

PLANNING STATEMENT INCORPORATING DESIGN AND ACCESS STATEMENT

SITE AT : FORMER DEXTER PAINTS SITE, GANNOW LANE, BURNLEY



as at.....December 2023.

For : Mr. J. Nixon

1. INTRODUCTION

- 1.1 This planning statement incorporating a design and access statement is to accompany an application made to Burnley Borough Council for the redevelopment of this existing industrial building as supported accommodation for vulnerable people. The size of the building means that the application is deemed to be a 'major' application under the terms of article 2 of the Town and Country Planning (Development Management Procedure (England) Order 2015 whereby such applications must be accompanied by a design and access statement. The purpose of a design and access statement is as described in paragraph 029 of Planning Practice Guidance which states:

'A Design and Access Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users. Design and Access Statements can aid decision-making by enabling local planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal.'

The paragraph goes on further to say that

'The level of detail in a Design and Access Statement should be proportionate to the complexity of the application, but should not be long.'

Accordingly, this statement is in proportion to the scale of development proposed.

2. THE APPLICATION SITE

- 2.1. The site located on the north side of Gannow Lane at the junction of Gannow Lane and Saltburn Street. The Leeds Liverpool Canal runs along the northern boundary of the site. To the west of the site there are terraced houses along Saltburn Street and more modern houses at Wilson Fold. To the east of the site is Gannow Business Park, where there is a number of industrial occupiers. On the opposite side of Gannow Lane to the south there are semi-detached houses under construction. The site is located about 600m from Gannow Top roundabout and the A671 road to Burnley to the east and about 100m from the shops and services on Rosegrove Lane to the west.
- 2.2. The site is a former industrial site, last occupied by Dexter Paints. That former building was demolished in 2014/15. Planning permission was then granted in 2015 for development of

1.

the site for new housing. This was for 27 detached and semi-detached bungalows (see history). That permission was part implemented but not completed. There are two of those bungalows partly built on the site at present and an access to the site from Saltburn Street has been put in place pursuant to the previous residential permission. There is also a 15m high telecommunications mast in the north east corner of the site which will remain in situ.

3 THE PROPOSALS

- 3.1. The proposals are for the construction of 36 no. elderly person bungalows. By that it is meant that occupation of the bungalows will be restricted to those 55 years of age or over. The proposed bungalows are to be two bedroomed. They are all to be provided with one car parking space and are arranged in terraced groups around a central access road. The access point to the site will be from Saltburn Street as per the previously approved access.
- 3.2. The proposed bungalows are to be stone built with slate roofs, which reflects much of the built form of the nearby housing. The bungalows will have communal space surrounding with their own planted up front garden areas and bin storage facility. There will be peripheral structural landscaping. The southern boundary onto Gannow Lane will be provided with a boundary wall feature that also encloses the new access entry to the site. The applicant has recently carried and completed out a similar development some 200m to the east on Gannow Lane for about 90 elderly bungalows and this has proved to be very successful in meeting market demand for this type of development in this area (see history).

4. RELEVANT PLANNING HISTORY.

- 4.1. There is planning application history on this site connected with the previous industrial occupier and the telecommunications mast, which was granted planning permission in 99/2000. The most relevant permission is that for the residential development of the site which was granted in 2015 (application reference APP/2015/0114). That permission is partly implemented.
- 4.2. Of further relevance to these proposals is a similar, though larger site the applicant has carried out at Gannow Lane further to the east at the former Peel Mill site, where 90 similar elderly bungalows to those now proposed have been completed. The planning application reference for that development is APP/2015/0423, which was approved in 2015.

5. THE PLANNING POLICY POSITION

National Planning Policy Framework

- 5.1. The National Planning Policy Framework (NPPF) was published in February 2019 and
- 2.**

contains a presumption in favour of sustainable development, which it indicates has three dimensions – economic, social and environmental. Paragraph 11 sets out how this presumption is to be applied and indicates that development proposals which accord with the development plan should be approved without delay, while going on to say that where it is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- 5.2. In broad terms the Framework also indicates that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities. Design is part of sustainable development and this includes taking into consideration the effect of development on open spaces. Development should contribute to protecting and enhancing the natural and built environment, contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and help to minimise pollution and mitigate/adapt to climate change including moving to a low carbon economy. The Framework adds that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.
- 5.3 Paragraphs 124-132 relate to the achievement of well designed places. Paragraph 127 states that planning policies and decisions should ensure that developments: function well and add to the overall quality of the area; are visually attractive; are sympathetic to local character and history; establish and maintain a strong sense of place; optimise the potential of the site and create places that are safe, inclusive and accessible.
- 5.4. Section 11 of the NPPF sets out the requirements to promote an effective use of land and making the best possible use of previously developed or ‘brownfield land’.

The Development Plan

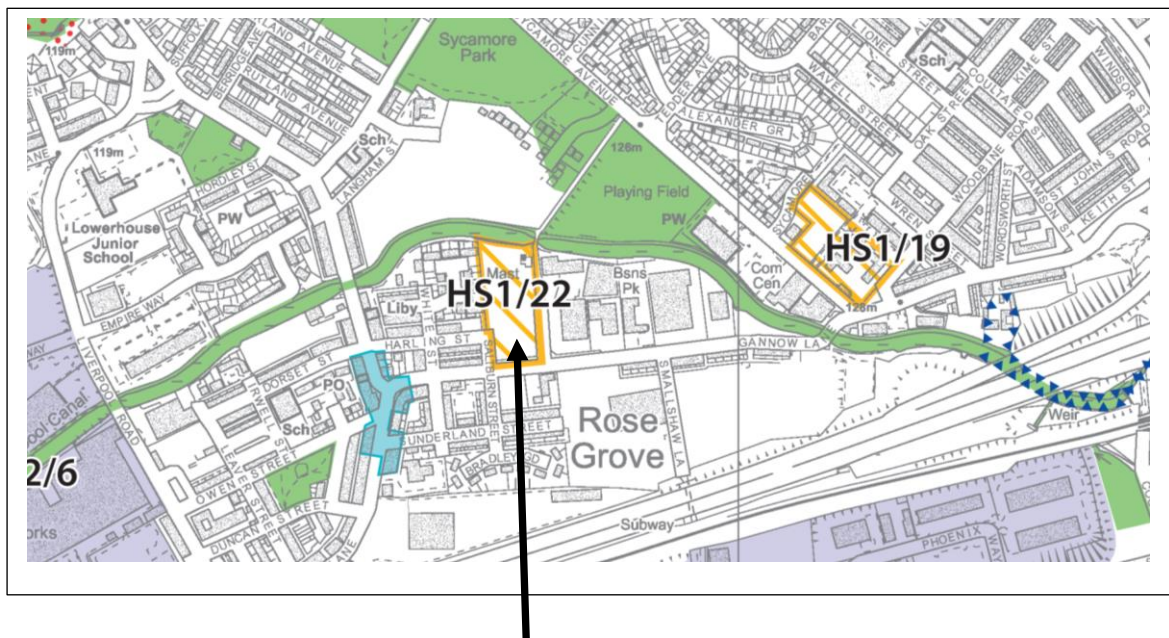
- 5.5. The Development Plan for the area comprises the Burnley Local Plan, adopted in July 2018 (LP).
- 5.6. The development strategy of the LP is to focus development on Burnley and Padiham supported by development of an appropriate scale in the main villages. It supports development within the Development Boundaries as defined on the Proposals Map where it is of an appropriate type and scale and satisfies the overarching criteria of a) it makes

3.

efficient use of land and buildings; b) is well located to services and infrastructure and c) it does not have an unacceptable detrimental impact on residential amenity or other existing land uses. In considering the acceptability of unallocated sites within the development boundaries, consideration is also given to whether schemes appropriately reuse existing buildings and whether schemes make use of previously developed land that is not of recognised high biodiversity value.

5.7. On the LP Proposals Map, the site is shown as Housing Allocation ref : HS1/22. This housing site allocation is one of 32 housing site in the Borough, allocated to fulfil the Housing Requirement over the Plan period as set out in Policy SP2 of the LP. Policy SH1 recognises at paragraph 5.1.8 of the LP that a number of these allocated sites would be suitable for C3 sheltered or C3 extra care housing or custom and self build housing.

LP Proposals Map extract.



The application site with housing designation HS1/22.

5.8 The supporting paragraph for HS1/22 in the LP states that the site is suitable for around 27 dwellings. This appears to be based on the previous planning approval which had 27 bungalows. However, these numbers are a guide for Local Plan purposes and are not fixed for the site. There are also some site-specific requirements in the supporting paragraphs of site HS1/22. These state that:

- Vehicular access should be from Saltburn Street;
- Screening and noise mitigations measures are required to the east of the site.

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- Proposals should address the site's waterfront location in accordance with Policy SP5.
- 5.9. Unlike other HS1 allocations, the supporting paragraphs for this allocation do not ask for a specific housing mix or type of market housing to be provided.
- 5.10. Policy SP5 in relation to the canal asks to maximise the benefits of any waterfront locations and opportunities for public access to it.
- 5.11. Policy HS2 seeks affordable housing provision on sites of 10 dwellings or more.
- 5.12. Policy HS3 seeks to achieve a minimum density of 25 dwellings per hectare.
- 5.13. Policy HS4 seeks to achieve high quality construction; outdoor space; appropriate level of privacy and outlook and adaptable homes.
- 5.14. Policy SP5 seeks to achieve high quality design through the design and layout and materials, amongst other things.

Supplementary Planning Guidance

- 5.15. In December 2020, the Council adopted Supplementary Planning Guidance relating to Developer Contributions. This provides detailed guidance for new site on contributions to affordable housing, open space and infrastructure.
- 5.15. Table 2 of this document sets out the contribution ceilings and affordable housing percentages for various site types and locations. In reference to those sites allocated for new housing, this site, HS1/22 is identified as not viable for housing without subsidy/mix of uses. Accordingly, this site, along with some others, is identified as requiring 0% for affordable housing contributions.
- 5.16. Also in December 2020, the Council adopted an Air Quality Management Supplementary Planning Guidance document. This classifies sites by size. A small site for new dwelling houses is less than 80. For such small sites no assessment is required but default mitigation applies. Such mitigation refers to electric point provision for cars and an environmental plan for the period of construction. This site is classed as a 'small site.'

6. EVALUATION

Principle of Development

5.

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- 6.1. To assess the principle of development, the question to be answered is whether the development proposed would be consistent with the objectives of policies relating to the appropriateness of the location.
- 6.2. The application site is allocated in the adopted Local Plan for new residential development. The Development Plan therefore supports residential development on this site as its development for new housing would fulfil the strategic policies of the adopted Local Plan asset out at Policies SP4 and HS1.
- 6.3. The site is also a brownfield site and its redevelopment gains priority in terms of the reuse of existing land and buildings and making use of previously developed land. Thus, in terms of the spatial location of the site this is fully in accordance with the adopted strategy of adopted Local Plan policy. Similarly, the objectives of NPPF policy in relation to making the most effective use of previously developed land is met.
- 6.4. Further the site has an implemented planning permission which could be completed at any time. This creates a 'fallback' position at the site, which is a material consideration in the making of planning decisions.
- 6.5. Given all of the above, the principle of development is acceptable. As it is in compliance with the strategy of the Development Plan, there is no need to assess the site in terms of accessibility. We therefore now go on to consider other site related matters.

Housing Mix and Density

- 6.6. This proposal is aimed specifically at older person of 55 years of age or older. The Council's housing mix and density policy is set out at Policy HS3 of the Local Plan. This refers to 20% of new sites being for bungalows but does not set out any requirement for elderly dwelling provision. The SHMA referred to at paragraph 5.1.31 of the Local Plan 20% for elderly housing for suggested property size and type but there is no policy requirement in the Local Plan for specific elderly housing provision. As such there does not appear to be an applicable measurement basis in the Council's Annual Monitoring Review for the number of elderly houses provided. As noted above, the policy requirement of HS1/22 do not require a particular housing mix or type of housing to be provided for this site. There is no affordable housing requirement for this site either according to the Council's adopted Supplementary Planning Guidance on Developer Contributions. The older person bungalow provision proposed is therefore not in conflict with adopted Development Plan policy for this site.
- 6.7. In relation to density, the density proposed equates to approximately 43 dwellings to a hectare. The Council's density standard in policy HS3 at 25 per hectare is a minimum one. In

6.

any event supporting paragraphs ask for a minimum density of 40 dwellings per hectare in town centre or edge of centre sites. The proposals therefore comply with these and make best use of the available land.

Design and Appearance.

- 6.8. The proposed dwellings are laid out in terraced blocks that are sited around a central access road. The blocks are of stone construction with slate roofs. Each property has a car parking space to the front with bin store and planted area. The external areas around the blocks are communal.
- 6.9. This kind of design approach replicates that previously used at the former Peel Mill site by the applicant further to the east along Gannow Lane. The photographs of that site below show the intended finished appearance proposed for this site.



The access and front parking and garden area treatment at the former Peel Mill, Gannow Lane.

7.



The communal areas treatment at the former Peel Mill site, Gannow lane.

- 6.10 The applicant, who developed the former Peel Mill site, has had full occupancy since the site was completed in 2018. In fact, the applicant had about 4 times as many applicants for occupancy of the dwellings here than was built. Given this latent demand, it is felt that a similar scheme at this site would serve the housing needs of this locality.
- 6.11. The design approach adopted is not at odds with existing development nearby to the site. There are older terraced properties to the west and more modern properties opposite. Given that stone-built bungalows have already been accepted here, it is not considered that those now proposed detract from the character of the area, no more so than the extant permission on the site for modern bungalows.

Development Quality and Sustainability.

- 6.12 The design and layout of these proposals is appropriate to this locality and it would not result in a discordant development in the area. The site frontage will have a boundary wall feature of stone and railings that will add to the street frontage appearance and avoiding street clutter. The frontage to the canalside will remain open and landscaped for access by residents, thereby maximising the benefits of the waterfront as required by Policy SP5 2 (c). Internally the site is securely designed with limited access and access points, all areas having natural surveillance and bin storage incorporated into the design at the front of each property to avoid potential unsightly communal bin areas.
- 6.13. The quality of the development that will be carried out can already be seen at the nearby former Peel Mill Site. The same kind of design approach will be adopted here.
- 6.14 The proposed bungalows are designed for elderly occupancy and it is expected that a planning condition for occupation for over 55's only will be imposed and that is

8.

acceptable to the applicant. The bungalows are proposed to be two bedrooms. The floorspace size of these is about 50 sq.m. The Council however has not adopted the Nationally Described Standards in its Local Plan and therefore they cannot be applied, as in order to use those standards at the local level, a Local Planning Authority must have a Local Plan Policy requiring it. To adopt such a policy, a Local Authority must be able to demonstrate clear evidenced need for the standards to be applied and consider the impact upon viability within a Local Plan viability assessment. Burnley has not carried out any such assessment. In any event, the suitability of this size of elderly bungalow can be seen at the nearby former Peel Mill site carried out by this applicant and there are no problems with occupancy there. Should the size of the bungalows be increased because of those standards, this would increase the costs and put up rental values, making them unviable in this market rented sector for elderly persons requiring good quality rental bungalows. All of the bungalows have good light, aspect and amenity and accordingly, the development quality aspirations of Local Plan policy is met, as there is no evidenced need to apply the standards to this type of property.

Open space, landscaping and wildlife.

- 6.15 This site has had a previous planning permission for residential development implemented and therefore that permission remains extant. The site has therefore been stripped and prepared and there is no habitat, such as trees and shrubs, remaining. The communal landscaped areas proposed in this scheme will enhance biodiversity for the site. Because of the bungalows are for elderly persons, the open space requirement is met by the provision of the communal gardens, as occupants of this type of property do not want private garden space, which creates maintenance problems for the elderly residents.

The impact from nearby industrial users.

- 6.16. This issue was considered in the extant residential permission for the site. A noise report accompanied that application with the recommendation that a noise barrier was erected along the eastern boundary. That is the boundary adjacent to Gannow Lane Business park. These proposals do not change the scenario and accordingly, a 2m noise barrier is similarly shown to be erected along the eastern boundary on these proposals.

The benefits of the scheme.

- 6.17 In terms of the sustainable benefits of these proposals when assessed against the three dimensions of sustainable development in the NPPF, these proposals would provide economic benefit through employment from the associated economic

9.

benefit for construction works and occupation. In social terms, the elderly bungalows will aid social improvement for local people, which is a national social goal. In environmental terms, this proposal reuses a brownfield site in an urban area and therefore meets Government objectives of making the best use of previously developed land and buildings.

7 APPEARANCE

- 7.1. The proposed buildings are reflective of the area, being finished in stone and slate. They are single storey and will not be dominating in the area. The finished appearance can already be seen at the nearby former Peel Mill site and it is proposed that the finish seen there is replicated here.

8 SCALE

- 8.1. There are 36 bungalows proposed that are to be built in three terraced blocks. The ridge height of the blocks is 5.520 metres and the eaves height is 2.2. metres. The largest block is some 75 metres long. The smallest block is 37.7 metres long. The blocks are 10.4 metres wide.

9 AMOUNT

- 9.1. The total amount of building floorspace proposed is some 1,800 sq.m. There are 36 car spaces to be provided. The amount of communal garden/open space is 2,828 sq.m.

10 USE

- 10.1 The proposed use is for elderly person bungalows, to be occupied by persons of 55 years of age or over. The properties will be retained in single ownership and made available for rent. The site will be managed by a management company who provide all service reequipments, gardening and maintenance that the site or the occupiers require.

11 ACCESS FOR ALL

- 11.1 Access to the dwellings is to be gained from the main entrances on the front of the building. These will have level thresholds and enables secure site entry and exit. From the access point there is level access throughout the building.
- 11.2 Externally there are no steep gradients or level changes to be negotiated that would impede access into the building or around the site.
- 11.3. Entrances to the buildings will be secure with coded access and well lit and

10.

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signposted. The entrances will comply with Part M of the Building Regulations for disabled access and will level thresholds, minimum clear widths and be unobstructed.

12 CONCLUDING REMARKS

- 12.1 This is a site allocated for new housing development in the Local plan. The proposals therefore achieve the aims and objectives of achieving sustainable development in that the site is a previously developed site, is within the designated urban area and is in a highly accessible location. The site also has an extant planning permission where a provisory approved residential development has been commenced on the site but left abandoned. This is a 'fallback' position that could be implemented. However the current scheme is more targeted towards the local market for elderly people and is proven to fulfil a local demand, as evidenced by the full occupancy of the Peel Mill site nearby carried out by the same developer and which this site will replicate.

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