern ground floor section of the Glen Way office building where a decorative arched

doorway and flanking masonry walls remain close to the original office entrance; these are remnants of the original layout and are indicative of the historic and stylistic division between the original office and warehouse uses in this building. The revised layout plan for this floor indicates that the adjacent cross wall is to be retained and there is therefore scope for this door surround to be retained in its original position. Consideration should also be given to whether more of the historic plan form in this area can be retained in order to indicate and enable an appreciation of the former layout of this part of the building. Although most of the existing partitions are later 20th century insertions there are a few sections of remaining masonry walls that are earlier. It is proposed to make good the original vaulted brick ceilings and cast iron columns in this building which will also add to the character of the internal spaces.

It is important that opportunities are taken to provide interpretation of the history of the building throughout, particularly in locations where historic features are to be retained, and also through interpretation and information to be visible in public areas. Artefacts like the historic safes currently in the offices basement should be retained and displayed in suitable public areas.

The weaving shed is to be partially subdivided by introducing partitions, and the north light roof to be repaired and upgraded with existing slates and also using those from other north light elements to be demolished elsewhere. Glazed vision panels within the partitions will help appreciation of the expanse of the former weaving shed space. A new entrance will be created to the important south elevation stone screen wall facing Clitheroe Rd, formed in a neutral black metal cladding around glazing. Design details for this insertion and also the proposed steps and balustrade detail to the entrance will need to be agreed. Also to this elevation will be an entrance ramp to a new underground parking area within the lower shed. The detailed design of the opening within the stone wall and the roller shutter gates will need to be agreed.

To the western yarn prep block the existing modern gatehouse and toilet additions will be demolished, which will better reveal the original structure. Internally original columns will be retained within the microbrewery and office spaces. At ground floor level a modern loading bay area to the yard will be infilled with aluminium framed glazed screen and doors set back from the masonry walls.

Externally throughout the buildings the proposals generally work well with the existing openings. Simple glazed or timber panelled doors would be reinstated to existing openings and unsightly modern window frames would be reinstated with new double glazed timber frames to match the original designs. Some original window frames do remain however; these have a distinctive chamfered design and it will be important to retain the best of these as original fabric. The clock tower in particular retains good original window frames. As they generally have thick profiles it should be possible to install double glazed units into the existing frames, this can be agreed through the conditioned submission of a windows schedule for each part of the building. Louvred variations to window openings will also be used to those areas requiring ventilation, such as the car park; these will match existing louvred examples throughout the complex.

Overall the proposed alterations to the buildings are sympathetic and will enhance the significance of the listed building. In line with NPPF 131 the significance of the heritage asset will be sustained and enhanced, and the buildings will be put to viable uses consistent with their conservation.

Conditions are required to control the following details:

- Schedule and methodology to be approved for all proposed stonework repairs, replacements and alterations, new openings to be formed in stonework, reinstatement of demolition scars, and areas of rendering, including any stone cleaning and repointing. Samples to be submitted for new stone, repointing and render.
- Schedule to be approved for all rainwater goods, including repairs to existing, new gutters and

downpipes in cast iron to replace plastic; materials, colours and finishes.

- Method statement and specification to be approved for repair and replacement of north light roof, and repair of pitched roof to yarn preparation block.
- Full itemised and numbered schedule and methodology for all works to windows, including repairs to existing sound timber frames, design of all new frames, design of all new window openings; materials, colours and finishes, including detailed plans and sections at not less than 1:20.
- Similar schedule and plans for all works to external doors, including design detail for new entrance to Pendle Road, including steps and balustrade, and detailed design of car park ramped entrance.
- Schedule of positions, materials and finishes for all additions to external facades and roofs, to include plant and flues, ventilation openings and louvres, pipework, ducts, service runs, lighting, signage and public art.
- Agree scheme for retention of original doorway surround and attached walls in northern part of office block.
- Scheme to be agreed for interpretation of history of building and display of artefacts particularly in public areas.
- Detailed design and materials for hard landscaping around the building, including details of repair and reinstatement to stone boundary walls around the site, new boundary treatments, street furniture, lighting, signage and public art.

PBC Environment Officer - **Bat survey** – The same bat survey has been submitted as application 13/15/0600P and the same caveats apply relating to timing and further survey work. Also, and more significantly, the bat survey has not included the south east portion of the site to which this application relates. There are buildings on the site including a public house on the corner which will have to be demolished to allow for the car park etc and these buildings are potential bat roost.

The bat survey was undertaken 16 December 2014 and report dated 20 December 2014 but submitted a year later. The report refers to a previous survey undertaken by Capita Symonds in October 2012 (not submitted so cannot comment upon it) which allegedly recommended more investigative survey work at appropriate times of year. Whilst the report does not include the south east part of the site, I consider that the report conclusions are valid and are likely to similarly apply to that part of the site, particularly as it echoes the need for such further work to assess bat activity in warmer months along with winter inspection of cave-like places.

The report concludes:

- that there are sufficient medium to high risk features associated with the buildings on site to suggest that some roosting and/or hibernating by bats is likely and recommends a full programme of bat activity survey work in 2015 along with further inspections for the presence of hibernating bats in winter. The report gives specific detail (page 13) of the different components/areas of the building and the type and timing on any bat survey relevant to it. Given the age and character of the public house it is likely that the same issues apply. A bat survey is important as it informs whether a European Protected Species

Licence is needed. DAS states at 3.5.2 that further work has been done by Ecology Services Ltd. but this does not appear to have been submitted. Did it include the south east part of the site?

- that until further investigative survey work has been carried out, further recommendations cannot be made on the phasing of the project. It goes on to say that it would be impossible to confirm no bat ever roosts on this site so, irrespective of the findings of future survey work, a programme of mitigation and compensation needs to be devised to ensure roosting potential is retained/enhanced, including in association with cave-like places.
- In conjunction with the above, unlit flight lines used by bats must be retained or recreated appropriately, including alongside buildings and to and from known/suspected roosts.

Update: an addendum to the original survey has been submitted and a survey on the three buildings proposed to be demolished has been undertaken. Details of the survey are expected shortly.

The previous bat survey required further surveys to be undertaken to particularly include cellars and other 'cave-like' structures. Although this latest survey has concluded that the cellar elements of the survey found no bats or signs of bats and that part of the proposal is therefore satisfactory, many places on the rest of the site require further survey and therefore the information is insufficient.

Also the group of buildings including the public house on the corner of Glen Way and Clitheroe Road have been omitted from the survey. The public house is proposed to be demolished and, without a bat survey, the decision cannot be determined without contravening the Conservation of Habitats and Species Regulations 2010.

The Conservation of Habitats and Species Regulations 2010 superseded the 1994 regulations. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive.

From the omissions and results of this latest survey, I do not believe that the three derogation tests as required by the Directive have been shown to have been satisfied. As a consequence, the application must be refused or withdrawn until sufficient information is submitted.

Landscape scheme – the scheme and plant schedule are satisfactory but there is no specification for the planting including for the Sedum roof on the sub-station. Such specification could, however, be conditioned.

In conclusion, I can support this application with the following conditions:

- 1) that the applicant either commissions the requisite bat survey for the whole of the application site or applies for, and obtains, a European Protected Species Licence before work commences.
- 2) that a detailed landscape planting scheme and specification is submitted.

Brierfield Town Council

Public Response

Site and press notices posted and nearest neighbours notified by letter without response.

Policy Issues

The planning application is accompanied by a listed building consent submission. as with all planning applications the statutory requirement is that the application must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the area is the adopted replacement Pendle Local Plan ("the Local Plan"). National planning policy is now contained in a single document - the National Planning Policy Framework ("the Framework"). Guidance on its implementation is contained in the online National Planning Practice Guidance.

The Local Plan

County and district heritage sites are protected under policy 4C. The policy states that where there will be loss or damage to a designated site then appropriate and adequate mitigation and compensation will be required through a section 106 agreement.

ENV1 covers protection and enhancement of the natural and historic environment including biodiversity, ecology, trees, landscapes, open space and green infrastructure and historic environment.

ENV2 sets out general design principles, historic environment and climate change.

ENV5 seeks to minimise pollution.

ENV7 sets out the approach to development and flood risk, surface water run-off, water quality and resources.

WRK1 outlines the overall approach to economic development in the borough.

WRK5 sets the criteria for tourism, leisure and culture developments and what will be supported.

SUP1 provides guidance on the provision of new community facilities and services and loss of community uses.

SUP3 establishes the approach to education and training.

Replacement Pendle Local Plan saved policies:

16 'Landscaping' requires all new developments to have an appropriate landscape setting.

31 'Parking' sets out the maximum standards required for developments.

National Planning Policy Framework ("the Framework")

The Framework is the single composite national policy on planning matters in England. It replaced all previous national planning policy documents.

The Framework sets out that the purpose of planning is to contribute to achieving sustainable development. This comprises of three dimensions: social, environmental and economic. The Framework continues to place Local Plans at the heart of decision making. At paragraph 17 it sets out 12 core principles, one of which is to encourage the effective use of land

by re-using land that has been previously developed. Another core principle is to conserve heritage assets in a manner appropriate to their significance.

Section 2 sets out policies regarding town centres. It states that authorities should apply a sequential test to planning applications for main town centre uses which in turn should be required to be located in town centres before other locations.

Section 4 recognises the importance of transport in sustainable development. It says that development that generates significant amounts of traffic should be supported by a Transport Statement/Assessment.

Good design is seen as an important element in the built environment. Paragraph 64 states that planning permission should be refused for development of poor design.

The role the historic environment plays in society and in planning is principally dealt with in Part 12 of the Framework. Opportunities should be taken of sustaining and enhancing the significance of heritage assets ("HA") and the social, cultural and environmental benefits that conserving the historic environment brings is recognised.

The Framework sets out the mechanism for how heritage assets need to be assessed in planning applications. Applicants must assess the significance of the heritage asset affected and Local Authorities need to assess the impact on it. New development should where desirable make a positive contribution to local character and distinctiveness.

The more important the HA the greater the weight should be given to its conservation. Any harm or loss to a HA requires a clear and convincing justification.

Paragraph 133 states that where a development would lead to significant harm or loss of a HA consent should be refused. Where less than substantial harm would occur any harm should be weighed against the public benefits it would bring which includes securing its optimum viable use.

Officer Comments

The main considerations for this application are compliance with policy, impact of proposed uses on amenity including listed building and the conservation area, design and materials of external alterations, demolition in the Conservation Area, ecology, contamination, landscaping, highways issues and flood risk.

The Brierfield Mill is a large and locally iconic building complex which is listed for its historic and architectural significance. It comprises of 380,000sq ft of floorspace built around three main sections of buildings. The buildings on site were built from 1868, although the site had buildings on it prior to that. The mill was constructed for the production of textiles but was last used around 2006 for the production of medical products.

The site forms part of a wider area of historic sites which holistically have been designated as a conservation area. To the north is a gas holder, to the west the Leeds and Liverpool Canal; and to the south is the Lob Lane complex with its converted mill and complimentary new housing. Beyond the site to the west is the cleared Clitheroe Road housing site which is the subject of further development proposals. The immediate area around the Mill is seeing renewal and regeneration and a new lease of life for the mill would be a significant element in these wider regeneration efforts.

The Mill complex has been vacant since 2006 and finding a new use for such a large scale complex has proved to be challenging, this being more constrained with the constraints on change that its listed status brings.

The overall use of the site and its potential has been looked at in a master planning process. The

scale of the complex means that a number of different but complimentary uses will be brought forward. This application forms the first set of proposals for the site, as well as setting a design framework for the exterior design of the western main weaving building.

The application has been accompanied by a number of supporting documents. These include a Transport Assessment, Flood Risk Assessment, Ecology Survey, Landscape Strategy and Heritage Assessment.

Impact of Proposed Uses

The proposals have been briefly described at the start of the report. The following describes in detail the component elements of the application. The overall site comprises:

- the office and warehouse building fronting onto Glenway;
- the south east weaving shed including no.2 and no. 3 sheds to the rear;
- Yarn preparation building, workshops and offices to the rear lower level.

The lower ground floor yarn preparation building would be used as a micro brewery using the existing openings with a glazed modern visitors centre. At first floor would be a secure car park for the cyber security and the managed office space. A ramp to provide vehicular access would be punched in from the south elevation. Grilles would be attached to the openings and a new staircase and lift provided internally.

On the second floor Cyber Security would be located together with Education/Training facilities with glazed partitions separating different sections. The front office block and basement would be used for Adult Education classes.

These uses are all appropriate to the site and would tie in with the existing hotel and leisure uses (approved under planning application 13/15/0019P). This combination of uses would ensure that the complex has complimentary day and night time activities as well as a wide range of diverse uses to bring visitors into the complex seven days a week.

Design and Materials

The northlight roof would be repaired and the clock tower is proposed to be retained.

The modern 1950's gatehouse is proposed to be removed and the gateposts should be retained and relocated. This can be controlled by an appropriate condition.

External alterations are proposed to this building. These mainly comprise of replacing the existing external windows, repairs to the northlight roof and general repairs and improvements. Details of the windows to be replaced and those to be repaired would need to be agreed and this can be controlled by an appropriate condition.

Demolition in the Conservation Area

Three properties are proposed to be demolished which all lie within the Brierfield Mills Conservation Area. These properties are:

- Clitheroe Road Car Sales;
- Station Garage; and

- The Railway Tavern.

These properties are all sited on a triangle part of the application site to the south east of Brierfield Mill, directly adjacent to the South-West Weaving Shed bounded by Clitheroe Road to the south and Glen Way to the east.

The Heritage Impact Assessment states that the area is generally poor quality modern industrial buildings and unsightly security fencing that has a negative impact on the Conservation Area.

Clitheroe Road Car Sales is a 19th century building that has been modified more recently and appears to originally have been two small terraces. The front elevation has been substantially altered to allow for a large security shutter to be installed. The structure has been rendered and painted and some upvc windows installed. The building is surrounded by hardstanding and a nearby duty metal security fence bounds the site.

Station Garage is a single storey garage building in local stone blocks with pitched asbestos roof covering. The site is bounded by a substantial metal security fence and contains several unsightly shipping containers and many used tyres which are visible from the road.

The Railway Tavern maintains a prominent position on the corner of Glen Way and Clitheroe Road and is built in coursed local stone with shallow pitched roofs, stone cills and lintels and two substantial chimneys. The principle elevation has a symmetrical facade with a central entrance, stone surround, decorative corbels and pilasters. The windows on the ground and first floor have all been replaced in upvc or timber. All are in poor condition. The Clitheroe Road elevation has three decorative stone window surrounds which have been blocked with stone or timber boarding.

Para 70 of the National Planning Policy Framework (NPPF) requires planning policies and decisions to guard against the unnecessary loss of valued facilities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. In this case there are very few public houses left in Brierfield with many of them now in different uses such as dwellinghouses. Across the road is another former public house which is now used as a bridge club and whilst the loss of this facility would be unfortunate the redevelopment of Brierfield Mills will result in other social, recreational and cultural facilities coming forward such as meeting places, sports venues and alternative drinking establishments which are more modern and current than traditional public houses.

The demolition of this attractive building in the conservation area would result in the loss of an heritage asset, however, this has to be balanced against the substantial public benefits which would result from bringing this site back into use.

The agent has provided further justification for the loss of the public house in accordance with NPPF para 132. Other options for the Railway Tavern have been considered but its location, size and appearance does not easily lend itself to other commercial uses. Any other use would need to be subsidised. Use as an Heritage Visitor Centre was considered but the cost of renovations and maintaining the building were prohibitive and an existing smaller spaces inside the mill complex proved to be more cost effective.

The agent has stated that The Railway Tavern is of local importance and by removing the pub they will open up the views to the new entrance to T2000 and Cyber Security and at the same time form a welcoming landscaped approach from the town to this cluster of buildings, retaining as much of the original fabric as possible in the wider context of the Grade II listed building and making them viable. The adverse impact of removing the pub is outweighed by the benefits of bringing the existing Grade II listed building back into viable use, which in turn makes the wider masterplan proposals represent sustainable new development that will have wide-reaching economic, social

and environmental benefits for Brierfield Mill and the surrounding area.

If we do not remove the pub to clear the views to make a feature of the entrance to T2000 and Cyber then the end users will not take this substantial chunk of the site and without them, it puts the project at risk because it would be difficult to get any other users into such a large space without any street presence or front door.

Any acceptance of this would require an appropriate condition to link the demolition to the regeneration of the mill site in order that demolition did not take place without the redevelopment of the site going ahead.

The agent has provided further justification for the loss of the public house in accordance with NPPF para 132. Other options for the Railway Tavern have been considered but its location, size and appearance does not easily lend itself to other commercial uses. Any other use would need to be subsidised. Use as an Heritage Visitor Centre was considered but the cost of renovations and maintaining the building were prohibitive and an existing smaller spaces inside the mill complex proved to be more cost effective.

Ecology

An ecological assessment was undertaken and submitted as part of the supporting documents. The report refers to the findings of a previous report in 2012 and updates issues from the previous work and the findings of the current survey.

There are three areas that have been identified as being of potential ecological importance. No evidence of bats roosting on the site have been found, although the latter assessment was not undertaken at the appropriate assessment time of year. There are however areas of the building that have the potential to be bat roosts. The report recommends that further survey work needs to be undertaken at the appropriate time of year. It correctly highlights that bats are protected from disturbance as well as direct interference. A condition will need to be added to require more comprehensive surveys at the appropriate time.

With regard to the buildings proposed to be demolished initial survey work has now been undertaken and the results from this are expected before the meeting. Therefore subject to confirmation that there is no possibility of bat roosts at the premises this would be acceptable.

Subject to confirmation that the initial survey reveals no evidence of bats within these buildings then further surveys can be carried out at the appropriate time and this can be controlled by an appropriate condition.

Contamination and Coal Mining Risk Assessment

A walkover and desk survey was submitted as part of the application. The survey identified that there may be small risks from areas of imported materials and from activities associated with the operation of the mill as well as potential from adjoining land uses such as the former gas works to the north. A programme of investigation is recommended that can be covered by an appropriate condition.

There is likely to be some former coal mining activity which may affect the site. This would have been to work a China Mine seam. The holding objection has been removed and no further investigation is required although further advice may be sought at Building Regulations stage.

A land contamination condition should also be attached to any permission.

Landscape Strategy

Policy 16 'Landscaping in New Development' of the Replacement Pendle Local Plan requires all development proposals to include an appropriate scheme of landscaping.

The proposals incorporate the creation of access routes for the public into the site and the wider scheme will include a terrace area and proposals for open space provision.

Details of an overarching landscaping scheme can be controlled by an appropriate condition.

Highways

A transport statement accompanied the planning application and whilst it details the proposed arrangements, parking standards and compares existing traffic generation of the lawful use to that proposed by the development it relates to the approved hotel and leisure uses rather than the uses proposed under this application.

LCC Highways has raised concerns over the piecemeal approach to the development particularly in relation to car parking, signage junction improvements and access arrangements. Whilst further information has been submitted to address these issues it should be noted that no objection has been made to the proposed uses themselves.

LCC Highways have further information which is being assessed and it is expected that their response and recommendations will be received prior to the meeting. Further additional conditions may be required at that time.

Car Parking

The car parking situation is complicated as the existing use needs to be taken into account in calculating the impacts resulting from the development. The existing Mill has a floor area of 35,303m². This would require a maximum car parking provision of 706 car parking spaces.

The proposed uses would occupy 6,916 sq.m. existing floorspace which equates to a requirement for 130 car parking spaces.

The various uses proposed would have a maximum parking requirement for :

- Visitor Centre - 1
- Restaurant - 50
- Shop - 2
- Managed offices - 21
- Cyber securities - 115 - 130
- Adult Education - 5
- Micro Brewery - 16

This would result in a total maximum requirement of between 213 and 228 spaces. Which is more than its lawful use would require.

This element of the scheme proposes 162 spaces on the proposed car park on the corner of Glen Way and the internal car park serving Cyber Security.

The mixed use of the site as a whole would require a maximum of between 595 and 697 spaces.

The level of car parking proposed would not normally satisfy the policy requirements for a new building. It does however represent a significant improvement on the lawful use of the site and is fully acceptable on that basis.

Appropriate conditions will be attached to any grant of consent requiring the car parking to be available prior to any of the uses being operational.

Flooding

The application has been accompanied by a flood risk assessment. There is an objection to this from the Lead Local Flood Authority (LLFA) based on the flood risk from the development not being established.

The application site has been in situ since 1868 when the main complex was built. The drainage arrangements to it have not altered since then and no new development is proposed. There will be no alteration to the risk to or from flooding off site resulting from this development.

The Framework sets out the approach to be taken to climate change in new developments. It indicates that new development should be planned to avoid the increased vulnerability to climate change. It sets out a sequential test for new development to be located away from areas vulnerable to flooding. Clearly that is not a test that is applicable to the current application.

Concerns have been raised by the LLFA are that the Flood Risk Assessment does not adequately deal with the on site drainage issues to ensure that the site is not vulnerable to flooding.

Further information has been provided on the flooding issues in response to the objections raised by LLFA and removal of the objections is expected prior to the meeting. Further additional conditions may be required at that time.

The agent has confirmed that the mill race (culvert) will be replaced and that new sewer and surface water pipes will be installed running across the site and feeding into the replacement culvert this will prevent blockages and provide a more robust drainage system for the site than existing thus providing a betterment for the site overall.

The principle of development on the site has long been established. The drainage has served the mill buildings for over 150 years. The development itself will not generate any increase in risk of flooding whether on site or off site. It is, however, appropriate to attach a condition to any grant of permission requiring a detailed drainage scheme to be agreed prior to the development commencing on site. As the development is already in situ and the principle of the change of use is acceptable and the final form of a drainage scheme can be required by a condition.

Town Centre Uses

The site is in an edge of centre location but outside of Brierfield Town Centre. Prevailing planning policy is to require new retail and service development to be located in accordance with a sequential test within town centres as a first choice. Only if there are no town centre locations available should out of centre locations be considered. The restaurant, shop and micro brewery uses would not satisfy the sequential site test.

The Framework places significant weight on conserving and enhancing the historic environment. Finding viable uses for designated heritage assets is recognised as being difficult alongside of the positive contribution heritage assets can make to sustainable communities. The benefit that the re-use of the historically significant building complex would have locally would be significant. Paragraph 140 of the Framework establishes that enabling development that would secure the

future of a heritage asset may be acceptable even where it conflicts with prevailing policy. Whilst the development of these uses is not enabling development in the strictest understanding of the term it will assist in bringing the development forward by making it more viable. The benefits these uses would have on the heritage asset would outweigh any harm the location of uses outside of the town centre would have.

Conclusion

There are some issues outstanding which relate to the results of the bat survey. Subject to this survey confirming that there is no evidence of bats further work can be conditioned. Whilst there are outstanding objections from the Lead Local Flood Authority with regards with drainage and flood issues further information has been provided and it is expected that these objections will be withdrawn and the detailed drainage design can be addressed by an appropriate condition. LCC Highways have received further information on the overall strategy of the site and are assessing that information. Other matters such as detailed design, contamination, coal mining investigation, landscaping and some highway matters can be dealt with by appropriate conditions.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Subject to acceptable bat surveys and appropriate conditions the proposed development therefore complies with the development plan. This proposal would assist in bringing a vacant listed building back into appropriate uses. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

10813.L01 P01, 10813.L04 P01, 10813_L11 P01, 10813_L17 P01, 10813_L19 P01, 10813_L21 P01, 10813_L102 P01, 10813_L19 P01, 10813_L21 P01, 10813.L04 P03, 10813_L11 P03, 10813_L11 P01, 10813_L17 P01, 10813_L104 P01, A1118-LIB-B2-A1 00-Z1-00-P2-001 P2, A1118-LIB-B2-A1 00-Z1-01-P2-001 P2, A1118-LIB-B2-A1 00Z1-02-P2-001 P2, A1118-LIB-B2-A1 00-Z2-01-P2-001 P1, A1118-LIB-B2-A1 00-Z2-02-P2-001 P2, A1118-LIB-B2-A1 00-Z3-02-P2-001 P1, A1118-LIB-B2-A1 00-Z3-03-P2-001 P2, A1118-LIB-B2-A1 00-Z3-04-P2-001 P1, A1118-LIB-B2-A1 00-ZZ-LL-E2-001 P2, A1118-LIB-B2-A1 00-ZZ-LL-E2-002 P2, A1118-LIB-B2-A1 99-Z1-00-P2-001 P1, A1118-LIB-B2-A1 99-Z1-00-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-01-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-01-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-02-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-02-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-03-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-03-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-04-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-04-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-LL-E2-001 P1,

A1118-LIB-B2-A1 99-ZZ-LL-E2-002 P1, A1118-LIB-B2-A1 99-ZZ-R0-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-R0-P2-002 P2, A1118-LIB-B2-A1 99-ZZ-LL-E2-003 P1, A1118-LIB-B2-A1 99-ZZ-LL-E2-004 P1, A1118-LIB-B2-A1 00-ZZ-02-P2-001 P2, E0459D/1 & E0459D/1A.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

4. Prior to the commencement of development, a scheme for the construction of the off-site works of highway improvement shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development (or phase) hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the details agreed.

Reason: To satisfy the Local Planning Authority that details of the highway scheme/works

are acceptable before work commences.

5. The proposed development shall not be brought into use unless and until the car parking shown on the approved plan for these uses has been constructed, surfaced, sealed, drained and marked out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

6. A minimum of twenty cycle racks with appropriate signage shall be provided within the site prior to the proposed development being first brought into use, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce dependence on car-borne travel.

7. No development shall commence until a Framework Travel Plan has been submitted to, and approved in writing by the Local Planning Authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timescale contained therein unless otherwise agreed in writing with the Local Planning Authority. The Framework Travel Plan must include a schedule for the submission of a Full Travel Plan within a suitable timeframe of first occupation, the development being brought into use or other identifiable stage of development. Where the Local Planning Authority agrees a timetable for implementation of a Framework or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options.

8. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:
 - a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
 - b) The areas and methods of loading and unloading of plant and materials.
 - c) The areas for the storage of plant and materials.
 - e) Details of wheel-washing facilities including location
 - g) Measures related to construction and demolition waste management
 - k) Measures to ensure that vehicle access of adjoining access points are not impeded.
 - m) Demolition Management Plan/Programme
 - n) Location and details of site compounds
 - u) Parking area(s) for construction traffic and personnel
 - v) Routing of construction vehicles

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

9. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

11. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
- a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed boundary treatments with supporting elevations and construction details;
 - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

12. No development shall take place unless and until a full scheme for survey work to identify the presence of bats has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the proposed timing and methodology to be used to identify for the presence of bats and bat roosts as well as a phasing programme of work to

ensure that bats are not disturbed during development. The development shall at all times thereafter be undertaken in strict accordance with the approved scheme.

Reason: In order to ensure that the proposed development does not detrimentally impact on a protected species.

13. Detailed plans and sections of the proposed windows and doors at a scale not less than 1:20, together with details of proposed finishes, shall be submitted to and approved in writing by the Local Planning Authority within one week of the first works on site. The development shall thereafter at all times be carried out in strict accordance with the approved plans.

Reason: To enable the Local Planning Authority to control the detail of the work and in order to protect and preserve the character of the Listed Building.

14. The external facing and roofing materials shall match those of the existing building in terms of type, size, form, texture and colour and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: In order to ensure that new material matches the existing.

15. No demolition shall take place unless and until a contract for the redevelopment of the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that a commitment to implement the scheme has been agreed prior to any demolition taking place.

16. Prior to the commencement of any stonework repairs on any part of the mill a full schedule and methodology of the work to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate replacements and alterations, new openings, reinstatement of demolition scars, areas for rendering, stone cleaning and repointing as well as samples of new stone, repointing and render. All works shall thereafter strictly conform to the details so approved.

Reason: In order to ensure that the fabric of the building is repaired to a satisfactory standard in order to protect the character and appearance of the listed building.

17. No development shall commence unless and until details of the schedule for rainwater goods has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include repairs to existing, new gutters and downpipes in cast iron to replace plastic, materials, colours and finishes. All works shall thereafter strictly conform to the details so approved.

Reason: To control work details in terms of materials used so as to protect and preserve the character of the Listed Building.

18. No development shall commence unless and until details of the schedule for repair and replacement of the north light roof and yarn preparation block pitched roof has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include a method statement and full specification. All works shall thereafter strictly conform to the details so approved.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

19. Prior to the commencement of any works to the windows and external doors on any part of

the mill a full schedule of the work to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate a full itemised and numbered schedule of the windows involved, drawings of the design of each window and door, including materials and colour at a scale of not less than 1:20. All work to the windows shall thereafter strictly conform to the details so approved.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

20. No development shall commence unless and until details have been submitted and approved in writing by the Local Planning Authority. Details of the:

- * detailed design for the new entrance to Pendle Road, including steps and balustrade;
- * detailed design for the car park ramped entrance;
- * schedule of positions, materials and finishes for all additions to external facades and roofs, to include plant and flues, ventilation openings and louvres, pipework, ducts, service runs, lighting, signage and public art;
- * a scheme for the retention of original doorway surround and attached masonry walls in the northern part of the office block;
- * a scheme for the agreed interpretation of the history of the building and display of artefacts particularly in public area.

The works shall thereafter be carried out in strict accordance with the approved details.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

21. No work on the site shall be commenced unless and until a full scheme for the hard and soft landscaping of the site including details of the repair and re-instatement of stone boundary walls, railings and street furniture, signage and any proposed public art has been submitted to and approved in writing by the Local Planning Authority. Any work subsequently undertaken shall conform strictly to the details so approved.

Reason: In order to allow an assessment of the work to protect and preserve the character and historic fabric of the listed building.

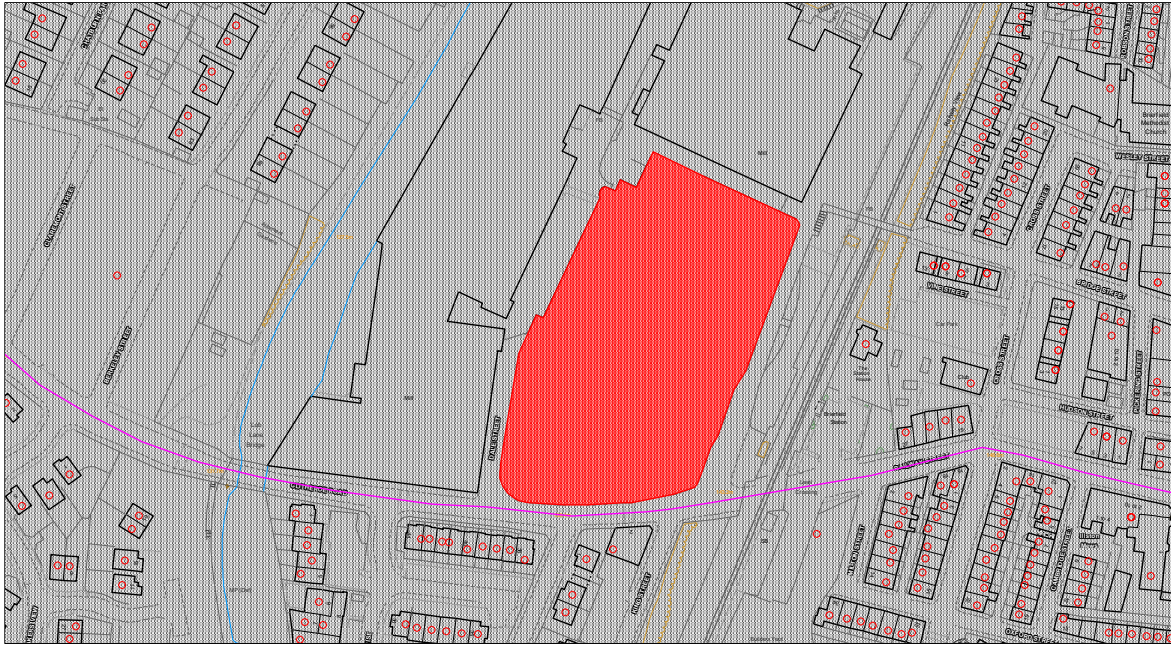
22. Prior to the first use of the development by customers a car parking management scheme and details of traffic control on the site shall have been submitted to and approved in writing by the Local Planning Authority. No customer shall use the micro brewery, visitors centre, office spaces, adult education or restaurant unless and until the measures so approved have been implemented in full and they shall be thereafter maintained unless and until alternative arrangements are agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory car parking management strategy and customer access control arrangements are implemented for the development.

Note:

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval. Your attention is drawn

to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Protecting the public and the environment in mining areas³ Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com If any coal mining features are unexpectedly encountered during development, these should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority



Application Ref: 13/15/0603P

Ref: 19188

Proposal: Full: Major: Conversion and change of use of buildings to office, training/education facility, micro-brewery with retail, bar, restaurant, cafe, managed office space (Use classes A1, A2, A3, A4, A5, B1 and B2), car parking and associated landscaping, infrastructure and associated works and demolition of pub, garage/car sales to form car parking and landscaping.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 01 MARCH 2016

Application Ref: 13/15/0604P

Ref: 19189

Proposal: Listed Building Consent: Demolish gatehouse and balustrade, install gates to entrance, repair and replace stone surrounds and cills where necessary, replace windows and external doors and internal walls and doors.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

Date Registered: 16 December 2015

Expiry Date: 10 February 2016

Case Officer: Kathryn Hughes

Site Description and Proposal

The site is the Grade II listed Brierfield Mills Complex which is located within Brierfield Mills Conservation Area and the settlement boundary for Brierfield.

Brierfield Mill Complex is sited between the Leeds-Liverpool Canal to the west and the railway line to the east. The site is within walking distance of the train station and bus stops in Brierfield centre.

The site forms part of a wider area of historic sites which holistically have been designated as a conservation area. To the north is a gas holder, to the west the Leeds and Liverpool Canal; and to the south is the Lob Lane complex with its converted mill and complimentary new housing. Beyond the site to the west is the cleared Clitheroe Road housing site which is the subject of further development proposals. The immediate area around the Mill is seeking renewal and regeneration and a new lease of life for the mill would be a significant element in these wider regeneration efforts.

The Mill was built from 1860's onwards with other buildings constructed in the early 1900's. The site is currently vacant and has remained so for around 9 years with Smith and Nephews ceasing trading in 2006. Finding a new use for such a large scale complex has proved to be challenging, this being more constrained with the constraints on change that its listed status brings.

The overall use of the site and its potential has been looked at in a master planning process. The scale of the complex means that a number of different but complimentary uses will be brought forward.

This application site comprises building 2 and the adjacent Railway Tavern Public House, Station Garage and Clitheroe Car Sales Office all of which lie to the south east of the complex.

The proposal is to convert the former office complex including warehouse, south east weaving shed (No.2 shed, No. 3 shed) and yarn preparation block and workshops into offices, adult education, micro brewery and restaurant. Also included is the formation of car parking and associated landscaping. These will be addressed in more detail as part of the planning application (13/15/0603P) which also appears on this agenda.

Access to this part of the site is proposed mainly along Glen Way via Junction Street which links in turn to Junction 12 of the M65. Internal and external car parking is proposed as part of the development.

This application will address the potential impact of the proposed uses on the existing buildings and external alterations proposed including demolition of the gatehouse and balustrade; installation of gates to the entrance; repair and replace stone surrounds and cills, replace and repair windows and external doors and internal walls and doors as well as the impact of the proposed demolition of the Railway Tavern Public House, Station Garage and Clitheroe Car Sales Office.

A separate application has also been submitted for the Leisure Box elements, enhanced public realm and use of the garage as an artists studio (13/14/0600P).

Existing permission and listed building consent has been granted for hotel and leisure uses on this site under application number 13/13/0142P & 13/15/0143P.

Relevant Planning History

13/13/0143P: Listed Building Consent: Installation of replacement windows and refurbishment of North Light roof - Granted 28th May, 2013.

13/15/0019P: Full: Major: Conversion and change of use of buildings to a hotel (Use Class C1), leisure use (Use Class D2), including 4 small retail units (Use Class A1) and car park (Use Class Sui Generis) with landscaping, car parking, infrastructure, demolition and associated works - Approved 24th February, 2015.

13/15/0020P: Listed Building Consent: External alterations to mill buildings and partial demolition of roof on north lights shed and removal of modern extensions to warehouse - Granted 24th February, 2015.

13/15/0600P - Full: Major: Conversion and change of use of building to sports facilities (Use Class D2), change cladding to outbuildings with associated landscaping, car parking, infrastructure and associated works - Pending.

13/15/0601P - Listed Building Consent: External alterations to mill building, demolition of bridge link and repairs to main shed roof - Pending.

13/15/0604P - Listed Building Consent: Demolish gatehouse and balustrade, install gates to entrance, repair and replace stone surrounds and cills where necessary, replace windows and external doors and internal walls and doors - Pending.

Consultee Response

Historic England - The following advice is given on the basis of the notification being for a listed building consent for a building owned by a local planning authority in its own authority area. The application site also is for a development over 1000 square metres in a conservation area. We gave comment about the wider Brierfield Mill scheme at the pre-application stage.

Historic England Advice

Brierfield Mill is grade II listed and situated within Brierfield Mills Conservation Area. The mill complex dates largely from the mid to late 19th to early 20th century, replacing an earlier Mill of 1830, parts of which may form the central engine house between the north and south parts of the mill. The mill complex consists of a range of buildings including the main mill building (1868-73), with weaving sheds to the north-east, east and south and attached preparation blocks, warehousing and offices. The mill is a monumental structure, dominating its site and surroundings, with rugged stone masonry in simple Italianate style. It is of typical fireproof construction, with

floors consisting of brick jack-arches supported off cast iron columns, with surviving line shafting and early sprinkler system. The current application relates to the south-east weaving shed which is contemporary with the mill with warehouse and office to the east side and preparation and workshops to the west.

The proposal is for the conversion of the south-east weaving shed building to the Lancashire Adult Learning Centre and a Microbrewery and for the demolition of three buildings in the conservation area to make way for car parking.

We welcome the reuse of the south-east weaving shed building. The Heritage Statement and the design approach through early consultation and a desire to incorporate fabric of heritage value are to be commended. Using the information gained by creating the heritage statement to provide interpretation within shared areas would be a great benefit. Our only area of concern with the part of the application regarding the south-east weaving shed building relates to the removal of the planform of the office and warehouse to the east. The heritage statement does not detail whether the masonry walls within this part of the building are original. To an extent the historic functions of the buildings are now only characterised by the planform and architectural details. We therefore recommend that as much of the historic planform as possible is retained and where that is not possible at least some fabric should be kept to enable an appreciation of the former layout. We are happy for this to be agreed in consultation with the local authority conservation officer.

To the south of the south-east weaving shed it is proposed to demolish three buildings in the conservation area. While we are comfortable with the loss of the car sales building and the garage we cannot support the demolition of the Railway Tavern. As the Heritage Impact Assessment states *“the building is an attractive addition to the streetscape and is defined as a locally important building within the Conservation Area Appraisal. The public house is important as part of the narrative of the development of Brierfield Mill and the associated town. The demolition of the Railway tavern represents the most substantial demolition of historic fabric within the Brierfield Mill masterplan site. Therefore, further thought should be given to whether this structure can be reused in its current location, mothballed for a future phase of the scheme, or a strong mitigation strategy put in place to record the building, prior to demolition”*. We concur with this conclusion. The loss is justified on the basis of providing an addition 5 parking bays. We do not believe this is a clear and convincing justification for the harm caused as required in paragraph 132 of the National Planning Policy Framework. The retention of the building would mean the loss of 5 parking spaces which could surely be accommodated elsewhere within the development. The reuse of the building would be of heritage benefit and could provide an interesting and more intimate space within the development for a range of different uses. We therefore recommend that the Railway Tavern is retained within the scheme. The loss of the building would not preserve or enhance the character and appearance of the conservation area as required within s72 of the 1990 Planning (Listed Building and Conservation Areas) Act and would run contrary to the key principles of paragraph 131 of the National Planning Policy Framework.

Recommendation

We would be happy to support this scheme if the comments above are addressed and if the Railway Tavern is retained and reused. The application should be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

PBC Conservation Officer - **Heritage significance of mill complex**

Brierfield Mill is listed Grade II and forms a major part of the Brierfield Mills Conservation Area. The mill complex is the largest in Pendle and one of the largest in the north west. Historically its integrated function i.e. carrying out both textile spinning and weaving, is relatively unusual in Pendle where the usual form for textile mills is the simple single storey weaving shed. A major part of the significance of the complex as a whole lies in its survival as a rare example of a cotton mill that remained in use as a spinning and weaving site well into the 20th century. Elements which define the character include the terracing into a sloping site, the classical and Italianate detailing and architectural embellishment used throughout the site to unify the different elements, the use of local stone, the fireproof construction and large open workspaces, and the low weaving sheds with their north light roofs. The taller multi-storey buildings have imposing stone facades of formal squared stone in regular straight courses with rows of arched-headed windows and string and lintel/sill courses. The buildings are large in scale and therefore prominent in views from a wide area. The majority of the exterior and the layout of the different buildings remains markedly complete, though there have been some significant alterations internally.

Heritage significance of building 2

The part of the mill subject to this application is essentially comprised of three linked buildings – the former warehouse and office building fronting Glen Way, the south east weaving shed, and the yarn preparation block, clock tower and engine house which fronts onto the yard.

It should be noted that the Heritage Statement submitted is the one used for the previous applications for the larger site, however this building was excluded from that application and therefore the submitted Statement does not deal with the impact of the current proposals on the fabric and significance of this part of the listed building. A revised statement has been received.

The former warehouse and office building fronting Glen Way was built in two parts – the cloth warehouse of 1873-76 comprises the southern part and the offices of 1877-85 are to the north. Both parts are 2 storeys with basement, of rock faced and tooled stone respectively, and hipped slate roof behind a parapet. These buildings were the public face of the complex facing the town and have impressive architectural detailing defining windows and doors. Some original timber windows remain at basement level, at upper levels are metal windows which have mostly been altered, and there are some later replacements in upvc. Internally little of interest remains, apart from the brick ceiling arches with cast iron columns, and to the northern former office area an arched and moulded timber door surround and surrounding masonry walls on the ground floor which illustrates the historic and stylistic difference between the ‘higher status’ offices and the warehouse. The later 20th century reception area with glazed lobby also has some significance in illustrating the historic former use of the complex and its development over the years. To the rear of the offices an original stone passage with glazed roof connects the building to the weaving shed at lower level.

The south east weaving shed of 1873-76 is the earliest north light shed on the site and is attached to the back of the offices and warehouse. Due to the sloping site the main weaving shed is level with the office/warehouse basement, and there is also a smaller shed at lower basement level terraced into the slope. This 2-storey design is unusual and distinctive of this mill complex. The shed walls are of squared rubble with eaves cornices and the roof is typical saw-tooth north light construction. The tall and impressive south wall of the shed is prominent in views from Clitheroe Road. Internally the main shed retains its cast iron columns, and the lower floor has a brick arch ceiling, though the latter has lost many of its original features. To the west the main weaving shed is level with the second floor of the yarn preparation block which faces onto the yard.

The yarn prep block together with the clock tower and engine house at the northern end is one of the most distinctive parts of the complex as seen from the mill yard. Constructed in 1877-85, it is a 3 storey block originally housing a mechanics workshop and boiler house on the ground floor, offices and yarn prep area. A semi-circular stair tower projects into the yard at the northern end which is surmounted by the impressively decorated square clock tower. Behind the tower is a two

storey engine house that powered the weaving shed. At the southern end an office bay by the yard entrance projects forward into the yard, presenting more elaborate detailing on the prominent elevation to Pendle Road. Most windows are original timber with a number of later replacements. Internally the spaces do not retain many original features.

An existing Listed Building Consent ref. 13/13/0143P exists for the installation of replacement windows to the front office block, and the repair and refurbishment of the north light roof to the weaving shed.

Comments on proposals for building 2

Enabling works are proposed throughout to strip out later fixtures and fittings, which will better reveal the original structure and spaces and the external elevations. Services and fittings will be installed to facilitate the new uses, including partitions, lifts and staircases. Internally there is little remaining of particular historic significance, and the new uses would be well suited to the building, generally requiring little intervention or impact on original fabric. An exception however would be to the northern ground floor section of the Glen Way office building where a decorative arched doorway and flanking masonry walls remain close to the original office entrance; these are remnants of the original layout and are indicative of the historic and stylistic division between the original office and warehouse uses in this building. The revised layout plan for this floor indicates that the adjacent cross wall is to be retained and there is therefore scope for this door surround to be retained in its original position. Consideration should also be given to whether more of the historic plan form in this area can be retained in order to indicate and enable an appreciation of the former layout of this part of the building. Although most of the existing partitions are later 20th century insertions there are a few sections of remaining masonry walls that are earlier. It is proposed to make good the original vaulted brick ceilings and cast iron columns in this building which will also add to the character of the internal spaces.

It is important that opportunities are taken to provide interpretation of the history of the building throughout, particularly in locations where historic features are to be retained, and also through interpretation and information to be visible in public areas. Artefacts like the historic safes currently in the offices basement should be retained and displayed in suitable public areas.

The weaving shed is to be partially subdivided by introducing partitions, and the north light roof to be repaired and upgraded with existing slates and also using those from other north light elements to be demolished elsewhere. Glazed vision panels within the partitions will help appreciation of the expanse of the former weaving shed space. A new entrance will be created to the important south elevation stone screen wall facing Clitheroe Rd, formed in a neutral black metal cladding around glazing. Design details for this insertion and also the proposed steps and balustrade detail to the entrance will need to be agreed. Also to this elevation will be an entrance ramp to a new underground parking area within the lower shed. The detailed design of the opening within the stone wall and the roller shutter gates will need to be agreed.

To the western yarn prep block the existing modern gatehouse and toilet additions will be demolished, which will better reveal the original structure. Internally original columns will be retained within the microbrewery and office spaces. At ground floor level a modern loading bay area to the yard will be infilled with aluminium framed glazed screen and doors set back from the masonry walls.

Externally throughout the buildings the proposals generally work well with the existing openings. Simple glazed or timber panelled doors would be reinstated to existing openings and unsightly modern window frames would be reinstated with new double glazed timber frames to match the original designs. Some original window frames do remain however; these have a distinctive chamfered design and it will be important to retain the best of these as original fabric. The clock tower in particular retains good original window frames. As they generally have thick profiles it should be possible to install double glazed units into the existing frames, this can be agreed

through the conditioned submission of a windows schedule for each part of the building. Louvred variations to window openings will also be used to those areas requiring ventilation, such as the car park; these will match existing louvred examples throughout the complex.

Overall the proposed alterations to the buildings are sympathetic and will enhance the significance of the listed building. In line with NPPF 131 the significance of the heritage asset will be sustained and enhanced, and the buildings will be put to viable uses consistent with their conservation.

Conditions are required to control the following details:

- Schedule and methodology to be approved for all proposed stonework repairs, replacements and alterations, new openings to be formed in stonework, reinstatement of demolition scars, and areas of rendering, including any stone cleaning and repointing. Samples to be submitted for new stone, repointing and render.
- Schedule to be approved for all rainwater goods, including repairs to existing, new gutters and downpipes in cast iron to replace plastic; materials, colours and finishes.
- Method statement and specification to be approved for repair and replacement of north light roof, and repair of pitched roof to yarn preparation block.
- Full itemised and numbered schedule and methodology for all works to windows, including repairs to existing sound timber frames, design of all new frames, design of all new window openings; materials, colours and finishes, including detailed plans and sections at not less than 1:20.
- Similar schedule and plans for all works to external doors, including design detail for new entrance to Pendle Road, including steps and balustrade, and detailed design of car park ramped entrance.
- Schedule of positions, materials and finishes for all additions to external facades and roofs, to include plant and flues, ventilation openings and louvres, pipework, ducts, service runs, lighting, signage and public art.
- Agree scheme for retention of original doorway surround and attached walls in northern part of office block.
- Scheme to be agreed for interpretation of history of building and display of artefacts particularly in public areas.
- Detailed design and materials for hard landscaping around the building, including details of repair and reinstatement to stone boundary walls around the site, new boundary treatments, street furniture, lighting, signage and public art.

Brierfield Town Council

Public Response

Site and press notices posted and nearest neighbours notified by letter without response.

Policy Issues

Policy

The listed building consent application is accompanied by a planning application. As with all applications the statutory requirement is that the application must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration of the application must also be in accordance with primary legislation which in this case is primarily the Planning (Listed Buildings and Conservation Areas) act 1990 („the Act“).

The Act states in section 16:

In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The development plan for the area is the adopted replacement Pendle Local Plan ("the Local Plan"). National planning policy is now contained in a single document - the National Planning Policy Framework ("the Framework"). Guidance on its implementation is contained in the online National Planning Practice Guidance.

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets.

As Brierfield Mills is a Grade II Listed Building there is a duty under section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

National Planning Policy Framework ("the Framework")

The Framework is the single composite national policy on planning matters in England. It replaced all previous national planning policy documents.

The Framework sets out that the purpose of planning is to contribute to achieving sustainable development. This comprises of three dimensions: social, environmental and economic. The Framework continues to place Local Plans at the heart of decision making. At paragraph 17 it sets out 12 core principles, one of which is to encourage the effective use of land by re-using land that has been previously developed. Another core principle is to conserve heritage assets in a manner appropriate to their significance.

Good design is seen as an important element in the built environment. Paragraph 64 states that planning permission should be refused for development of poor design.

The role the historic environment plays in society and in planning is principally dealt with in Part 12 of the Framework. Opportunities should be taken for sustaining and enhancing the significance of heritage assets ("HA") and the social, cultural and environmental benefits that conserving the historic environment brings is recognised.

The Framework sets out the mechanism for how heritage assets need to be assessed in planning

applications. Applicants must assess the significance of the heritage asset with the detail being proportionate to the importance of the asset. The particular significance of the asset needs to be assessed.

In making a decision on the application account needs to be taken of:

- The desirability of sustaining and enhancing the significance of the assets and putting them to a viable use consistent with their conservation.
- The positive contribution assets can make to sustainable communities
- The desirability of new development making a positive contribution to local character and distinctiveness

Great weight should be given to be given to the asset's conservation when the impact on the significance of a designated asset is considered. The more important the asset the greater that weight should be.

Harm to assets is not precluded from happening but this needs clear and convincing justification. If there is substantial harm or loss of a grade 2 listed building the justification for that should be exceptional.

Substantial harm to a designated asset should not be allowed unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefit that outweighs that harm unless the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

There would be public benefit to the development in terms of economic activity and potentially securing the future use of the building.

Officer Comments

The main considerations for this Listed Building consent are impact of the proposed uses on the Grade II Listed Building, external alterations including demolition.

The proposed demolition of the three buildings including the Railway Tavern will be dealt with in detail by the planning application. In respect of the impact on the Brierfield Mill Complex this would be limited to the opening up of this corner and allowing the proposed new entrance on the south elevation to be given more prominence.

The site forms part of a wider area of historic sites which holistically have been designated as a conservation area. To the north is a gas holder, to the west the Leeds and Liverpool Canal; and to

the south is the Lob Lane complex with its converted mill and complimentary new housing. Beyond the site to the west is the cleared Clitheroe Road housing site which is the subject of further development proposals. The immediate area around the Mill is seeking renewal and regeneration and a new lease of life for the mill would be a significant element in these wider regeneration efforts.

The site has been since 2006 and finding a new use for such a large scale complex has proved to be challenging, this being more constrained with the constraints on change that its listed status brings.

The cessation of the active industrial use of the site prompted a period of uncertainty for the building. No viable use for the site has come forward since it was vacated until the current proposals. Efforts have included seeking to use the building as a training college as well as seeking public funding from a range of sources that are currently available. The only viable use that has been found over the 9 year period of its vacancy comprises of the development proposals that are now before Committee.

Part of the issue is the scale of the building which comprises of 380,000ft² of floor space. The premises are not suitable for modern industrial processes and the scale of the building in the location it is would preclude it being occupied as commercial offices.

The first three tests set out in paragraph 133 of the Framework are applicable to the Mill.

It is important in the consideration of the impact the proposals would have on the significance of the designated heritage asset to define what that asset comprises of. There are two designated heritage assets to be considered. The first is the Brierfield Conservation Area. This incorporates Lob Lane Mill, Brierfield Mills Complex including the application site and the gas holder to the north. The heritage asset is the whole of the conservation area.

Similarly the designated heritage asset for the mill is the whole of the mill complex and any harm is required to be assessed against the whole of the designated asset not parts of it. There are different interventions proposed for different parts of the mill with differing impacts.

The overall use of the site and its potential has been looked at in a master planning process. The scale of the complex means that a number of different but complimentary uses will be brought forward. This application forms the second set of proposals for the site. Whilst an ideal scenario would be to consider the whole of the site at one time the scale, complexity and financial issues involved in bringing together a scheme to cover the whole complex means that the reality is that a phased, but complimentary approach, to the development is the only realistic one that will occur.

Impact on Designated Heritage Assets ("DHA")

The main issues revolve around specific impacts on the listed building. Of these the demolition of the public house and the historic plan form are major areas of concern for Historic England.

In order to consider the changes proposed to the building and the impact it has on the designated heritage asset a Heritage Impact Assessment has been submitted. The assessment has built on a previous Conservation Statement which looked at the historic significance of the building.

Significance in the assessment is defined by the cultural heritage value of the mill which is a combination of the evidence of past human activity, its historic value, aesthetic value and its communal value. The mill is recognised as being of national importance with strong links between architecture and the industrial purposes it was built for. The following considers the main impacts the scheme will have.

Building 2

This part of the mill comprises three linked buildings - the former warehouse and office building fronting Glen Way, the south east weaving shed and the yarn preparation block, clock tower and engine house (which fronts onto the yard).

The former warehouse and office building was built in two parts and was the public face of the complex and has impressive architectural detailing in the windows and doors. Some original timber windows remain at basement level, other windows are metal and upvc and most have been altered. There is little within the building left of any interest apart from brick ceiling arches with cast iron columns and an arched and moulded door and masonry walls to the former office on the ground floor.

Due to the sloping nature of the site the building is two storey to front and three to the rear resulting in a lower basement level which is unusual and distinctive to this mill.

Enabling works are proposed throughout to strip out later fixtures and fittings which will reveal the original structure and spaces and external elevations. Services and fittings will need to be installed in order facilitate the proposed uses including partitions, lifts and staircases. As there is little of historic significance remaining internally the new uses would be able to be integrated well with minimum changes required that would impact on the original fabric. The exception to this is the northern ground floor office building with its decorative arched doorway and flanking masonry walls these elements should be retained and this can be controlled by an appropriate condition.

The original vaulted brick ceilings and cast iron columns are proposed to be made good which will add to the character of the space. The historic safes currently in the office basement should also be retained and displayed in suitable public areas. Details of this work can be controlled by an appropriate condition.

Glazed vision panels within the proposed partitions in the weaving shed would be an improvement and assist with the appreciation of space. An entrance is proposed to be formed on the south elevation facing Clitheroe Road and details of this an the proposed steps and balustrade will need to be submitted and agreed together with details of the entrance ramp to the underground parking area including opening and roller shutter gates. This can be controlled by an appropriate condition.

The existing modern gatehouse and toilet additions to the west yarn prep block are proposed to be demolished which will assist in revealing the original structure. A modern loading bay area to the yard is proposed to be in filled with aluminium framed glazed screen and doors which is acceptable.

It is proposed to reinstate the simple glazed or timber panelled doors and remove unsightly modern window frames whilst retaining the best of the originals. As they generally have thick profiles it should be possible to install double glazed units into the existing frames. This can be controlled by condition requiring a schedule of windows to be submitted.

Conclusions

The scale of the complex is significant as is the challenge to find a use that is compatible with its listed status and viable going forward. The mill was last used in 2006 for manufacturing. Even then there were substantial parts of it not in use and which were deteriorating.

The building was acquired using public funding and there have been extensive efforts made since to find viable uses and secure funding.

The proposed alterations are sympathetic and will enhance the significance of the listed building and would not result in harm to the designated heritage assets of the listed building or conservation area. The public benefits to reusing the building would be substantial and would clearly outweigh any harm caused. In accordance with para 131 of the Framework the significance of the heritage asset will be sustained and enhanced and the building will be put to viable uses consistent with their conservation. The development would also satisfy the tests set out in paragraph 133 of the Framework.

Reason for Decision

In accordance with Section 66 of the Planning (Listed Buildings and Conservation) Act 1990, special regard has been made to the desirability of preserving the special historic or architectural interest of the building. The proposal does not materially affect the special historic or architectural interest of the mill complex and as such there is no reason to refuse consent.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The works approved shall be begun before the expiration of three years from the date of this consent. No later than three days after works first begin on site, written notice shall be given to the Local Planning Authority of the date on which works are first commenced.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The works hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans:

10813.L01 P01, 10813.L04 P01, 10813_L11 P01, 10813_L17 P01, 10813_L19 P01, 10813_L21 P01, 10813_L102 P01, 10813_L19 P01, 10813_L21 P01, 10813.L04 P03, 10813_L11 P03, 10813_L11 P01, 10813_L17 P01, 10813_L104 P01, A1118-LIB-B2-A1 00-Z1-00-P2-001 P2, A1118-LIB-B2-A1 00-Z1-01-P2-001 P2, A1118-LIB-B2-A1 00Z1-02-P2-001 P2, A1118-LIB-B2-A1 00-Z2-01-P2-001 P1, A1118-LIB-B2-A1 00-Z2-02-P2-001 P2, A1118-LIB-B2-A1 00-Z3-02-P2-001 P1, A1118-LIB-B2-A1 00-Z3-03-P2-001 P2, A1118-LIB-B2-A1 00-Z3-04-P2-001 P1, A1118-LIB-B2-A1 00-ZZ-LL-E2-001 P2, A1118-LIB-B2-A1 00-ZZ-LL-E2-002 P2, A1118-LIB-B2-A1 99-Z1-00-P2-001 P1, A1118-LIB-B2-A1 99-Z1-00-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-01-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-01-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-02-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-02-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-03-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-03-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-04-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-04-P2-002 P1, A1118-LIB-B2-A1 99-ZZ-LL-E2-001 P1, A1118-LIB-B2-A1 99-ZZ-LL-E2-002 P1, A1118-LIB-B2-A1 99-ZZ-R0-P2-001 P1, A1118-LIB-B2-A1 99-ZZ-R0-P2-002 P2, A1118-LIB-B2-A1 99-ZZ-LL-E2-003 P1, A1118-LIB-B2-A1 99-ZZ-LL-E2-004 P1, A1118-LIB-B2-A1 00-Z2-02-P2-001 P2, E0459D/1 & E0459D/1A.

Reason: For the avoidance of doubt

3. Prior to the commencement of any stonework repairs on any part of the mill a full schedule and methodology of the work to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate replacements and alterations, new openings, reinstatement of demolition scars, areas for rendering, stone cleaning and repointing as well as samples of new stone, repointing and render. All works shall thereafter strictly conform to the details so approved.

Reason: In order to ensure that the fabric of the building is repaired to a satisfactory standard in order to protect the character and appearance of the listed building.

4. Prior to the demolition of any part of the building hereby approved details of the proposed method of treatment of the scars shall be submitted to and approved in writing by the Local Planning Authority. The demolition of any part of the building shall be immediately followed by the re-instatement in accordance with the approved details.

Reason: In order to ensure that the fabric of the building is repaired to a satisfactory standard in order to protect the character and appearance of the listed building.

5. Prior to the commencement of any works to the windows and external doors on any part of the mill a full schedule of the work to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate a full itemised and numbered schedule of the windows involved, drawings of the design of each window and door, including materials and colour at a scale of not less than 1:20. All work to the windows shall thereafter strictly conform to the details so approved.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

6. No development shall commence unless and until details of the schedule for rainwater goods has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include repairs to existing, new gutters and downpipes in cast iron to replace plastic, materials, colours and finishes. All works shall thereafter strictly conform to the details so approved.

Reason: To control work details in terms of materials used so as to protect and preserve the character of the Listed Building.

7. No development shall commence unless and until details of the schedule for repair and replacement of the north light roof and yarn preparation block pitched roof has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include a method statement and full specification. All works shall thereafter strictly conform to the details so approved.

Reason: The details are required in order to protect and preserve the character and fabric of the listed building.

8. No development shall commence unless and until details have been submitted and approved in writing by the Local Planning Authority. Details of the:

- * detailed design for the new entrance to Pendle Road, including steps and balustrade;
- * detailed design for the car park ramped entrance;
- * schedule of positions, materials and finishes for all additions to external facades and roofs, to include plant and flues, ventilation openings and louvres, pipework, ducts, service runs, lighting, signage and public art;
- * a scheme for the retention of original doorway surround and attached masonry walls in the northern part of the office block;
- * a scheme for the agreed interpretation of the history of the building and display of artifacts particularly in public area.

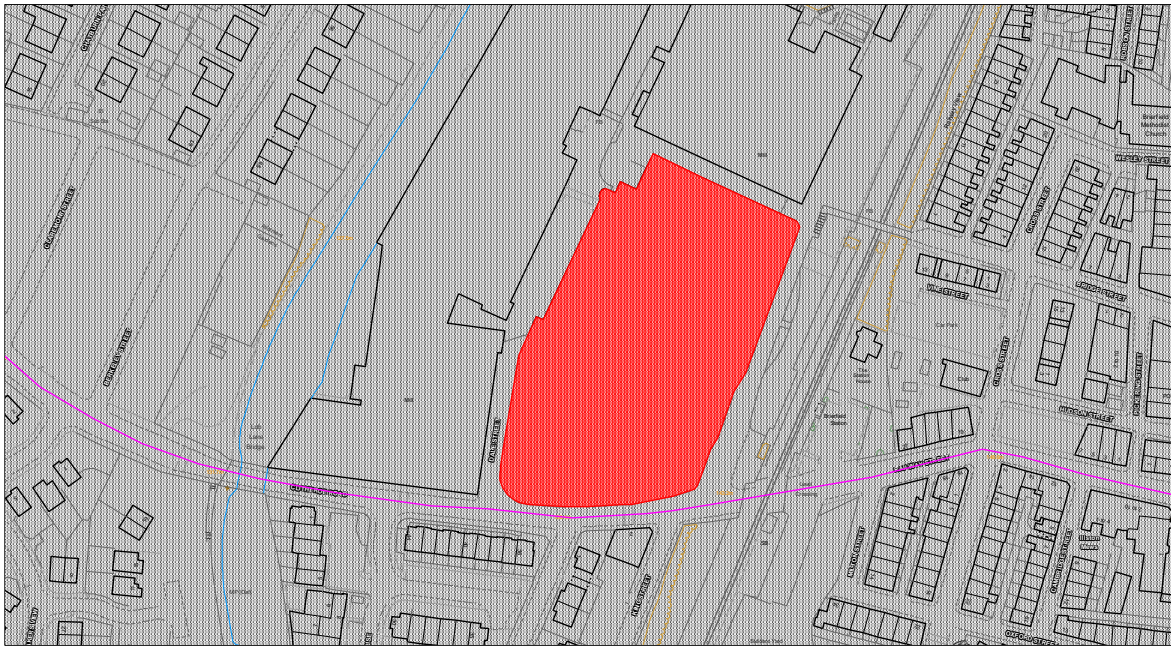
The works shall thereafter be carried out in strict accordance with the approved details.

Reason: To enable the Local Planning Authority to control the details so as to protect the

character of the Listed Building.

9. No work on the site shall be commenced unless and until a full scheme for the hard and soft landscaping of the site including details of the repair and re-instatement of stone boundary walls, railings and street furniture, signage and any proposed public art has been submitted to and approved in writing by the Local Planning Authority. Any work subsequently undertaken shall conform strictly to the details so approved.

Reason: In order to allow an assessment of the work to protect and preserve the character and historic fabric of the listed building.



Application Ref: 13/15/0604P

Ref: 19189

Proposal: Listed Building Consent: Demolish gatehouse and balustrade, install gates to entrance, repair and replace stone surrounds and cills where necessary, replace windows and external doors and internal walls and doors.

At: BRIERFIELD MILLS GLEN WAY BRIERFIELD NELSON BB9 5NJ

On behalf of: Pearl Brierfield Mill Limited

LIST OF BACKGROUND PAPERS

Planning Applications

NW/HW

Date: 24th February 2016