

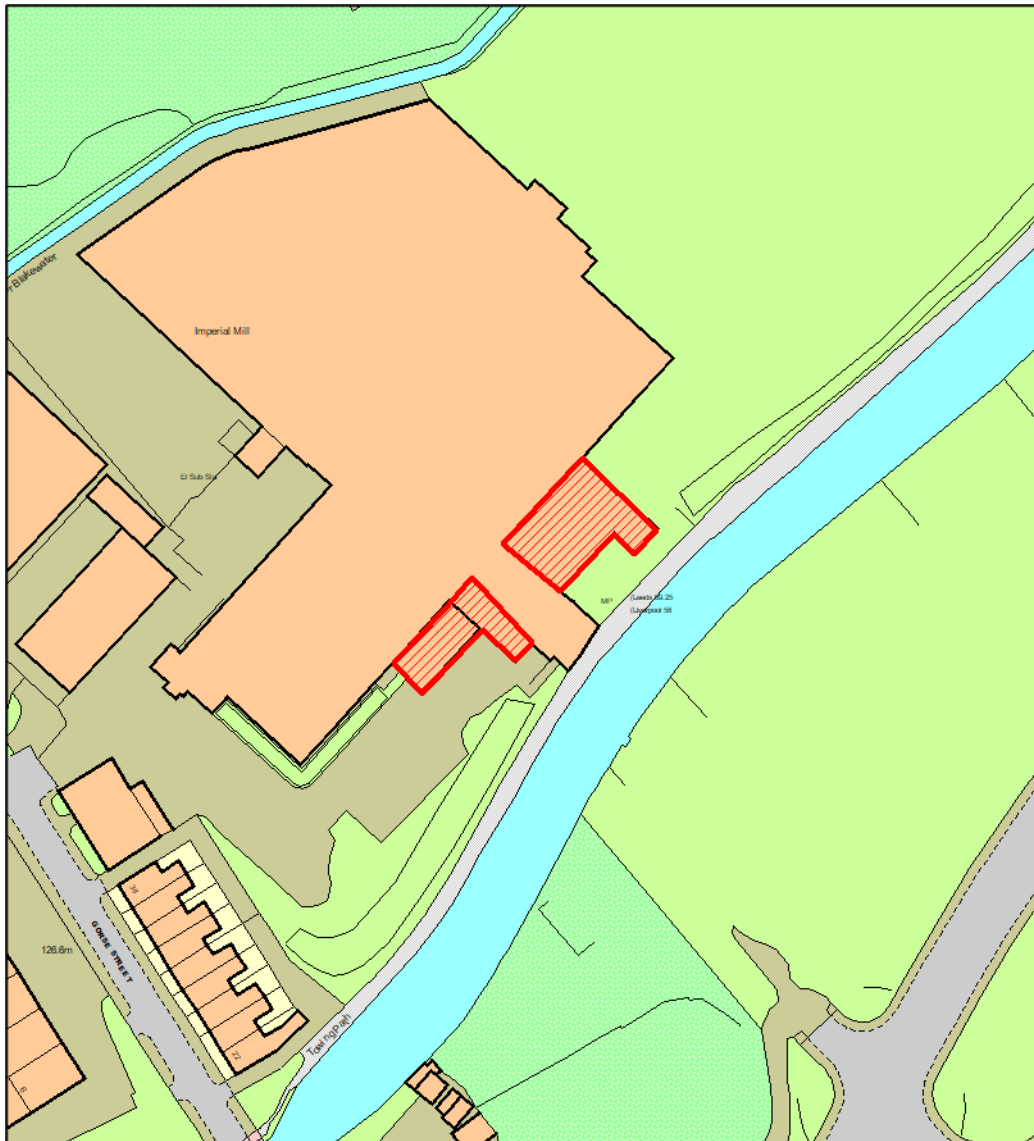
**Proposed Development: Full Planning Permission and Listed Building Consent:
Works to Imperial Mill to solely consist of the demolition of the boiler house,
engine room extension, masonry annex and steel structure.**

Site Address: Imperial Mill, Gorse Street, Blackburn BB1 3EU

Applicant: Blackburn with Darwen Borough Council

Ward: Little Harwood & Whitebirk

**Councillor Mustafa Desai
Councillor Sonia Khan
Councillor Abdul Patel**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is recommended to be granted both Full Planning Permission (10/24/0259) and Listed Building Consent (10/24/0261), subject to the conditions and informative note detailed in Section 5.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 These applications are presented to the Planning and Highways Committee, in accordance with the Council's Constitution, and given that the applications are made on behalf of the Council.
- 2.2 The proposed development has been publicised through letters to residents and occupants of the nearest 12 adjacent properties on 18th March 2024. In addition, four site notices were displayed on 19th March 2024, and a press notice was advertised in the local newspaper on the 4th April 2024. No public comments have been received for the application so far. Should any comments be received ahead of the committee meeting they will be presented as part of a committee update report.
- 2.3 The Council's development plan supports new employment and heritage developments, provided they constitute sustainable development and accord with the development plan when taken as a whole.
- 2.4 The proposed developments are in relation to a programme of works regarding the demolition of structurally unsafe elements of Imperial Mill, and such demolition is necessary to remove those elements which pose a serious risk to health and safety, in particular, the Boiler House, Engine Room Extension, Masonry Annex and Steel Structure. Members are advised that the works the subject of the applications presented to the meeting, are the first element of a programme of regeneration which will restore the important listed Imperial Mill building, that is an important building to the borough, due to its position and prominence along the Blackburn Townscape adjacent to the Leeds and Liverpool Canal, and the ongoing regeneration along Carl Fogarty Way to the south.
- 2.5 On balance, the proposals would be satisfactory from a technical point of view, with all issues having been addressed through the application process, or capable of being controlled or mitigated through appropriately worded planning conditions.
- 2.6 The key issues to be addressed in determining this application are as follows;
- Principle of Development
 - Heritage Assets
 - Archaeology
 - Residential Amenity
 - Highways and Parking
 - Ecological Considerations

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site is a Grade II listed building (designated in 1974) four storeys in height that is currently in a state of disrepair. The site is located within a predominately commercial area, which is bounded by commercial uses to the north, north-west, open space to the east and north-east, Leeds and Liverpool Canal to the south, and a residential terrace to the south-west on Gorse Street. Imperial Mill was formally opened in 1901 as a cotton mill, with spinning in the mill ceasing in 1980. The mill was subsequently acquired by Lancashire Saw Company who operate from the first floor of the building, with the remaining floors being vacant, and in 2023 the Council came to an agreement with the company transferring ownership to the Council, with a 15 year lease to the company to continue operating from the existing part of the building.

3.1.2 The Boiler House which is positioned to the north of the Engine Room raised the steam required to power the engine, utilising water from the canal. There is also a small single storey extension to the Engine Room. The Masonry Annex is positioned on the opposite side of the Engine Room to the Boiler House along the south side of the main building. The external steel structure is alongside the south elevation of the main building, which appears to have been used for external storage. Figure one below identifies the buildings, which are subject of the applications, with a red line boundary.

3.1.3 Figure One – Location Plan and Satellite Image

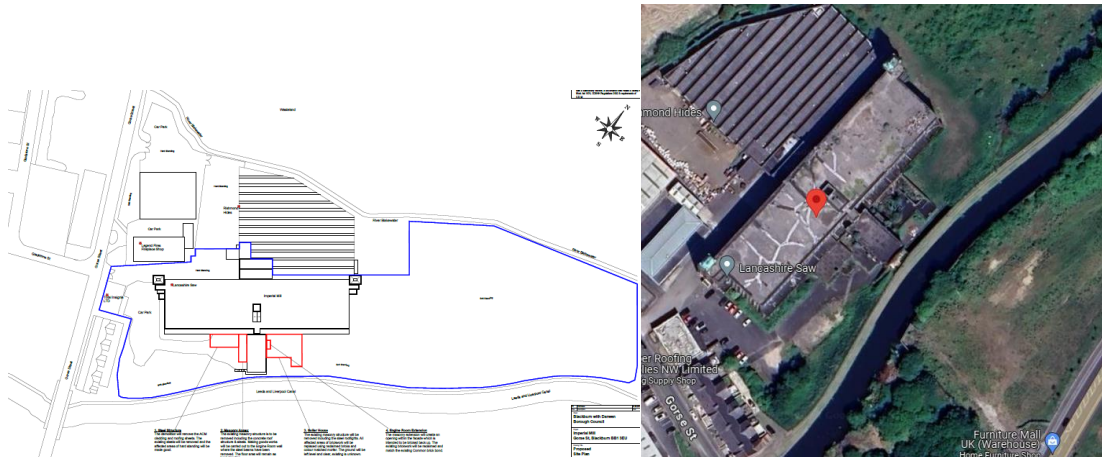


Figure Two - Site Photographs:



Figure 12 – Photograph of Boiler House adjoining the Engine House and main Mill behind



Figure 18 – Photograph of Engine Room Extension



Figure 22 – Photograph of Relationship of Masonry Annex to Engine House



Figure 23 – Photograph of Steel Structure

Photographs extracted from submitted Planning/Heritage Statement, February 2024:

3.1.4 The submitted Heritage Statement refers to the location on which Imperial Mill sits was selected to take note of a significant landmark in the advent of industrial cotton spinning within the UK. The site was stated to be situated close to the location where James Hargreaves invented the 'spinning jenny; which revolutionised cotton spinning, together with being adjacent to the canal, where at that time coal, which provided the energy for the mill, was brought to the mill.

3.2 Proposed Development

3.2.1 As detailed above, the proposal solely consists of the demolition of the boiler house, engine room extension, masonry annex and steel structure to the Grade II listed Imperial Mill building (refer to photographs above), which are in relation to a programme of works regarding the demolition of structurally unsafe elements of Imperial Mil. All of the structures are currently vacant. The structures will be removed from the site. The specific details relating to the proposal are as follows, with the photographs extracted from the submitted 'Demolition Survey Report' – February 2024:

3.2.2 Boiler House:

Figure Three – description and site photographs:



3.2.3 Engine Room Extension:

Figure Four – Description and site photographs:

Description

The engine room extension is constructed of masonry bricks, with a solid wall construction housed beneath a flat roof. There is a perimeter wall to the perimeter.

There are various window openings.

The storeroom is constructed on top of the boiler house structure.

Presumed to be constructed after the initial construction of the Mill.



3.2.4 Masonry Annex:

Figure Five – Description and site photographs:

Description

Single storey masonry annex of solid wall construction housed beneath a reinforced pre-cast concrete flat roof with an asphalt roof covering.

The flat roof is supported by steel joists.

There are various door and window openings.

Presumed to be constructed after the initial construction of the Mill.





3.1.5 Steel Structure:

Figure Six – Description and site photographs:

Description

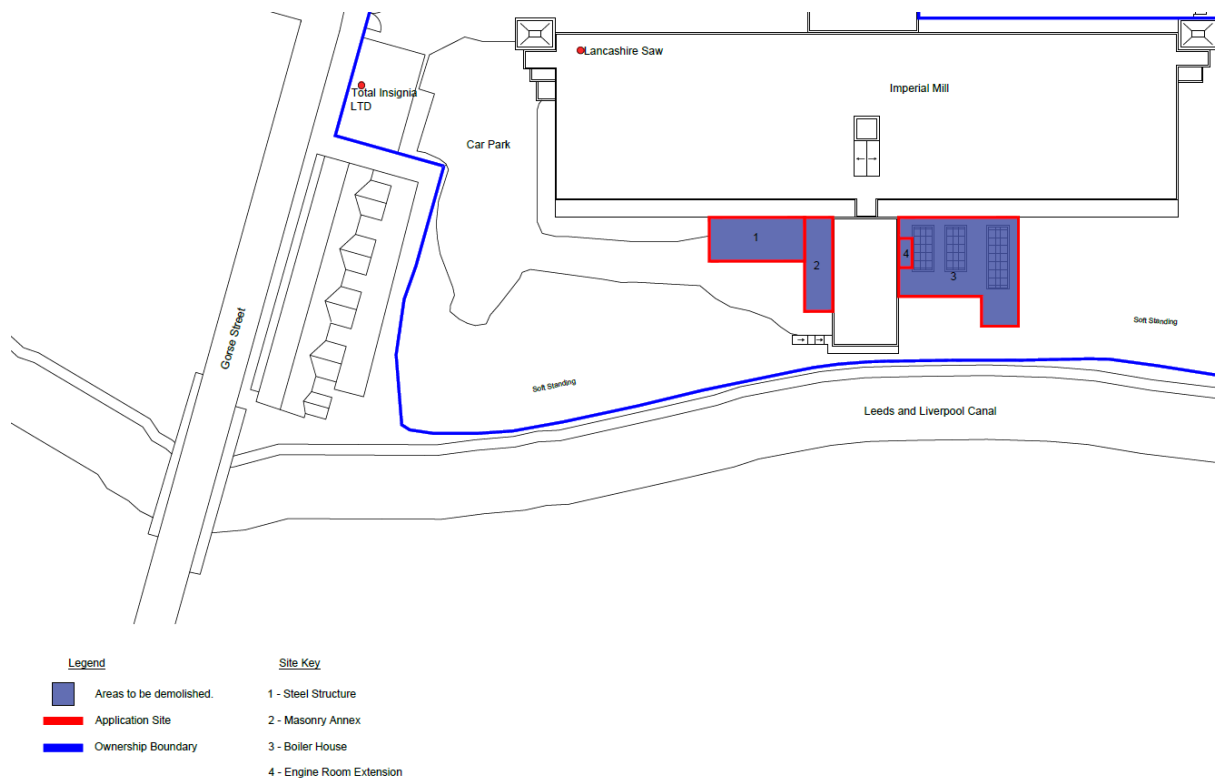
Steel frame external store structure clad with asbestos cement profile sheets to both the roof and facades.

Presumed to be constructed after the initial construction of the Mill.





Figure Seven – Proposed Demolition Plan (submitted Proposed Demolition Plan, Drawing No: 12430/L03/P1):



3.1.6 As demonstrated with the photographs in Figures three to six above, it is considered that the proposed demolition of the buildings is necessary due to their poor condition that is evidenced from the submitted demolition survey report with widespread defects throughout. The buildings are now considered to be dangerous and unstable, and there is ongoing evidence of trespass and vandalism.

3.2 Development Plan

3.2.5 Blackburn With Darwen Borough Local Plan 2021-2037:

- Core Policy 7 (CP7): The Historic Environment
- Policy 26 (DM26): Heritage Assets
- Policy 30 (Policy DM30): Primary Employment Area.

3.2.6 National Planning Policy Framework (NPPF)

4 **ASSESSMENT**

4.1 Principle of Development

4.1.5 The application site is located within an area defined as ‘Existing Employment Area’ under Policy DM30 of the Local Plan, which seeks to retain such sites in employment use. As the proposed development is relating to demolition of existing buildings, and there is no change of use proposed, there is no conflict with the requirements of Policy DM30. In addition, Policy CP7 ‘The Historic Environment’ seeks to proactively protect and enhance the significance, character, and archaeological/historic value of the Borough’s heritage assets. Together with the presumption in favour of sustainable development detailed in the Framework, 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:

4.2 Heritage Assets

4.2.5 As detailed above, Imperial Mill is a Grade II Listed Building, and is a large prominent rectangular three and four storey brick-built mill building, that was constructed around 1900/1901. The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990, is to preserve the special character of heritage assets, including their setting. Sections 16 (2) and 66(1) of the Act state:

“In considering whether to grant listed building and/or planning permission for works which affect a listed building, 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.”

4.2.6 The NPPF requires local planning authorities to take account of the following when determining planning applications:

4.2.7 A) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- B) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- C) The desirability of new development making a positive contribution to local character and distinctiveness.

4.2.8 The following paragraphs of the NPPF are also pertinent to the assessment of the applications:

P.205 states “that when considering the impact of proposals on the significant of a designated heritage asset, great weight should be given to the asset’s conservation. The more 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.206 requires harm to designated heritage assets to have clear and convincing justification.

P.208 requires that local planning authorities should weigh *less than substantial harm* to heritage assets against the public benefits of the proposal, which includes the optimum viable use.

4.2.9 The proposals under consideration with the applications, have been subject to pre-application site visits and assessment with officers from the Council, and the Council’s Conservation consultee. The fundamental issue to be considered is whether the proposed works which include demolition of buildings/structures will harm the significance of the Grade II listed building.

4.2.10 As referenced above, the proposals involve the demolition of various dilapidated buildings/structures on the south side of the building that faces the canal, including a former brick boiler house and extension, single storey extensions to the engine house, and a modern steel framed structure. The structures to be demolished are identified in Section 3.2 above.

4.2.11 The proposed works are required due to the buildings very poor and dangerous condition, together with the presence of asbestos. The submitted Structural Report confirms the buildings poor condition and the dangers they pose to the general public, as there is evidence of ongoing trespass and vandalism. The recommendations in the report are to urgently demolish the buildings/structures and have the material removed from the site. The Executive Summary of the Report states:

“There is a significant risk of authorised access into and onto these 4no structures which could lead to a fall from height, structural collapse and/or exposure to asbestos containing materials. We recommend that the structures in question are adequately fenced off to prevent unauthorised access. Clear signage should be provided highlighting the hazards of asbestos and dangerous structures. We recommend that this is implemented as an urgent priority item. Many of the windows and door openings are open to the elements, allowing for free access to the inside of the building. There is a significant risk

of arson, which could prove catastrophic to the building occupants and the Mill's status as a heritage asset. We recommend that all openings are suitably covered to prevent unauthorised access and that this is implemented as an urgent priority item. "

4.2.12 The submitted Heritage Statement is considered to provide a good adequate understanding of the significance of the listed building, and provides a Statement of Significance (Section 4), which the Council's Conservation consultee has assessed, and raises no objections.

4.2.13 It is clear from the site photographs in Section 3.2, the structures that are proposed to be removed are later additions and contribute little or nothing to the historic or architectural values of the Mill. The structures on the western side of the engine house are lightweight, modern and visually detract from the appearance of the more prominent south elevation. The case officer and the Council's Conservation consultee consider that their removal would be a substantial benefit to the building. Furthermore, the engine room extension and masonry annex are also functional later additions to the building and are considered to be of little importance to the listed building.

4.2.14 The former boiler house is considered to be the one element of the proposal, which could be considered to have the most significant element and interest to the building. It is acknowledged in the submitted Heritage Statement at paragraphs 4.10 – 4.12, that the former boiler house is identified as being of moderate interest to this part of the Mill building. However, its original function is no longer relevant, and its very poor condition has contributed to the reduction in its aesthetic significance. Taking this into account, whilst the proposed demolition will involve some minor loss of understanding of the historic development of the mill, and its use, it is considered this will cause only a negligible level of harm to the Mill building as a whole. Indeed, the removal of the structures will improve the visual appearance of this important prominent south elevation of the building. As such, the Council's Conservation consultee raises no objections.

4.2.15 Conclusively, it is considered that the rationale and justification for the removal of the structures is well reasoned with the submitted documents. On that basis, and subject to compliance with the imposed conditions, the proposed development would be acceptable with reference to heritage assets, in accordance with the relevant requirements Policies CP7 and DM26.

4.3 Archaeology

4.3.5 The site houses an abundance of archaeological remains owing to its former use. Policy DM26 requires development with the potential to affect nationally or locally important archaeological remains is expected to better reveal and increase understanding of those remains and their settings, unless it is demonstrated that this is not possible or desirable.

4.3.6 Lancashire County Council (LCC) Archaeology have reviewed the submitted assessment and the merits of the application as a whole. No objections have

been raised subject to a condition being imposed regarding the submission of a programme of archaeological works and a formal watching brief, which is recommended to be added. Subject to compliance with that condition, the proposed development would be acceptable with reference to archaeology, in accordance with the relevant requirements Policies CP7 and DM26.

4.3.7 In response to the LCC Archaeology's comments, the applicant's agent submitted a draft Written Scheme of Investigation Level 2 Building Recording (March 2024) on the 9th April. This is currently being reviewed by LCC Archaeology, and any further comments will be reported in the Update Report. In addition, the Council of British Archaeology raise no objections to the proposal.

4.4 Residential Amenity, and impact on the Leeds & Liverpool Canal:

4.4.5 Residential buildings are positioned to the west on Gorse Street and safeguarding the amenities of those neighbours is an important material planning consideration. Policy DM2 states that all development proposals should secure a satisfactory level of amenity for surrounding occupants in relation to noise, vibration, odour, light, dust, other pollution or nuisance, privacy/overlooking, and the general relationship between buildings.

4.4.6 The impact towards these properties can be adequately controlled with imposition of conditions, such as hours of working, a Construction / Demolition Site Noise, Vibration and Dust to be submitted for approval in consultation with Public Protection officer. Subject to compliance with those conditions, the proposed development would be acceptable with reference to residential amenity, in accordance with the relevant requirements of Policy DM2.

4.4.7 With regards to the Canal which is to the south of the application site, the Canal and River Trust has reviewed the submitted documents. No formal comments have been received at the time of writing the report, however initial dialogue with the Trust has indicated the following needs to be considered:

- *Ensuring the stability of the canal embankment, so providing an exclusion zone at the bottom of the embankment to ensure plant and machinery don't track to close/ensure material is not placed or stored to close i.e a plan showing the provision of temporary heras fencing/hoarding offset from the bottom of the embankment (ideally 5m but that may not be possible, so greatest distance possible).*

- *A Construction Environmental Management Plan (CEMP), particular focused on the containment of dust and windblown debris to prevent these entering the canal.*

- *A method statement to deal with method of demolition and in particular dealing with the asbestos (which could be included in the CEMP).*

4.4.8 Should formal comments be received following the publication of the report, these will be reported in the Update Report, along with any recommended conditions/informatives to be imposed.

4.5 Highways and Parking

4.5.1 From a highways perspective, in addition to the Demolition/Construction Environmental Management Plan to be imposed as a condition, the scheme shall also include an assessment of the vehicle movements generated as a consequence of the materials being taken on/off site (for demolition), together with a programme/duration of works and routes into and out of the site.

4.6 Ecological Considerations

4.6.1 An Ecological Advice Note produced by Bowland Ecology on the 16th February 2024, has been assessed by the Council's ecological advisors. The submitted report assessed the building as having low potential to support roosting bats. In line with good practice guidelines, the ecologist would have recommended that for buildings with low roost suitability; one presence/ absence survey was carried out. The survey should be undertaken between May to August. This presence/absence survey has not yet been provided and the presence of roosting bats within the building cannot be ruled out.

4.6.2 All species of bat and their roosts are protected under UK and European legislation and are a material consideration when determining planning applications. If the development is likely to disturb a potential bat roost then a bat survey should be carried out before the application is determined. If bats are found on site under the Habitats Directive and the Conservation of Habitats and Species Regulations 2010, which enacts the Directive into the UK, a licence is required from the Natural England to derogate the terms of this legislation. If the building needs to be demolished on safety ground before an emergence survey can be completed, then there must be clear evidence that the buildings had to be demolished.

4.6.3 A further supporting statement has been submitted by the applicant's agent, which is read in conjunction with the submitted " Demolition Survey Report" (February 2024), referred to in Section 3.2 above. The statement is as follows:

"In respect to Ecology, I would make the following statement:

No potential bat roosting features were conclusively identified by the ecologist and the internal suitability of the structures for bats is likely limited due to the wet and draughty conditions.

The structures are considered to be unsuitable for bat roosts of higher conservation concern such as hibernation or maternity roosts.

Furthermore, based on the assessment of visible the aspects of the structures, the likelihood of roosting bats is considered to be low.

However, it is acknowledged that without further inspection the presence of roosting bats and suitable roosting features cannot be fully ruled out and the demolition of the structures without any internal checks/emergence surveys deviates from established good practice. This is only being undertaken due to the extremely dangerous condition of the existing building and the potential threat to health and safety.

Given that pre-works checks by an ecologist are not possible due to the condition of the buildings contractors will be made aware of and fully understand the potential, albeit very slight, risk of bats being present.

Given that the demolition technically may result in a reduction in potential roosting opportunities for bat species in the local area, it is recommended that provision for installation of three suitable bat boxes (such as Schwegler 2F, 1FF general purpose boxes or 2FE wall mounted boxes) are incorporated into long term renovation plan for Imperial mill as a whole.

We therefore suggest a condition requiring a scheme for the provision of three suitable bat boxes be submitted and agreed in writing within 12 months of demolition and that the boxes be installed within 3 months of the date of approval unless a wider scheme of ecological enhancement for Imperial Mill and its surroundings has been agreed which supersedes such provision.”

4.6.4 No objections have been raised by the Council’s ecological advisors, subject to the recommendations set in the submitted Advice Note being followed in full.

4.7 Summary

4.7.1 These applications seek Full Planning Permission (10/23/0259) and Listed Building Consent (10/23/0261) the demolition of the boiler house, engine room extension, masonry annex and steel structure to the Grade II listed Imperial Mill building. Subject to appropriate conditions, the proposed developments would be acceptable on all the relevant planning grounds, in accordance with the policies and guidance notes detailed in Section 3.2.

4.7.2 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposals would be acceptable in principle and in terms of heritage assets, archaeology, design and visual amenity, residential amenity, highways and parking, ecological considerations, and drainage considerations.

4.7.3 The developments therefore comply with the development plan. There is a positive presumption in favour of approving the developments and there are no material reasons to object to the applications.

5 RECOMMENDATION:

That delegated authority is given to the Strategic Director of Growth & Development and Deputy Chief Executive to approve permission for the Full Planning Application (10/24/0259) and Listed Building Consent (10/24/0261) applications, subject to the following conditions, and informative:

5.7 Full Planning Application

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

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

5.1.3 Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Location Plan (12430/L01/P1), Existing Site Plan (12430/L02/P1), Existing Left North Elevation (12430/L07/P1), Proposed Left Demo Elevation (12430/L07/P1), Proposed Right (South) Elevation (12430/L11/P1), Proposed Rear (East) Elevation (12430/L12/P1), Proposed Left (North) Elevation (12430/L13/P1), Proposed Rear Demo Elevation (12430/L09/P1), Proposed Right Demo Elevation (12430/L08/P1), Proposed Site Plan (12430/L04/P1), Proposed Demolition Plan (12430/L03/P1), Existing Right (South) Elevation (12430/L05/P1), Existing Rear (East) Elevation (12430/L06/P1), received 11th March 2024, and supporting information: Planning Statement including Heritage Statement, Design and Access Statement, and Flood Risk Assessment, February 2024, Survey Report, Ref: 12430, February 2024, Ecological Advice Note, Ref: BOW17.1571, dated 16th February 2024.

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

5.1.4 No development/demolition shall commence on site unless and until, a Demolition/Construction Environmental Method Statement has first been submitted to and approved in writing by the Local Planning Authority, which shall provide for but not be exclusively limited to the following:

- a) The parking of vehicles of site operatives and visitors;
- b) The loading and unloading of plant and materials;
- c) The storage of plant and materials, including provision of an exclusion zone at the bottom of the embankment to the Leeds and Liverpool Canal i.e. plan showing the provision of temporary heras fencing/hoarding offset from the bottom of the embankment;
- d) The locations of any required scaffolding;
- e) The locations of operational cranes, where relevant;
- f) Measures to control the emissions of dust and dirt, where relevant;
- g) Measures to control noise and vibrations, where relevant;
- h) Details of wheel washing facilities, where relevant;

- i) Method statement relating to the demolition, in particular dealing with the asbestos;
- j) A scheme for the recycling/disposing of waste;
- k) Details of any required security hoardings;
- l) Details of the type, position and height of any required external lighting where relevant,
- m) A compound plan showing the location/arrangement of the above provisions, and
- n) An assessment of the vehicle movements generated as a consequence of the materials taken on/off site (for demolition), together with a programme/duration of works and routes into and out of the site.

The development shall thereafter be implemented in strict accordance with all of the measures detailed within the approved Construction Method Statement.

REASON: In order to control the logistics of the construction phase, in the interests of residential amenity and highway safety, together with safeguarding the stability of the Canal embankment, and to comply with the requirements of Policy DM2 of the Blackburn With Darwen Borough Local Plan 2021-2037.

- 5.1.5 Demolition and the associated works shall not be permitted outside the following hours unless otherwise agreed in writing with the LPA (local planning authority):

Monday to Friday 8:00 to 18:00
 Saturday 9:00 to 13:00
 No works on a Sunday or public holiday.

REASON: In order to minimise noise disturbances for neighbours from demolition works, in the interests of residential amenity, and to comply with the requirements of Policy DM2 of the Blackburn with Darwen Borough Council Local Plan 2021-2037.

- 5.1.6 No excavation or ground disturbance works on the application site, including any required for clearance/demolition, site preparation, compounds, services,. shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a Level 1-2 record as set out in "Understanding Historic Buildings" (Historic England 2016). The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

REASON: In order to ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and to comply with the requirements of Policy CP7 and DM26 of the Blackburn with Darwen Borough Council Local Plan 2021-2037.

- 5.1.7 No development, site clearance, or earth moving shall take place or material or machinery brought on site until a method statement/scheme for the provision of three suitable bat boxes be submitted and agreed in writing within 12 months of demolition and that the boxes be installed within 3 months of the date of approval unless a wider scheme of ecological enhancement for Imperial Mill and its surroundings has been agreed which supersedes such provision.

REASON: In order to ensure adequate measures are put in place for the protected of bats, in the interests of good ecological practice, and to comply with the requirements of Policy DM15 of the Blackburn With Darwen Borough Local Plan 2021-2037.

Case Specific Informative Note:

All bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is via the Bat Conservation Trust on 0845 1300 228

5.2 Listed Building Consent

- 5.2.1 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.

- 5.2.2 Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Location Plan (12430/L01/P1), Existing Site Plan (12430/L02/P1), Existing Left North Elevation (12430/L07/P1), Proposed Left Demo Elevation (12430/L07/P1), Proposed Right (South) Elevation (12430/L11/P1), Proposed Rear (East) Elevation (12430/L12/P1), Proposed

Left (North) Elevation (12430/L13/P1), Proposed Rear Demo Elevation (12430/L09/P1), Proposed Right Demo Elevation (12430/L08/P1), Proposed Site Plan (12430/L04/P1), Proposed Demolition Plan (12430/L03/P1), Existing Right (South) Elevation (12430/L05/P1), Existing Rear (East) Elevation (12430/L06/P1), received 11th March 2024, and supporting information: Planning Statement including Heritage Statement, Design and Access Statement, and Flood Risk Assessment, February 2024, Survey Report, Ref: 12430, February 2024, Ecological Advice Note, Ref: BOW17.1571, dated 16th February 2024.

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

- 5.2.3 No excavation or ground disturbance works on the application site, including any required for clearance/demolition, site preparation, compounds, services, shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a Level 1-2 record as set out in "Understanding Historic Buildings" (Historic England 2016). The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

REASON: In order to ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and to comply with the requirements of Policy CP7 and DM26 of the Blackburn with Darwen Borough Council Local Plan 2021-2037.

6 PLANNING HISTORY

- 6.2 10/79/0329 - Change of use - Unused canteen to be converted for use as the Headquarters of Blackburn Unit Sea Cadets Corps – Ex Canteen, Imperial Mill, Gorse Street, Blackburn – Approved 30/03/1979.
- 6.3 10/82/1791 – Listed Building Consent – Erection of steel chimney - Imperial Mill, Gorse Street, Blackburn – Consent 21/10/1982.
- 6.4 10/82/1858- Full planning permission – Erection of 100' steel chimney - Imperial Mill, Gorse Street, Blackburn – Approved 21/10/1982.

- 6.5 10/82/1861 – Change of use to car market, workshop and manufacture of fibreglass parts – Imperial Mill, Gorse Street, Blackburn – Approved 24/11/1982.
- 6.6 10/82/2026 – Listed Building Consent - Demolition of old derelict mill chimney – Imperial Mill, Gorse Street, Blackburn – Consent 14/02/1983.
- 6.7 10/82/2420 – Listed Building Consent - Alterations to form access and exit doors – Imperial Mill, Gorse Street, Blackburn – Consent 01/02/1983.
- 6.8 10/83/0751 – Full planning permission - Conversion of mill and land to vehicle and machinery auctions/sales/refurbishing/rebuilding and storage of vehicles and caravans – Imperial Mill, Gorse Street, Blackburn – Approved 27/06/1983.
- 6.9 10/84/0430 – Full planning permission - New carriageway and footpath linking Gorse Street - Gorse Street and Land previously owned by Imperial Mill, Blackburn – Approved 17/04/1984.
- 6.10 10/88/1533 – Listed Building Consent - Demolition of boiler house to provide space for rear access road – Imperial Mill, Gorse Street, Blackburn – Refused 23/03/1989.
- 6.11 10/97/0014 – Full planning permission - Erection of boundary fencing and entrance gate improvements with associated landscaping – Imperial Mill, Gorse Street, Blackburn – Consent 03/03/1997.
- 6.12 10/97/0015 – Full planning permission - Erection of boundary fencing and entrance gate improvements with associated landscaping – Imperial Mill, Gorse Street, Blackburn – Approved 03/03/1997.
- 6.13 10/99/0135 – Full planning permission - Installation of built-up trussed rafters covered with green composite lightweight steel sheeting and box gutters behind parapet - Imperial Mill Offices, Gorse Street, Blackburn – Approved 11/05/1999.
- 6.14 10/99/0136 – Listed Building Consent - Installation of built-up trussed rafters covered with green composite lightweight steel sheeting and box gutters behind parapet - Imperial Mill Offices, Gorse Street, Blackburn – Approved 11/05/1999.
- 6.15 10/06/0683 - Change of use to offices, new disabled access and minor alterations – The Gatehouse, Imperial Mill, Gorse Street, Blackburn – Approved 30/08/2006.
- 6.16 10/13/0378 – Listed Building Consent - Installation of additional roller shutter door – Former weaving shed, Imperial Mill, Gorse Street, Blackburn – Withdrawn 17/07/2013.

7 CONSULTATIONS

7.1 BwD Heritage Advisor –

Assessment

I have reviewed the supporting documents included in the application, which includes a Survey Report and Planning Statement including a Heritage Statement produced by Cassidy & Ashton (dated February 2024).

I confirm that I have previously visited the site.

The key heritage issue for the LPA to consider is whether the proposed works which includes demolition will harm the significance of the Grade II listed building.

The Proposal

The proposals involve the demolition of various dilapidated buildings/structures on the south side of the building including a former brick boiler house and extension, single storey extensions to the engine house and a modern steel framed structure.

The structures to be demolished are clearly shown on the submission drawings.

The demolition works will form the first phase of a programme of regeneration which will restore Imperial Mill.

The works are required due to the buildings very poor and dangerous condition and the presence of asbestos. The Structural report confirms their poor condition and the dangers they pose. The recommendations in the report are to urgently demolish the buildings/structures and have the material removed from site.

Impact on the Listed Building

The issue from a heritage viewpoint is whether the proposal would harm the special interest/significance of Imperial Mill which should be regarded as being of high significance.

The Heritage Statement provides a good understanding of the significance of the building and provides a Statement of Significance (Section 4). I do not disagree with the assessment provided.

Having viewed the structures to be removed they are clearly later additions and contribute little or nothing to the historic or architectural values of the Mill. The structures on the western side of the engine house are lightweight, modern and visually detract from the appearance of the south elevation. I feel their removal will be of benefit to the building.

Similarly, the engine room extension and masonry annex are functional later additions and of little importance.

The former boiler house is perhaps the most significance element. I note that the HS identifies this part of the Mill as being of moderate interest (4.10 - 4.12). However, its original function is no longer relevant, and its very poor condition has reduced its aesthetic significance. In this regard, whilst its demolition will involve some minor loss of understanding of the historic development of the mill and its use, I find that this will cause only a negligible level of harm to the Mill as a whole.

As noted in paragraphs 4.26 – 4.30 the works do not represent any significance level of harm and indeed in some regards come provide some visual improvement to the elevation. Any minor level of harm caused largely by the removal of the Boiler house will need to be considered under P.208 of the NPPF.

Overall, I find that the reasons for the removal of the structures is well reasoned and justified. I agree with the conclusions provided in the submission documents and raise no objections to the work.

I note reference is made to recording the structures prior to demolition and would support this action.

Conclusion / recommendation

As I am required to do so, I have given the duty's imposed by s.16(2) and s.66(1) of the P(LBCA) Act 1990 considerable weight in my comments.

As noted above in my assessment I do not consider the four buildings to be removed contribute to any great extent to the significance of Imperial Mill and the demolition works are justified. Whilst *great weight* (NPPF – P.205) will need to be given to the need to preserve heritage, the minor level of *less than substantial* harm caused by the total loss of the Boiler House in particular needs to be weighed by the benefits generated by the works and reasons for the scheme as whole.

If in undertaking this exercise, under P.208 of the NPPF, the LPA consider a positive balance is achieved, then the proposed works would be deemed to have complied with the duty to preserve under the Act and to meet the objectives of Chapter 16 of the NPPF and accord with the relevant heritage policies of the Local Plan.

7.2 LCC Archaeology –

Imperial Mill is a designated heritage asset, a grade II Listed Building, recorded on the Lancashire Historic Environment Record, DLA2097 & PRN16921. A red-brick spinning mill, designed by the architect Sir Philip Sydney Stott, built 1900-01 at a cost of £60,000-£70,000 it was said to be the largest in the world at the time. It is the only designated mill in Blackburn.

The proposed demolition is of later additions to the mill that do not form part of the original design. Although they do demonstrate changes made to the mill over time they are clearly not of a similar standard to the original mill design and are therefore considered to be of lesser significance.

Although the HET would generally advise that the archaeological recording of listed structures should be to Historic England Level 3 (or above) as mentioned in 4.12 of the Planning Statement, the images and health and safety information contained in the Survey Report would appear to show that a Level 2 record of the Boiler House is sufficient, and matches comments made later on in 4.18 of the Planning Statement. The other buildings should, for the sake of completeness also be recorded, but only to Level 1.

The HET would therefore advise that should the Council be minded to grant planning permission and listed building consent that such recording works are secured by means of the following condition:

Condition: No site preparation, clearance or demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a Level 1-2 record as set out in "Understanding Historic Buildings" (Historic England 2016). The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

Notes: Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages: <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org>. 'Understanding Historic Buildings' can be accessed online at <https://historicengland.org.uk/images-books/publications/understanding-historicbuildings/>.

This is in accordance with National Planning Policy Framework (MoHCLG 2023) paragraph 211: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

In light of the fact that the current proposals are seen as "the first element of a programme of regeneration which will restore Imperial Mill" (see Cassidy + Ashton's Planning Statement, section 1.2), the HET would like to take this opportunity to advise that it is likely to consider the need for a Level 3 record of the remainder of the mill to form part of the documentation required to accompany any future applications for planning permission or listed building consent.

Yours sincerely

Doug Moir

Planning Officer
Historic Environment Team

7.3 Historic Buildings and Places –

Hello Gavin

Address: Imperial Mill, Gorse Street, Blackburn, BB1 3EU

Application Ref: 10/24/0261 - Works to Imperial Mill to solely consist of the demolition of the boiler house, engine room extension, masonry annex and steel structure.

Statutory Remit: Historic Buildings & Places (HB&P) is a consultee for Listed Building Consent applications, as per the *Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021*. We are concerned with historic assets of all types and all ages, including conservation areas and undesignated heritage.

Comments: Thank you for notifying HB&P about the above applications for listed building consent. HB&P do not object to the works proposed in these applications and recognise they will help secure the remaining historic building fabric and future of this grade II heritage asset.

We advise that any approval should be conditioned to require an appropriate recording of the mill, particularly the structures that are to be removed / demolished, in accordance with Historic England's *Understanding Historic Buildings: A Guide to Good Recording Practice*. The recording should be lodged with the local Historic Environment Record.

Regards

Ross Anthony

Case Work



7.4 Historic England – No comments received.

7.5 BwD Highways – No objections, subject to details relating to an assessment of the vehicle movements generated as a consequence of the materials taken on/off site (for demolition), together with a programme/duration of works and routes into and out of the site, to be included within the Demolition/Construction Environmental Plan scheme to be conditioned.

7.6 BwD Public Protection –

We have no objections to the proposed demolition proposals.

There are however some residential premises in the wider locality.

The impact on them can be managed in the usual with some demolition conditions required an hours restriction and an appropriate management plan.

With reference to the above application, I recommend that the following condition(s), informative(s) and/or comment(s) be included if planning permission is granted:

Condition – Construction / Demolition Site Noise, Vibration and Dust

Demolition or construction work shall not begin until a scheme for protecting the surrounding residential premises from noise, vibration and dust from the site during these works has been submitted to and approved in writing by the Local Planning Authority. All measures which form part of the approved scheme shall be adhered to throughout the period of demolition and/or construction.

Reason: To safeguard the amenity of neighbouring properties by reducing the noise/vibration levels emitted from the site.

Condition - Redevelopment working hours

Demolition works shall not be permitted outside the following hours unless otherwise agreed in writing with the LPA (local planning authority):

Monday to Friday 8:00 to 18:00
Saturday 9:00 to 13:00
No works on a Sunday or public holiday.

Reason- to limit noisy activity to within normal working hours.

7.7 BwD Drainage – no comments received at time of writing the report.

7.8 BwD Ecological Advisor –

Dear Gavin,

The surveying ecologist (Bowland Ecology Feb 2024) has assessed the building as having low potential to support roosting bats. In line with good practice guidelines, the ecologist would have recommended that for buildings with low roost suitability; one presence/ absence survey was carried out. The survey should be undertaken between May to August. This presence/absence survey has not yet been provided and the presence of roosting bats within the building cannot be ruled out.

All species of bat and their roosts are protected under UK and European legislation and are a material consideration when determining planning applications. If the development is likely to disturb a potential bat roost then a bat survey should be carried out before the application is determined. If bats are found on site under the

Habitats Directive and the Conservation of Habitats and Species Regulations 2010, which enacts the Directive into the UK, a licence is required from the Natural England to derogate the terms of this legislation. Before a licence can be granted three tests must be satisfied. These are:

- i) That the development is “in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment”;
- ii) That there is “no satisfactory alternative”;
- iii) That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”.

In considering planning applications that may affect European Protected Species, Local Planning Authorities are bound by Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their function. Defra Circular 2/2002 gives guidance to local authorities on how these issues should be considered. All three tests must be satisfied before planning permission is granted on a site. The application should therefore not be determined until a bat survey is submitted. Such a survey should be undertaken by a licensed bat specialist and at an appropriate time of year. If bats are found then appropriate mitigation would need to be proposed and the other two tests considered by the Local Authority.

If the building needs to be demolished on safety ground before an emergence survey can be completed, then there must be clear evidence that the buildings had to be demolished. We would recommend that alternative roost provision for bats is put in place, where safe to do so, before any potential emergency demolition takes place. Details of this can be found on page 4, paragraph 3 of the Ecological Advice Note (Bowland Ecology Feb 2024)

Further guidance that may reduce the potential for harm to bats is outlined on page 4, paragraph 2 of the Ecological Advice Note (Bowland Ecology Feb 2024) and should be followed in full, where safe to do so.

7.9 Environment Agency –.

Dear Gavin

Thank you for consulting the Environment Agency on the above planning application. We have screened the application and it is deemed as low risk, therefore we will not be providing a bespoke comment this time.

Kind regards

Dana Binns

Sustainable Places Advisor, Environment Agency Cumbria and Lancashire

- 7.10 BwD Property Services – No objections.
- 7.11 Canal & River Trust – No formal comments received at time of writing the report.
- 7.12 Health & Safety Executive – HSE were consulted as a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/pipelines. The HSE confirmed they do not wish to advise on safety grounds.
- 7.13 Council for British Archaeology –



A National Amenity Society

Mr Gavin J Prescott
 Planning Case Officer
 Blackburn with Darwen Borough Council
 By email: planning@blackburn.gov.uk

9th April 2024

Imperial Mill, Gorse Street, Blackburn, BB1 3EU. Application No. 10/24/0261

Dear Mr Prescott,

Thank you for notifying the Council for British Archaeology (CBA) about the above application. Based on the information supplied with this application, we offer the following observations and advice to assist your authority in determining the application.

Significance

The national importance of Imperial Mill is established by its designation at Grade II (NHLE No. 1273825). Its significance is well articulated in the Heritage Statement that accompanies this application. Mill complexes draw significance from the group value of the inter-related built components which hold evidential value and their related functions within the manufacturing process.

Comments

This application proposes the demolition of four auxiliary structures associated with Imperial Mill, referred to as the Boiler House, Storeroom, Steel Structure and Annex. A structural survey establishes the extremely poor condition of these structures as justification for their demolition within the broader context of a series of applications seeking to regenerate the site. We are satisfied that the advanced state of structural failure of these components and their relatively low significance in the context of the wider Imperial Mill complex justifies their demolition as part of the regeneration of Imperial Mill.

Whilst the CBA would usually advocate against the demolition of built components that contribute to the evidential value of an industrial site, in this instance it is clear that the steel structure makes minimal contribution towards the site's legibility and the other three structures are in such an advanced state of dereliction that their demolition does appear justified within the context of adaptively reusing the principal structures on site.

The CBA note the comments made by the Historic Environment Team at Lancashire County Council. As these comments align closely with the CBA's view of these proposals we do not wish to comment separately in detail. Instead we would like to echo the recommendations made in their advice regarding recording these structures prior to their demolition.

I trust these comments are useful to you; please keep the CBA informed of any developments with this case.

Kind Regards,

Catherine Bell. MA (cons), ACIFA
Listed Buildings Caseworker

The Council for British Archaeology (CBA) is the national amenity society concerned with protection of the archaeological interest in heritage assets. Local planning authorities have a duty to notify the CBA of applications for listed building consent involving partial or total demolition, under the procedures set out in, Arrangements for handling heritage applications – notification To Historic England and National Amenity Societies and the Secretary of state (England) direction 2021.

7.14 No public responses received.

8 CONTACT OFFICER: Gavin Prescott, Planning Manager

9 DATE PREPARED: 9th April 2024

10 SUMMARY OF PUBLIC REPRESENTATIONS

10.1 None received.