



**REPORT FROM:** PLANNING, ECONOMIC DEVELOPMENT AND  
REGULATORY SERVICES MANAGER

**TO:** BRIERFIELD AND REEDLEY COMMITTEE

**DATE:** 09<sup>th</sup> September 2020

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## PLANNING APPLICATIONS

### PURPOSE OF REPORT

To determine the attached planning applications.

## REPORT TO BRIERFIELD AND REEDLEY AREA COMMITTEE ON 9<sup>TH</sup> SEPTEMBER 2020

**Application Ref:** 20/0289/HHO

**Proposal:** Full: Demolition of existing conservatory and erection of a single storey rear extension.

**At:** 159 Reedley Road, Reedley.

**On behalf of:** Mr and Mrs Hussain

**Date Registered:** 05.06.2020

**Expiry Date:** 14.09.2020

**Case Officer:** Charlotte Pinch

### **Site Description and Proposal**

This application is to be decided at committee as it was called in by a Councillor.

The application site is detached house located in the settlement boundary. There are similar houses positioned to all sides. The house has red brick elevations, a concrete tiled roof, brown uPVC windows and garden areas to the front and rear.

The proposed development is an extension to the rear following demolition of a conservatory. The proposed extension would have a depth of 9.7m, a width of 5.7m and a pitched roof 3.6m in height. It would have brick elevations, a slate tiled roof and uPVC windows.

### **Relevant Planning History**

19/0198/HHO

Full: Demolition of conservatory to rear and erection of a single storey rear extension.  
Refused. 2019.

### **Consultee Response**

None received.

### **Public Response**

None received.

### **Officer Comments**

#### **Policy**

##### **Pendle Local Plan Part 1: Core Strategy**

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

### Replacement Pendle Local Plan

Saved Policy 31 sets out the maximum parking standards for development.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and developments, setting out the requirements for good design and protecting residential amenity.

### National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

### **Design**

The single storey rear extension would not be visible from the front elevation of the dwelling or dominant from any public vantage points. The dual pitched roof and external materials consisting of brick and slate roof tiles, would be in keeping with the main dwellinghouse.

The design and materials of this development are acceptable in this location and as such comply with Policies ENV1, ENV2 and the Design Principles SPD.

### **Residential Amenity**

The Design Principles SPD states that a single storey rear extension located on, or immediately adjacent to, the party boundary with a neighbouring property will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling.

The SPD further advises that a single storey extension of greater depth will normally only be permitted if it does not breach a 45 degree angle. The 45 degree line is a measure of the impact a development would have on the living environment of adjoining properties.

The proposed single storey rear extension has a total depth of 9.7 metres, with less than 1m separation distance from the south western side boundary with No.1 Reedfield.

No.1 Reedfield has ground floor rear conservatory extension in close proximity to the proposed development. When a 45 degree line is drawn from the rear elevation of the conservatory, the extension significantly breaches the 45 degree line. The 45 degree line serves to illustrate situations that are likely to have a detrimental impact on the adjoining property due to scale and proximity. In this case the development would appear large and dominate the adjoining property. The development would have a significant overbearing impact and be detrimental to the living conditions of the adjoining occupier. As such the proposal would be significantly detrimental to the living conditions of the occupants of the adjoining property and fails to comply with adopted guidance within the SPD and Policy ENV2.

It is acknowledged that the proposed site plans show an approved single storey rear extension, of 6m depth, in place of the existing conservatory at No.1 Reedfield (19/0923/HHO). Once built, this

extension would comply with the 45 degree rule, however following a site visit it is confirmed that works on the approved extension have not commenced. As a result, this permission can be given very little weight in the consideration of the proposed extension at No.159 Reedley Road.

## **Highways and Parking**

The proposed development would not result in an increase in requirement for parking provision or loss of existing on plot parking. As a result, no objections are raised in relation to Policy 31.

### **RECOMMENDATION: Refuse**

The proposed extension, by virtue of its 9.7m depth, would appear unduly dominant to neighbours and would result in unacceptable losses of light and significantly overbearing effects on the occupants of No.1 Reedfield to the south west of the site. The development therefore fails to comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011 - 2030) and the Design Principles Supplementary Planning Document.

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## REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 9<sup>th</sup> SEPTEMBER 2020

**Application Ref:** 20/0364/FUL

**Proposal:** Full: Major: Change of use of former mill to mixed use comprising of offices and storage facilities (Use Classes B1 and B8), formation of external two storey car park and external alterations including replacement windows and formation of new entrances and alterations to the northlight roof.

**At:** Northlight Glen Way Brierfield BB9 5NJ

**On behalf of:** Pearl Brierfield Ltd

**Date Registered:** 12 August 2020

**Expiry Date:** 11<sup>th</sup> November 2020

**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 proposal is for planning permission to convert the South West Weaving Shed part of the mill into office use for a telecommunications company with storage and associated office space and form a two storey car park. External alterations to from a new access, replacement windows and changes to the northlight roof are also proposed.

Existing permission and listed building consent has been granted for a variety of uses on this site under previous permissions as listed below.

### **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 – Granted 16<sup>th</sup> March, 2016.

13/15/0601P - Listed Building Consent: External alterations to mill building, demolition of bridge link and repairs to main shed roof – Granted 2<sup>nd</sup> March, 2016.

13/15/0603P – Conversion and change of use of buildings to office, training/education facility with retail, bar, restaurant, café, managed office space (Use Classes A, 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 – Granted 16<sup>th</sup> March, 2016.

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 – Granted 2<sup>nd</sup> March, 2016.

16/0387/LBC – Listed Building Consent: External alterations including demolition of stone planter, temporary removal of stone coping to facilitate demolition of vaulted roof and demolition of pedestrian link bridge – Granted 19<sup>th</sup> July, 2016.

17/0258/LBC – Listed Building Consent: Removal of part of roof and cladded extension, removal of roller shutter to south elevation and new curtain wall and entrance, formation of roller shutter access to west and remove mezzanine level and staircase – Granted 18<sup>th</sup> August, 2017.

17/0460/LBC – Listed Building Consent: Removal and reconfiguration of main roof to spinning mill, removal of roof to preparation block to form external public terrace, existing windows to be removed and replaced with timber double glazed units, form louvres and windows with screens or balustrades, remove and replace floors in engine house, form new internal stairs and remove vaults – Approved.

## **Consultee Response**

### **The Coal Authority – Fundamental Concern**

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore 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.

The Coal Authority records indicate that the application site is underlain by probable unrecorded coal mine workings at shallow depth. In addition, our records indicate three mine shafts within 20m of the application site.

I note that a two storey external car park is being proposed. In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application. As no Protecting the public and the environment in mining areas relevant information has been submitted at this time the Coal Authority **objects** to this planning application.

Lead Local Flood Authority – Comments awaited.

LCC Highways - There are a number of previously approved applications for this site which include a wide range of use classes. This particular part of the Mill has been approved for a C1 Hotel and D2 leisure with retail and food units. A largely flexible approach was taken to the regeneration nature of the project and there being no end users at the time of the application.

### **Traffic Impact**

There is a significant increase in parking provision from the previous applications in this area of the site and the proposed uses will create an intensification of use on the surrounding road network at peak times.

I would expect to see a transport statement to show that there is sufficient capacity at the Colne Road/Burnley Road A682/Railway Street/Halifax Road signalised junction to accommodate the traffic. The proximity of the railway level crossing is a concern and the assessment must demonstrate the impact on this and any mitigation that could be provided.

The assessment must account for the recent changes to the kerb alignment and pedestrian facilities at the signalised junction.

There is a serious safety issue if the traffic queues back close to the level crossing and this must be assessed as part of this application.

### **Pedestrian/cycle routes**

There is a new pedestrian access via ramp to Clitheroe Road adjacent to canal proposed which will support pedestrian movements.

We have previously discussed the lack of footway on the Dale Street Mill elevation. It was agreed to build out the radius on the west side of Dale Street junction Clitheroe Road to provide some protection for pedestrians. This will be required within the off-site highway works.

### **Stopping up highway**

Please supply details of the stopping orders that need to be submitted to allow this development to proceed namely Euxton Street, Thomas Street and Pendle Road.

If these are already progressing please provide an update.

Previously Dale Street was to remain as highway with a suitable turning head provided.

Please confirm this or otherwise and show the turning head on the drawing.

## **Structures and boundary treatment**

The detailed design of the 1:2 gradient embankment retaining Glen Way and boundary treatment should be submitted for approval to ensure that there is adequate support to the highway.

Similarly details of any other changes in ground level adjacent to the highways of Clitheroe Road, Dale Street, Pendle Road or Glen Way should also be submitted.

## **Off-site highway works**

A range of off-site highway works have been previously agreed but have not yet been implemented.

These include traffic calming on Glen Way with 20mph speed limit, opening up of Junction Street, directional signage scheme and internal car park signage scheme.

There are works on Dale Street including a build out of the footway on the west side at the junction of Clitheroe Road and the demarcation of the turning head at the Pendle Road junction.

The S278 agreement needs to be signed and the works need to be programmed for implementation as part of this application.

## **Travel Plan**

A full travel plan is required for each individual business within the site.

## **Parking**

The site is well located to support travel by sustainable modes including bus, train and cycling. There is a large residential area nearby which would allow local employees to walk to work. There are facilities and services proposed on-site and nearby in Brierfield Town Centre.

The site scores 24 which is within the high accessibility category which results in a lower parking standard of:

B1(a) 4527 sq.m. 1:35 spaces Maximum provision 129 proposed provision 194  
B8 1735 sq.m. 1:235 spaces Maximum provision 7 proposed provision 126

This results in a maximum provision of 136 and proposed provision of 320.

There appears to be a significant overprovision of car parking based upon the parking standards. Further information is required to show if this car parking will serve other parts of the site, for example the retail element and how this will be managed to ensure that each element has sufficient provision.

We would support a level of overprovision when considering the employee numbers at the proposed call centre and the individual storage units which may generate more than a single B8 unit however we would not want to encourage the use of the private car which would undermine the sustainability of the site. Sustainable travel modes must be promoted as an alternative to the private car to minimise the impact upon the surrounding road network.

The call centre proposes to open Mon-Sat 7am-8pm, Sun 10am-6pm with 256 full time and 170 part time employees. This is a total of 426.



The proposed parking located between the canal and Dale Street is accessed via Dale Street and split into an upper and lower level as follows:-

78 spaces on upper deck.

116 spaces lower deck

Total 194 spaces including 7 disabled bays.

The proposed parking located between Dale Street and Glen Way is accessed via Dale Street and Pendle Street and provides 126 spaces including 5 disabled bays.

This is a total of 320 spaces.

The disabled bay provision appears too low and should be increased to around 10%, which is 32 spaces and these bays should be located as close to the staff entrances which provide accessibility for the mobility impaired staff and visitors. Currently the bays on the lower car park are sited away from the building.

There are no motorcycle spaces provided, please include these at a rate of 1 per 25 spaces. They should have ground anchors or similar to secure the motorcycle.

There are no details of the secure, covered cycle parking. Secure, covered cycle parking should be located in an area with high natural surveillance close the main entrances to the building. A provision of at least 10% should be provided, 32 spaces, however based upon the number of employees at the call centre I anticipate that this should be reviewed within the Travel Plan or car park management plan with a view to increasing the provision if necessary.

Electric vehicle charging points are necessary and I would suggest that 10 are provided which is 5% of the overall parking provision.

These are necessary to support the sustainability of the site.

### **Parking management strategy**

It is necessary to develop a strategy to manage the car parking provision in line with the Travel plan objectives and for the individual needs of the businesses which may change over time. With a shared parking provision is essential to regularly monitor and review the demands.

This can be a planning condition with a strategy to be submitted for approval within a similar timeframe as the Travel Plan.

### **Conclusion**

I would request further information as detailed above before final comments are provided.

Architectural Liaison Unit – In relation to the above planning application and in addition to the Crime Impact Statement provided by my colleague in 2015 and my security advice in 2017, I recommend the site and office space be designed in accordance with the Police preferred security specification 'Secured by Design (SBD) Commercial 2015' guidance and security standards, to reduce crime and anti-social behaviour e.g. burglary, criminal damage and nuisance issues. Further information regarding SBD and accredited security rated products, some of which are suitable for heritage buildings can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

All parking facilities should be designed in accordance with National Safer Parking 'Park Mark' specification. The specific security measures and standards recommended within this Scheme can help to reduce crime, anti-social behaviour and the fear of crime, to ensure the safety of people and vehicles.

Canal & River Trust – The Trust is unable to make a substantive response due to the absence of elevations of the proposed Dale Street car park and elevations showing the proposed changes to the canalside wall.

Natural England – No comments.

Cadent – there is apparatus in the vicinity which may be affected by the activities specified.

PBC Conservation Officer – Comments on implications of potential impact on the Heritage Assets and suggest conditions relating to details of design, materials and finishes.

PBC Environmental Health – contamination condition recommended.

Brierfield Town Council

## **Public Response**

Site and press notices posted and nearest neighbours notified by letter. One response received objecting on the following grounds:

- The proposed plans have clear potential for a detrimental effect on the privacy, view and future houses sale potential for residents of Akrigg Way;
- The proposed plans for a two storey car park also pose noise pollution concerns to residents;
- Therefore there is objection for a two storey car park.

## **Policy Issues**

### **Policy**

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: Core Strategy has several relevant policies:

ENV1 requires development to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments. The policy requires the significance of any heritage asset must not be harmed or lost without clear justification.

ENV2 requires a high standard of design to enhance our heritage and natural assets and sense of place.

ENV5 – considers land stability and contamination.

ENV7 – seeks to address flood and drainage issues.

The following saved Replacement Pendle Local Plan policies are also relevant here:

Policy 4D which protects biodiversity on sites. The policy states that where there will be loss or damage to biodiversity then appropriate and adequate mitigation will be required.

Policy 31 sets the maximum amount of parking required for specific use classes.

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.

Good design is seen as an important element in the built environment. Paragraph 130 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 16 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 196 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***

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 ft<sup>2</sup> 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 majority of 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.

The part ground floor would be used as storage facilities. The first floor would be used as storage facilities of various sizes with ramped access from Pendle Road and the second floor would accommodate a call centre/office with associated facilities.

This application seeks to convert part of the former mill to offices and storage this is acceptable and fits in with the overall Masterplan objectives subject to satisfactory parking standards and external alterations being appropriate.

There are external changes to the building proposed. These are listed below.

### **Impact on Heritage Assets**

The application relates primarily to Building 2 which comprises two adjoining buildings – the main (SE) weaving shed and the taller three-storey yarn preparation block, clock tower and engine house which fronts onto the yard. Additional parts of the mill are indicated as car parking areas to serve the proposed new uses within Building 2; these include the now mainly cleared sites of the SW weaving shed and smaller Middle Mill, adjacent to the Canal. The application proposes a range of new uses for the weaving shed and yarn preparation block, which is welcomed as a means of enabling the repair and maintenance of the fabric, thereby preserving these important listed buildings for the future. The weaving shed roof has badly deteriorated, and alterations are proposed which comprise new roofs and replacement windows and doors to both buildings.

A Heritage Statement has been submitted which sets out the significance of the weaving shed and yarn preparation block, and assesses the impact of the replacement roof on that significance. The other proposed alterations to both blocks are not covered in the statement, nor is the proposed work required to form part 2-storey car parking areas over the SW shed and Middle Mill sites.

The south east weaving shed of 1873-76 was the first north light shed constructed on the site and is now the only weaving shed remaining within the listed complex, the SW shed having been recently demolished with only the main perimeter walls remaining, to enable its use for car parking. To its east and west sides the weaving shed adjoins the former Glen Way office block (now LALC) and the yarn preparation block. Due to the sloping site the weaving shed comprises two storeys, the upper floor being level with the Glen Way office basement, and the smaller shed below at lower basement level, terraced into the slope. This 2-storey weaving shed design is unusual and is a distinctive feature of this mill complex. The exposed weaving shed walls to north and south are of squared stone with eaves cornices and the roof is typical saw-tooth northlight construction. The tall south wall of the shed, with characteristically few window openings, is prominent in views from Clitheroe Road. Internally the shed retains its cast iron columns and roof structure, although the roof covering of blue slates and glazed panels has fallen into disrepair. The lower floor has a brick arch ceiling, though this area has lost many of its original features. To the west the weaving shed is level with the second floor of the yarn preparation block which faces onto the yard. Along the north side of the shed an original stone passage with glazed roof connects the Glen Way offices to the weaving shed at lower level.

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. Some windows are original timber with a number of later replacements.

## External Alterations

The proposed design retains the traditional form of the building with the original fabric to be sympathetically repaired and reinstated, with the timber loading doors being retained to signify the past use, and new timber windows in the existing openings.

With regards to the northlight roof it is proposed to replace using existing slates and ridge tiles from where it is proposed to remove sections and replace with flat section alternating the grid bays. All existing timbers will be replaced where necessary with new insulation and double glazed aluminium framed glazing. The pitched roof will also be replaced and the supporting cast iron structure retained and made repaired.

Whilst the proposed layout would not be an exact replacement of the existing, as the glazed saw-tooth sections would be to alternate bays only, the justification for this change is to enable adequate walkways to be provided between the northlights for safer and easier access for cleaning and maintenance. A further justification for the alteration is to enable the addition of insulation to create a more energy efficient and comfortable working environment. The safe access system would consist of hatches, safety lines and walkways to the flat roof sections between the glazed bays. These fittings would be minimal in appearance and would be screened from public viewpoints by the existing parapet wall around the roof. Although the proposals would change the appearance of the northlight roof to some extent, the distinctive glazed and slated saw-tooth configuration would still be readily apparent in both closer and more distant views, and the visual impact of its strongly repetitive character and appearance would be preserved. Much of the original roofing fabric would be retained, together with the existing cast iron columns and beams. There would be some slight harm to significance, however this would be outweighed by the clear public benefits arising from the re-use and repair of the listed buildings and preserving them for the future.

Other external alterations include a new slated and glazed roof covering to the yarn prep block to match the existing roof, a new entrance to the south elevation stone screen wall facing Clitheroe Road, formed in a neutral black metal cladding around screen glazing, and a roller shutter door to the lower floor storage areas to be formed within an existing opening. New double-glazed timber window frames and doors would be reinstated to both buildings to match the original designs. Louvred variations to window openings would also be used to those areas requiring ventilation; these would match existing louvred examples throughout the complex. Externally, throughout the buildings the proposals would generally work well with the existing openings. Re-use of roofing slates, design details and matching materials for doors and windows, rainwater goods in cast iron, will need to be conditioned.

Overall the proposed alterations to the buildings are sympathetic and will preserve the significance of the listed building. In line with NPPF 192 the significance of the heritage asset will be sustained and the buildings will be put to viable uses consistent with their conservation.

The application includes layout plans for car parking within the former SW weaving shed, and it is proposed to add an upper deck of parking above ground level. However no elevational or design details have been submitted, so this part of the application cannot be fully assessed in terms of its design and impact on the significance of the LB and CA. Consent already exists for surface level car parking within the SW weaving shed walls. The submitted car parking layout which shows parking spaces along the full extent of the canal perimeter, leaving only a narrow footpath and landscape strip for public access, would significantly reduce the originally proposed public realm areas and may also have significant impact on the character and appearance of the canal corridor, Brierfield Mills Conservation Area and setting of the Listed Building.

Further information has been requested in order to assess the potential impact these changes would have on the heritage assets, however, this has to be balanced against the benefit of bringing a vacant building back into use. An update on this will be reported to the meeting.

There are also issues regarding proposed changes to the surface car park where the previously demolished Railway Public House and Tyre Centre were located. The demolition of the public house within the conservation area was permitted under 13/15/0603P on the basis that the car park would retain a spacious and well-designed layout with trees and open spaces to allow views over this corner of the site and preserve the setting of the Listed Building.

The submitted scheme indicates 116 spaces whereas previously 80 spaces were approved with substantially landscaping around the perimeter the site. This increase would result in a cramped layout with significantly reduced landscaping provided which did improve the layout and was part of the reasoning for allowing the demolition of this building within the Conservation Area. This would lead to an increased adverse impact on the setting of the listed building. The agent has been requested to address this in the Heritage Statement and amend the scheme so it relates to that approved under 13/15/0603P.

## **Highways**

Additional information has been requested including a Transport Statement to show sufficient capacity at signalised junctions within Brierfield and potential traffic queues close to the level crossing on Clitheroe Road. Details of stopping up the highways and structures and boundary treatments also need to be clarified.

A range of off-site highway works have been agreed previously but have not yet been implemented and the S278 agreement with LCC Highways needs to be signed and the work programmed for implementation.

A ramped good entrance will be located on Pendle Street to access the storage area proposed for the first floor.

Access to the car park between the canal and Dale Street is accessed via Dale Street and 78 parking spaces on the upper deck and 116 spaces on the lower deck as well 7 spaces disabled bays.

Access to the car park between Dale Street and Glen Way is accessed via Dale Street and Pendle Street and provides 126 parking spaces and 5 spaces for disabled drivers.

This results in a maximum provision of 136 and proposed provision of 320. This is a significant overprovision of car parking based upon the parking standards set out in Policy 13. Further information is required to show if this car parking will serve other parts of the site and how this will be managed to ensure that each element has sufficient provision.

Sustainable travel modes must be promoted as an alternative to the private car to minimise the impact upon the surrounding road network.

At least 10 electric charging points should be available for these commercial uses.

The Interim Travel Plan will also need to be controlled by an appropriate condition.

Further comments from LCC are expected upon receipt of additional information and amended plans from the agents and these will be reported to the meeting.

## **Drainage**

Comments from LLFA are awaited but as the site was previously used for commercial activities the existing drainage should not be unduly affect and the discharge rates into the Canal can be controlled if necessary.

## **Coal Authority**

A response lodging a fundamental concern has been lodged by the Coal Authority and a request for an investigation has been submitted.

## **Ecology**

A bat survey dated September, 2016 was been submitted previously. There are no other areas of ecological importance on site that require investigating. No evidence of bats roosting on the site has been found for this building, however, an updated survey has been requested.

## **Other issues**

Issues have been raised regarding potential impacts of the two storey car park on the residential properties nearby.

There would be limited impact on privacy as the distance between the nearest houses to the car park across the canal or highway. In terms of views and house values these are not material planning considerations and taking into consideration the previous industrial use of the site noise pollution is unlikely to be any greater than previous and the amount of cars although increased would not be so great as to lead to any undue impact on residents.

## **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. The proposed development is acceptable in terms of design and materials, impact on amenity, impact on the Listed Building and the conservation area therefore complying with policies of the Pendle Local Plan Core Strategy. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

**RECOMMENDATION: Delegate Grant Consent subject to satisfactory amended plans, revised reports, Coal Mining report and no adverse comments from LLFA; additional information required by LCC Highways and Canals & River Trust and additional conditions being attached as appropriate.**

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

A1118-LIB-S1-99-01-XX-P2-003, B2-A1-02-Z2-00-AL-001 P1, B2-A1-02-Z2-00-AA-001 P1, B2-A1-02-Z2-XX-AS-001 P1, B2-A1-02-Z2-XX-AS-002 P1, B2-A1-02-Z2-XX-AA-002 P1, B2-A1-02-Z2-01-AL-002 P4, B2-A1-02-Z2-XX-AE-003 P1, B2-A1-02-Z2-XX-AA-003 P1, B2-A1-02-Z2-02-AL-003 P2, B2-A1-02-Z20AA-AE-004 P1, B2-A1-02-Z2-XX-AL-004 P1, B2-A1-02-Z2-XX-AE-005 P1, B2-A1-02-Z2-02-AL-005 P1, B2-A1-02-Z2-XX-AE-006 P1, S1-S1-90-XX-XX-P2-007 P1, S1-S1-90-01-XX-P2-008 P1, B2-A1-02-Z2-XX-AL-009 P1, B2-A1-02-Z2-02-AL-009 P1, B2-A1-02-Z2-02-AL-010 P2 and C-66K.

**Reason:** For the avoidance of doubt

3. Prior to first occupation of the commercial uses hereby approved the car park and cycle provision including at least ten electric charging points shall have been provided, surfaced and marked out in its entirety in full accordance with the approved plans and shall thereafter be available for use by staff and visitors.

**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.

4. The development hereby permitted shall not be commenced 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.

5. 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



**Application Ref:** 20/0364/FUL

**Proposal:** Full: Major: Change of use of former mill to mixed use comprising of offices and storage facilities (Use Classes B1 and B8), formation of external two storey car park and external alterations including replacement windows and formation of new entrances and alterations to the northlight roof.

**At:** Northlight Glen Way Brierfield BB9 5NJ

**On behalf of:** Pearl Brierfield Ltd

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NW/MP**

**Date: 26th August 2020**