

**REPORT OF THE STRATEGIC DIRECTOR**

**Plan Nos: 10/24/0294**  
**and 10/24/0303**

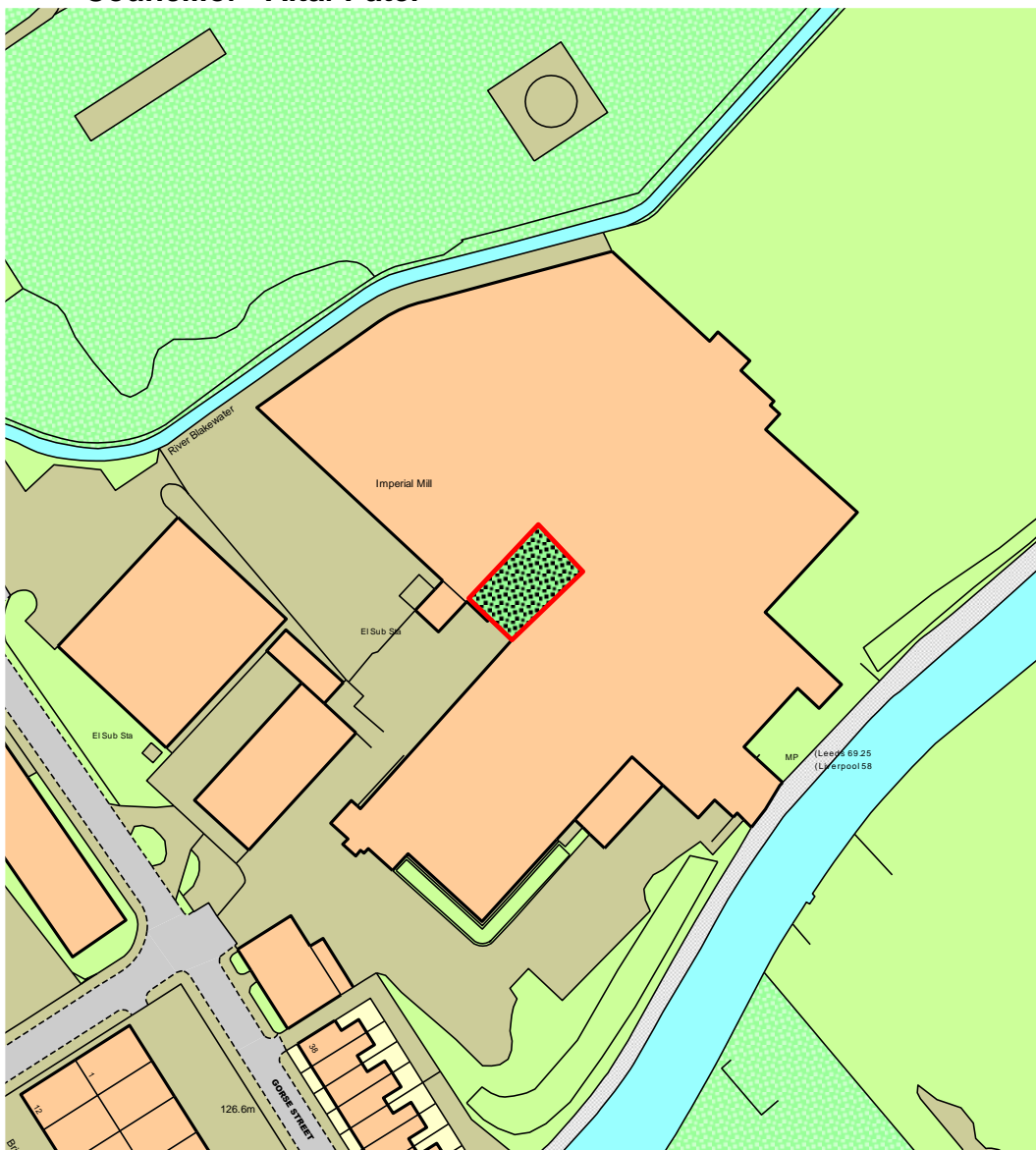
**Proposed Development: Full Planning Permission and Listed Building Consent: Works to Imperial Mill consisting of repairs to loading bay, to consist of installation of replacement roofs, repairs to brickwork, removal of 9 no. windows and temporary boarding up of 27 no. windows (Retrospective)**

**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 Altaf Patel**



## **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 The proposed development is recommended to be granted both Full Planning Permission (10/24/0294) and Listed Building Consent (10/24/0303), 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 22<sup>nd</sup> March 2024. In addition, four site notices were displayed on 25<sup>th</sup> March 2024, and a press notice was advertised in the local newspaper on the 4<sup>th</sup> 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 structurally unsafe elements of Imperial Mill, in this particular case, the loading bays of the mill building. Members will recall that applications were presented to the April meeting for the proposed demolition of those elements to the mill building, 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 second 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

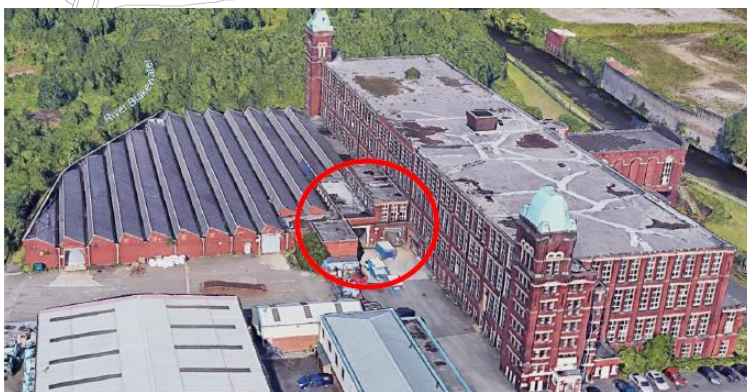
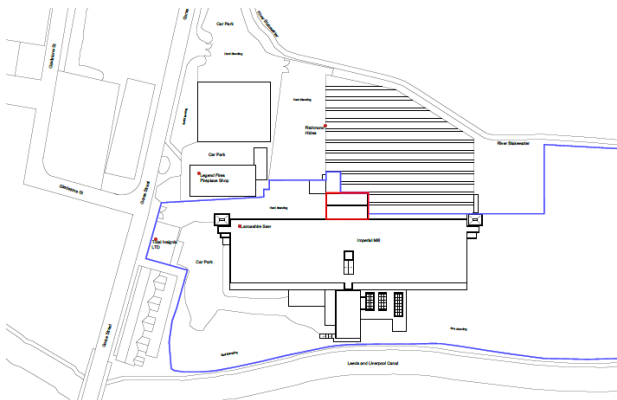
### 3.0 RATIONALE

#### 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 A single storey loading bay was constructed as an extension to the original loading bay, believed to have been within ten years of the mill's opening. Figure one below identifies the loading bay and its extension, which are subject of the applications, with a red line boundary.

#### 3.1.3 Figure One – Location Plan and Satellite Image





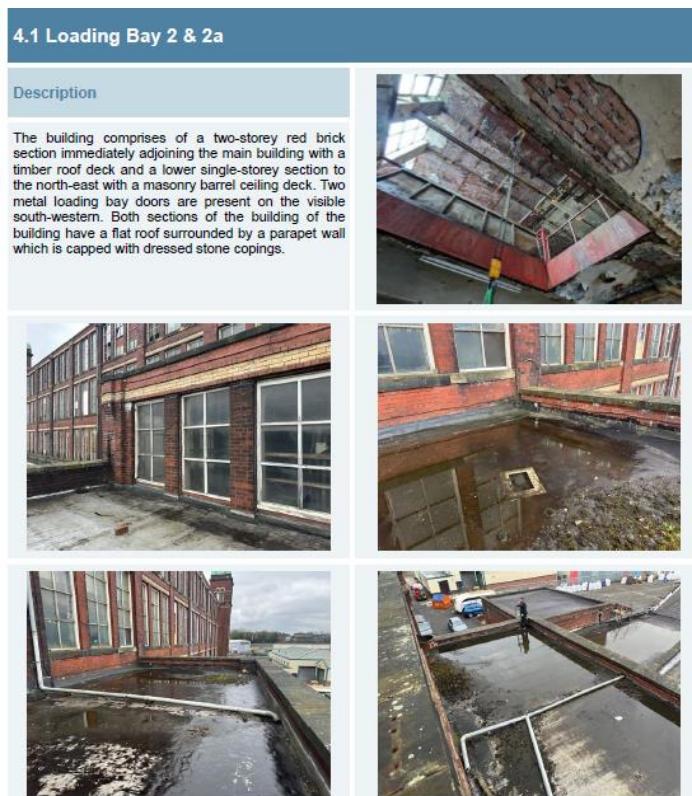
3.1.4 The submitted Heritage Statement refers to the location on which Imperial Mill sits was selected to take note of a significant landmark in the advent of industrial cotton spinning within the UK. The site was stated to be situated close to the location where James Hargreaves invented the ‘spinning 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 reroofing the loading bay, which is currently leaking and in a fragile state. Urgent repairs are needed to prevent further structural issues, which will include renovation of the parapets, a relatively ornate and original feature, with lead wall flashing being installed to shore up the roof and ensure it does not leak. In addition, 18no windows on the northwest elevation of the mill be boarded up, as they are positioned above the roof area, together with 9no windows to the first floor northwest elevation of the loading bay being removed and boarded up. The windows are considered to be beyond economic repair, together with also forming a health and safety hazard to person working close by. The intention is the windows will be replaced as part of the wider refurbishment of the mill building. The specific details relating to the proposed works are as follows, with the photographs extracted from the submitted ‘Survey Report’ – March 2024:

#### 3.2.2 Loading Bay:

Figure Three – description and site photographs:







## Repair Needs

- In order to protect the historic structure whilst preventing further damage to the building fabric, we recommend that the flat roof is replaced to this area. Along with all perimeter upstand details, ensuring the detail continues and laps underneath the stone copings.
- Recommend replacing all rainwater goods with new to ensure surface water can drain efficiently. Recommend removing the downpipes which travel across the roof areas to reduce the chances of blockages in the future.
- To the brickwork, recommend carrying out localised repointing and brick repairs to all elevations to ensure a weathertight building fabric. Allow to instruct a structural engineer to assess the condition of the steel lintels to all windows.
- Internally we recommend racking off the remaining plasterwork to the ceilings prior to replastering and subsequently painting.

### 3.2.3 Left Elevation Windows

Figure Four – Description and site photographs:

#### 4.2 Left Elevation Windows

Description	
Single glazed timber windows with a painted finish.	
	

### Repair Needs

- Recommend all windows are boarded as a temporary measure to prevent direct water penetration whilst preventing unauthorised access and potentially dangerous materials in the form of glass falling below.
- Recommend replacing all defective windows with new to ensure the historical asset is watertight and secure.

3.2.4 As demonstrated with the photographs in Figures three and four above, it is considered the area of works on this particular section of the mill building are in very poor condition and require urgent attention to prevent further damage from water ingress, and the works are also required to address the health and safety concerns as a priority to prevent potentially dangerous materials such as glass falling at height causing harm to persons below.

### 3.3 Development Plan

#### 3.3.1 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.

#### 3.3.2 National Planning Policy Framework (NPPF)

## 4.0 ASSESSMENT

### 4.1 Principle of Development

4.1.1 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 the repair of an existing loading bay roof, and windows, 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

4.2.1 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.”*

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

4.2.3 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.

4.2.4 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.

4.2.5 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 the repair/renovation of the loading bay roof, external brickwork, and boarding up of windows on the north-west elevation of the mill building will harm the significance of the Grade II listed building.



4.2.6 As referenced above, the proposals involve the urgent repair works to the existing loading bay on the north-west elevation together with the boarding up of windows that are immediately above the loading bay. The works are identified in Section 3.2 above.

4.2.7 The proposed works are required due to the buildings very poor and dangerous condition, together with the presence of asbestos. The submitted Survey Report confirms the buildings poor condition and the dangers they pose to the general public. The recommendations in the report are to urgently carry out the works both to secure the buildings from further water ingress and also for health and safety reasons. The Executive Summary of the Report states:

The areas surveyed were generally found in poor condition and require urgent attention to prevent further damage from water ingress. Works must be undertaken to address the health & safety concerns as a priority item to address the potentially dangerous materials such as glass falling at height and causing harm to persons below. We have provided a summary of the key areas which are included below;

#### Roof Areas

The Loading Bay roof is in very poor condition and has greatly exceeded its expected lifespan. Water ingress was evident internally as the plasterwork to the barrel ceilings has failed completely. Widespread defects are evident, and the roof is beyond economic repair. Recommend the roof is replaced in full to ensure the roof is watertight preventing further internal damage as a result of water ingress. The downpipes are blocked throughout and have been modified aiding blockages. Recommend all rainwater goods are replaced to ensure surface water can drain efficiently from both roof areas, allow to remove the horizontal downpipes to reduce the risk of further blockages. Rainwater goods should be reinstated to the original positions to ensure water discharges onto the flat roofs naturally.

#### Windows

The timber windows, present a major health & safety risk to persons below, due to the failed glazing. This leaves the building unsecure and the potential for arson. Recommend replacing the timber windows with new or removing the glazing and overboard the frames with timber to prevent complete failure and also provide a watertight opening to the Loading Bay and Upper Floors of the Mill.

#### External Masonry Walls

The external walls were noted to be generally in poor condition. Defects were noted such as stepped cracking, degrading brickwork and areas of weathered pointing were noted throughout, allowing moisture to penetrate the building fabric. We recommend instructing a structural engineer to assess the integrity of the steel lintels and the extent of the stepped cracking noted during the survey. Open joints were noted to the parapet coping stones leading to water ingress internally. We recommend repointing works are undertaken to ensure parapet details are watertight.

*No works must be carried out prior to a refurbishment and demolition asbestos being undertaken.*

*Given the grade II listed status of the building, listed building consent must be sought prior to the commencement of all works however, emergency works may be possible subject to agreement with the relevant Statutory Approval bodies.*

4.2.8 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.

4.2.9 It is clear from the site photographs in Section 3.2, the flat roofed two storey red brick section immediately adjoining the main building is in need of urgent repair. The works also involves the boarding up of existing windows to prevent further rain ingress and the dangers of the falling glass, with the boarding up

being a temporary measure to fundamentally deal with the immediate safety risk. This is fully supported by the submitted Survey Report.

4.2.10 The issue to be considered from a heritage aspect is whether the proposal would harm the special interest/significance of Imperial Mill as a whole. The loading bay lies on the northern side of the main mill building and is set back from the principal elevations. The justification for the repairs are fully acknowledged and well supported in the supporting documents. It is considered that this fulfils the requirements of paragraph 206 of the NPPF, in terms of the works having clear and convincing justification. The repairs to the roof of the loading bay are considered to have little or no impact on the significance of the listed building. In addition, the replacement of the rainwater goods, which currently have a mix of styles and materials again will cause no demonstrable harm to the main mill building.

4.2.11 The justification for the temporary boarding up of the windows is accepted, and it is considered whilst this element of the works will have some limited visual impact on the views of the north elevation of the listed building, the window are beyond economic repair, and the harm to the significance of the building is limited being the very low end of 'less than substantial'. The works also are only temporary with a long -erm vision to restore the building including the windows to their formal glory.

4.2.12 Conclusively, it is considered that the rationale and justification for the repair to the loading bay roof including other minor works, and the temporary boarding up of windows 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

4.3.1 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.

4.3.2 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.

4.3.3 In response to the LCC Archaeology's comments, the applicant's agent submitted a draft Written Scheme of Investigation (WSI) Level 1 Building Recording (April 2024) on the 18<sup>th</sup> April. This has been reviewed by LCC

Archaeology, and no objections have been raised subject to the submission of the WSI as a condition which will only be partly discharged (there now being an agreed scheme), and the full discharge should await the Historic Environment Team's confirmation that all the necessary reporting and archiving provisions have also been or are being met.

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

4.4.1 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.

4.4.2 The impact towards these properties can be adequately controlled with imposition of conditions, such as hours of working, a Construction 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.

4.4.3 With regards to the Canal which is to the south of the application site, the Canal and River Trust has reviewed the submitted documents, and raise no objections to the proposed works.

#### 4.5 Highways and Parking

4.5.1 From a highways perspective, in addition to the 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 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 16<sup>th</sup> 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. The Council's ecological advisors consider that the fabric of the flat roof which is being replaced is unlikely to have been used by roosting bats. In addition, the repairs to the windows are minor, but with boarding them up, access to inside the mill by bats may now be prevented. However, it is assumed that the roost potential has been lost. In line with good practice guidelines, and with a similar approach to the previous applications relating to the demolition of the structures on the southern elevation (10/24/0259 & 0261),

it is considered appropriate that a condition imposed to mitigate for any potentially lost roosts.

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 (10/23/0294) and Listed Building Consent (10/23/0303) for repairs to the loading bay, consisting of installation of replacement roofs, repairs to brickwork, removal of 9 no. windows and temporary boarding up of 27 no. windows directly above. 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 3.3..

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 (10/24/0294) and Listed Building Consent (10/24/0303) 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 Front West Elevation (12430/L04/P1), Proposed Front West Elevation (12430/L05/P1), Proposed Site Plan

(12430/L03/P1), Proposed Section Detail (12430/L06/P1) received 20<sup>th</sup> March 2024, and supporting information: Planning Statement including Heritage Statement, Design and Access Statement, and Flood Risk Assessment, March 2024, Survey Report, Ref: 12430, March 2024, Ecological Advice Note, Ref: BOW17.1571, dated 16<sup>th</sup> February 2024, Written Scheme of Investigation, v0.4, Level 1 and 2 and Building Recording, April 2024, received 18<sup>th</sup> April 2024.

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

5.1.4 No development shall commence on site unless and until, a 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;
- 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) Details of any required security hoardings;
- j) Details of the type, position and height of any required external lighting where relevant,
- k) A compound plan showing the location/arrangement of the above provisions, and
- l) An assessment of the vehicle movements generated as a consequence of the materials taken on/off site 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, and to comply with the requirements of Policy DM2 of the Blackburn With Darwen Borough Local Plan 2021-2037.

5.1.5 Construction 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, shall take place or material or machinery brought on site until a method statement/scheme for the provision of suitable bat boxes be submitted and agreed in writing within 12 months of the works hereby approved, 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

- 5.1.8 No development shall commence on site unless a scheme relating to the proposed methodology of repair work, including working practices, materials to be used has been submitted and agreed in writing by the local planning authority. The development shall thereafter be implemented in strict accordance with the approved scheme.

REASON: In order to ensure and safeguard the historic 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.

## **5.2 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 Front West Elevation (12430/L04/P1), Proposed Front West Elevation (12430/L05/P1), Proposed Site Plan (12430/L03/P1), Proposed Section Detail (12430/L06/P1) received 20th March 2024, and supporting information: Planning Statement including Heritage Statement, Design and Access Statement, and Flood Risk Assessment, March 2024, Survey Report, Ref: 12430, March 2024, Ecological Advice Note, Ref: BOW17.1571, dated 16th February 2024, Written Scheme of Investigation, v0.4, Level 1 and 2 and Building Recording, April 2024, received 18th April 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.

- 5.2.4 No development shall commence on site unless a scheme relating to the proposed methodology of repair work, including working practices, materials to be used has been submitted and agreed in writing by the local planning authority. The development shall thereafter be implemented in strict accordance with the approved scheme.

REASON: In order to ensure and safeguard the historic 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.
- 6.17 10/24/0259 – Full planning permission - Works to Imperial Mill to solely consist of the demolition of the boiler house, engine room extension, masonry annex and steel structure – approved 18/04/2024.
- 6.18 10/24/0261 – 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 – granted 18/04/2024.

## 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 and D&A Statement produced by Cassidy & Ashton (dated March 2024), a Survey Report by the same agents (dated March 2024) and a Building Recording report undertaken by Rocket Heritage and Archaeology (April 2024).

I confirm that I have previously visited the site.

The key heritage issue for the LPA to consider is whether the works under the application would cause any harm to the significance of the Grade II listed building.

#### *The Proposal*

The loading bay building comprises a flat-roofed two-storey red brick section immediately adjoining the main building and stepped down lower, single-storey section, to the north-east. Two metal loading bay doors are present on the visible south-western side.

The works are required to replace the flat (decked) roof and RWG's and undertake localised repair to existing brickwork to provide a watertight building envelope. Part of the work also involves boarding up of existing windows to prevent rain and access and the dangers of falling glass. The boarding up will be a temporary measure to deal with the immediate safety risk.

The Survey report confirms the dangers the current building poses from water penetration and the poor condition of the existing windows.

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

#### *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 building and its significance and provides a Statement of Significance (Section 4). Paragraphs 4.10 and 4.11 deal specifically with the loading bay. I do not disagree with the assessment provided and feel that whilst the loading bay area is clearly part of the Mill's construction and helps illustrate and understand its former use, it does not form a key part of the building and has a much lower architectural value.

The loading bay lies on the northern side of the main mill building set back from the principle elevations.

The need for the repairs are well documented in the submission and are justified by the needs to ensure safety for the people still using the building. This I think meets the requirements contained in P.206 of the NPPF which requires works and alterations to heritage assets to have *clear and convincing justification*.

The assessment of the likely impact of the works is included in paragraphs 4.17 – 4.21 of the Planning/Heritage Statement. Generally, I find the repairs to the roof to have little or no impact on the significance of the listed building. Likewise, the replacement of the RWG's, which are a mixture of styles and materials will cause no demonstrable harm to the building.

Whilst I accept the justification for the temporary boarding up of windows it will still have some limited visual impact on the views of the north elevation of the listed building. Accepting that the current windows are beyond economic repair I feel the harm to significance is limited and would be at the very low end of *less than substantial*. I am also mindful that the long-term intention is to restore the building and provide a better solution for the windows, as such the visual harm may be time limited.

Other repair works appear minor and would be of little or no consequence.

Overall, I find that works to be well reasoned and justified. I agree with the conclusions provided in the submission documents and raise no objections to the repair work. Regardless, for completeness it may be useful to confirm/agree a methodology for the repair work (practices/materials etc) and to confirm any new materials (RWG's etc) to be used on the building.

I note the recording work undertaken by Rocket Heritage & Archaeology. Confirmation of whether this is acceptable needs to be provided by LCC Archaeology.

#### ***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.

I agree with the assessment provided in the conclusion (paragraph 4.21) of the HS and feel the works are well justified and will help sustain the continued use of the building and its significance.

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 temporary boarding up of the windows on the north elevation will need to be weighed against the benefits generated by the works and the reasons for undertaking them. This weighted balance is required under P.208 of the NPPF.

If 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 P(LBCA) 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 –**

Gavin,

Thanks, all seems in order now, and submission of the WSI as part of any discharge condition would now meet with our usual advice that any condition be partly discharged (there now being an agreed scheme) but that full discharge should await the HET's confirmation that all the necessary reporting and archiving provisions have also been or are being met.

Cheers

Doug

**Doug Moir**  
**Planning Officer**  
Lancashire County Council  
Historic Environment Team

Development Management  
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### 7.3 Historic England –



Mr Gavin J Prescott  
Blackburn With Darwen Borough Council  
Regeneration, Housing and Neighbourhoods  
Town Hall  
BLACKBURN  
Lancashire  
BB1 7DY

Direct Dial: +447990339949

Our ref: **W: L01574614**

11 April 2024

Dear Mr Prescott

#### **Arrangements for Handling Heritage Applications Direction 2021**

**IMPERIAL MILL GORSE STREET BLACKBURN BB1 3EU**  
Application Nos. 10/24/0294 and 10/24/0303

Thank you for your letters of 22 March 2024 regarding the above application for listed building and planning consent for works to the loading bay roof.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Yours sincerely

Louise Davies  
Inspector of Historic Buildings and Areas

### 7.4 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, together with a programme/duration of works and routes into and out of the site, to be included within the Construction Environmental Plan scheme to be conditioned.

#### 7.5 BwD Public Protection –

We have no objections to the proposed works.

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 - Redevelopment working hours**

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.

#### 7.6 BwD Drainage – no objections.

#### 7.7 BwD Ecological Advisor –

**Application: 10/24/0294**

**For the attention of Gavin Prescott**

Dear Gavin,

Thank you for consulting the Ecology Unit on retrospective application 10/24/0294

Having looked at the fabric of the flat roof that was replaced, it is unlikely it would have been used by roosting bats.

The repairs to the windows are also minor, however, by boarding them up, access to the inside of the mill by bats may have been curtailed.

Without the availability of pre work bat survey evidence, it must be assumed that roost potential has been lost.

I would recommend the applicant consults with their ecologist, in order to source and install a suitable number of bat boxes, to mitigate for any potentially lost roosts. Details of the mitigation should be provided in writing and agreed to by the local authority. This will be separate to any other application.

Regards

Sam

**Samuel Bolton**  
**Ecologist - Greater Manchester Ecology Unit**

7.8 BwD Property Services – No objections.

7.9 Canal & River Trust –



Blackburn with Darwen Council  
Blackburn with Darwen Borough Council  
King William Street  
Blackburn  
Lancashire  
BB1 7DY

Your Ref 10/24/0294  
Our Ref CRTR-PLAN-2024-41414  
Tuesday 26 March 2024

Dear Gavin Prescott,

**Proposal: Works to Imperial Mill consisting of repairs to loading bay, to consist of installation of replacement roofs, repairs to brickwork, removal of 9 no. windows and temporary boarding up of 27 no. windows (Retrospective)**

**Location: Imperial Mill, Gorse Street, Blackburn**

**Waterway: Leeds & Liverpool Canal**

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has **no comment** to make on the proposal.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Tim Bettany-Simmons MRTPI  
Area Planner

7.10 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.

7.11 No public responses received.

**8 CONTACT OFFICER: Gavin Prescott, Planning Manager**

**9 DATE PREPARED: 10<sup>th</sup> May 2024**

**10 SUMMARY OF PUBLIC REPRESENTATIONS**

10.1 None received.