

Proposed development: Listed Building Application (Regulation 4) for Replacement of 1980's timber frame windows and doors, replacement with new stand-sheet sash windows with pivot hung types and modern aluminium framed doors

**Site address:
Blackburn Business Development Centre
Eanam Wharf
Blackburn
BB1 5BL**

Applicant: Blackburn With Darwen Borough Council

Ward: Blackburn Central Councillors: Samin Desai, Mahfooz Hussain, and Zamir Khan



1.0 SUMMARY OF RECOMMENDATION

1.1 CONSENT IS GRANTED, subject to the conditions recommended within Paragraph 5.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application is presented to the Planning and Highways Committee, in accordance with the Scheme of Delegation, as Blackburn with Darwen Borough Council is the Applicant. The planning application has been submitted under Regulation 4 of the Town & Country Planning Regulations 1992.

2.2 The proposal will allow for external alterations by way of replacing the existing timber frame windows and doors with stand-sheet sash timber windows and aluminium framed doors to the host building which is Grade II listed building. As such, it is important to ensure the historic and special architectural importance of the listed building is preserved and where possible enhanced.

2.3 Overall, the proposal is deemed to be acceptable given it will not result in any harm to the significance of the listed building nor will it impact upon the character and appearance of the Eanam Conservation Area.

3.0 RATIONALE

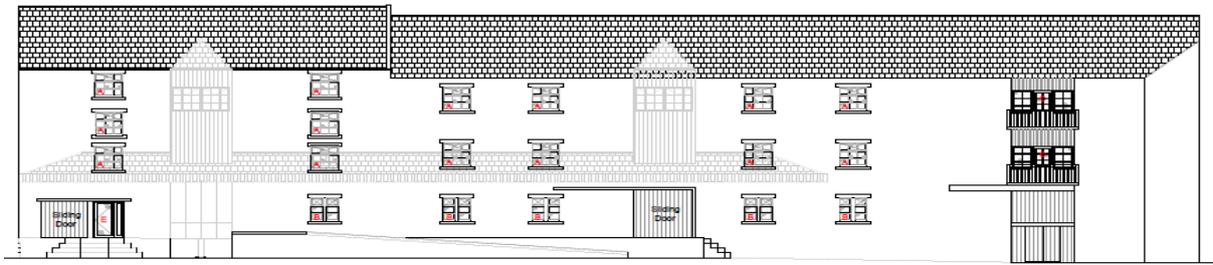
3.1 Site and Surroundings

3.1.1 The application site relates to Eanam Wharf Business Centre (also known as Blackburn Business Centre) which is situated in the Blackburn Inner Urban Boundary approximately 600m east of the Town Centre.

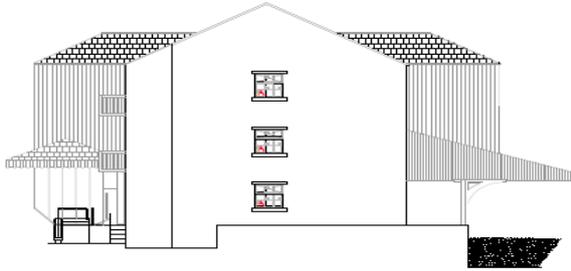
3.1.2 The proposal site is a former stone built canal warehouse and wharf building which are three storey in height. The south elevation of the building stands on the north bank of the Leeds and Liverpool Canal.



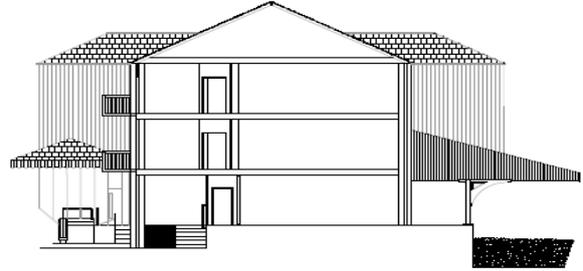
Figure 1: Google aerial view of the application site



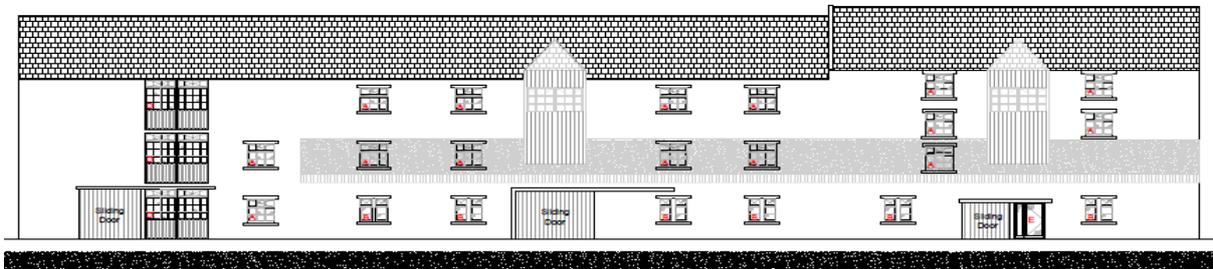
South Elevation 1:100



East Elevation 1:100



Section A-A 1:100



North Elevation 1:100

Figure 3: Proposed Elevations

3.3 Case Officer Photos



3.4 Development Plan

3.4.1 Section 38 (6) of the Planning and Compulsory Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.4.2 The 'Development Plan' comprises the adopted Core Strategy DPD (2011) and adopted Local Plan Part 2 – Site Allocations and the Development Management Policies (2015).

3.4.3 Core Strategy

- Policy CS16 – Form and Design of New Development
- Policy CS17 – Built and Cultural Heritage

3.4.4 Local Plan Part 2

- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 11 – Design
- Policy 39 – Heritage

3.5 Other Material Planning Considerations

3.5.1 National Planning Policy Framework (NPPF) (July 2021)

- Section 2: Achieving sustainable development
- Section 12: Achieving well-designed places
- Section 15: Conserving and enhancing the natural environment

4.0 Assessment

4.1.1 When assessing this application there are a number of important material considerations that need to be taken into account. They are as follows:

- Principle of Development
- Impact of the proposal on the significance of the Listed Building and appearance/character of the Eanam Conservation Area
- Design/Visual Amenity
- Amenity

4.1.2 Principle of Development

4.1.3 In accordance with the presumption in favour of sustainable development detailed in the Framework, and Policy 7, development proposals should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of the proposal are identified; subject to assessment of the following matters;

4.1.4 Impact of the proposal on the significance of the Listed Building and appearance/character of the Eanam Conservation Area

4.1.5 The first consideration in the assessment of this application is the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) of the Act states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority 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.

4.1.6 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

4.1.7 Section 16 of the National Planning Policy Framework (NPPF) concerns itself with development affecting heritage assets. Conservation Areas are considered to be designated heritage assets when assessing planning applications against the Framework.

4.1.8 P.199 of the Framework states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance. P.202 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits.

4.1.9 Policy 39 of the LPP2 (2015) relates to heritage, and requires development with the potential to affect any designated or non-designated heritage asset, either directly or indirectly including by reference to their setting, will be required to sustain or enhance the significance of the asset.

4.1.10 The main issues to consider are whether the proposal will harm the significance (architectural and historic importance) of the listed building and the character and appearance of the Eanam Conservation Area (CA).

4.1.11 Firstly, the Conservation Officer has stated that the building is regarded as being of high significance resultant of its historic association to the development of the canal and former uses and in its built form and relationship with the other canal side buildings / structures.

4.1.12 However, it has been noted that the conversion of the building into office space in the mid-1980s (10/86/1034) resulted in both internal and external works which altered the appearance of the building. As such, all the existing windows are considered to be modern in the form of divided timber 'top-hung' casement style. It is acknowledged that these existing windows have no

intrinsic value other than the contribution they make to the appearance of the building.

4.1.13 The proposed replacement windows will be timber, pivot hung windows incorporating brass pivot hinges and latches which are of a traditional 'workshop' style commonly used in the early C20. The Council's Conservation Officer recognises that the new style of window will better reflect a more traditional style of window, and as a consequence has greater integration and compliments the industrial character of the Wharf building.

4.1.14 On the above basis, the new windows will not cause any harm or loss of significance to this listed building and is seen to be an overall improvement and enhancement to the character and appearance of the host property.

4.1.15 The proposal also seeks to replace the existing front main entrance door and rear (south elevation) ground floor door with slim profile aluminium doors with side lights. Given the positioning of doors these will not be visually prominent as they sit behind sliding timber doors. As such, this provided a simple treatment for enclosing the current openings, and is considered to preserve the buildings significance.

4.1.16 Whilst not a requirement as part of the LBC assessment nor will the works cause any noticeable harm to the immediate setting and group relationship between the adjacent listed buildings.

4.1.17 The agent has confirmed the proposed standsheet sash windows which are to be constructed with Sapele timber will be finished in a linseed oil based paint of anthracite grey colour. The aluminium door would also match the colour of the windows (i.e. anthracite grey). The proposed finishes are considered acceptable and given coherence is maintained between both the proposed windows and doors in terms of colour the proposed work will not cause any discernible harm to the listed building.

4.1.18 To conclude, the proposal would meet the statutory test 'to preserve' and 'enhance' and would cause no harm to both the significance of the Listed Building and character and appearance of the Eanam Conservation Area. Therefore, no balancing exercise is required as per NPPF P.202. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with Policy CS17 and LPP2 (2015), Policy 39.

4.1.19 Design/Visual Amenity

4.1.20 Policies CS16 and 11 require development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context and making a positive contribution to visual amenity.

4.1.21 The proposed external alterations, as already established in the previous subsection are considered to be sympathetic and overall will significantly improve and enhance the appearance of the host building.

4.1.22 As such, the proposed development is acceptable in visual design terms, thereby according with Policies CS16 and Policy 11.

4.1.23 Amenity

4.1.24 Policy 8 states that all development proposals should secure a satisfactory level of amenity for surrounding occupants with reference to noise, vibrations, nuisances, and the relationship between buildings.

4.1.25 The site is positioned within an exclusively commercial area. The proposal is solely a replacement of design/materials to the existing windows, main entrance door and door at the rear of the building. No new window/door openings are to be created.

4.1.26 On that basis, the proposal will not result in any impact upon surrounding amenity, and is therefore acceptable, in accordance with Policy 8.

4.1.27 Summary

4.1.28 Taking into account all of the above, the proposal is considered to meet the requirements of the relevant Development Plan policies, subject to conditions in order to make the development acceptable in planning terms.

5.0 RECOMMENDATION

5.1 Consent is granted subject to the following conditions:

1. The works hereby 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. Unless explicitly required by condition within this permission, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- Location Plan
- Drawing No. EW-CAP-01-00-DR-BS-1001 P1 – Site Plan / Roof Void Plan;
- Drawing No. EW-CAP-01-00-DR-BS-1003 P1 – Proposed Elevations; and
- Drawing No. EW-CAP-01-00-DR-BS-1004 P1 – Detailed Drawings, Window / Door Details - Received 16th November 2021

REASON: For the avoidance of doubt and to clarify, which plans are relevant to the permission.

3. The materials to be used on the external surfaces of the development as indicated on Detailed Drawings – Drawing No. EW-CAP-01-00-DR-BS-1004 P1 received on the 16th November 2021 and the submitted application form shall be implemented as indicated unless otherwise agreed in writing by the Local planning Authority.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 and 39 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document.

6.0 PLANNING HISTORY

APPLICATION NUMBER	DESCRIPTION OF DEVELOPMENT	DECISION	DATE
10/04/1004	Internal alterations to create additional toilet areas	Withdrawn	27/08/2004
10/04/1003	Installation of additional toilet facility	Approved	04/11/2004
10/00/0001& 10/99/0952 (Full app and LBC)	Minor alterations to south elevation: 2 new windows, 2 mechanical vent outlets and 1 new timber screen; all materials to match existing. Minor alterations to internal partitions	Approved	13/04/2000
10/94/0404 & 10/94/0399 (Full app and LBC)	Proposed Disabled Ramp Access to existing building	Approved	14/07/1994
10/91/0760 & 10/91/0886 (Advertisement app and LBC)	Signage and floodlighting to the Wharf Public House	Approved	13/08/1991
10/86/1036 & 10/86/1034 (Full app and LBC)	Renovation/conversion of the previous Canalside Warehouses into a number of uses: public house/restaurant, ancillary area to above, inc. flat, exhibition/office area, Blackburn Business Development Centre & unknown use (possible office etc)	Approved	12/08/1986
10/82/2101 & 10/82/2100 (Outline app and LBC)	Refurbishment and conversion of former British waterways depot to craft studio/workshops and public house/restaurant	Approved	02/02/1983
10/80/2295 (Outline app)	Conversion of existing warehouse and office buildings to office, public house, kitchen and training facilities	Approved	09/04/1981
10/79/2148 (Outline app)	Conversion of existing canal Depot into a complex of mixed use workspaces to accommodate Arts, Crafts, Commerce, Industry	Approved	14/01/1980

	and Leisure		
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7.0 CONSULTATIONS

7.1 Statutory Consultation

Due to the proposals affecting a listed building and the proposed works to be carried out are to a building within the Eanam Conservation Area the Council's Conservation Officers, Historic England, the Historic Amenity Societies and Lancashire Archaeology Advisory Service have been formally consulted on the application.

No objections have been received from these statutory consultees. Their comments particularly those from the Council's Conservation Officer have been referred to throughout sub-section 4.1.4 – 4.1.18 of this report.

7.2 Public Consultation

Public consultation has taken place by means of 10 letters posted to surrounding neighbouring addresses on 19th November 2021. The application was also displayed by Site Notice given the application site is a Grade 2 Listed Building and is situated within the designated Eanam Conservation Area. This notice was positioned at the entrance of the application site on Higher Eanam. A press notice also advertised the proposal on 22nd December 2021. In response to the public consultation, no letters of representation have been received.

8.0 CONTACT OFFICER: Jamie Edwards, Planning Officer

9.0 DATE PREPARED: 07 January 2022