

Planning Position for Market Chambers, Accrington

8th June 2023

Introduction

This report sets out the planning considerations relevant to Market Chambers, Accrington (43-59 Blackburn Road / 2-4 Church Street). It includes an overview of the planning policy context, considerations of the Levelling Up Funding Submission proposals against those policies, and requirements in terms of obtaining the relevant planning consents in order to implement the proposals.

Site Context and Existing Use

The land is subject to a number of statutory planning designations which are relevant to its suitability for redevelopment. In particular:

- The site is within the designated area of Accrington Town Centre;
- The site is within Accrington Town Centre Conservation Area;
- The site is within Flood Zone 3 (high risk)
- The building is locally listed.

In addition, the context of the site is an important consideration. The building is adjacent to the Grade II Listed Market Hall to the north, and Grade II* Listed Accrington Town Hall to the north west.

Development in this location must therefore consider the site's constraints and opportunities which primarily relate to the heritage and significance of the Conservation Area, the setting of adjacent listed buildings and the location within an area at a high risk of flooding.

Market Chambers comprises three terraced buildings across three storeys, containing a mix of uses. The ground floor has a mix of commercial uses, with multiple units currently in use as shops and a recently opened wine bar (Class E). Some units appear to be in Sui Generis use (e.g. arcades or betting shops). The first floor comprises some vacant commercial units (Class E). The rest of the building is residential use (Class C3), with a total of 18 flats across the second and third floors.

The site is within a highly sustainable location within Accrington Town Centre with a range of existing services and facilities available in the immediate vicinity including public transport opportunities, in close proximity to Accrington railway station and a number of bus services.

Proposed Redevelopment

The proposed improvements and redevelopment would see the refurbishment of Market Chambers into a new community cultural hub, with a new fully accessible museum and art and culture facility to be accessed from a dedicated entrance from the square at ground level. The remainder of the units at ground floor would be "white boxed" retail to allow for potential future food and beverage uses. This will involve new shop fronts, with a consistent

appearance, sympathetic to the building, and standardised signage zones. The proposed redevelopment would involve various works, some of which would require planning permission (detail on scope of planning requirements included in **Scope of Planning Application** below).

The proposals originally included for a rooftop extension and addition of a terrace area and balustrade, although it is understood that this is currently no longer being considered.

Policy Context

The proposed works to Market Chambers would need to be appraised against the relevant planning policy context which comprises:

- National Planning Policy Framework (2021) (NPPF)
- Hyndburn Core Strategy (adopted 2012)
- Hyndburn Council Development Management DPD (2018)
- Saved Policies from the Local Plan (1996) including the Proposals Map
- Accrington Area Action Plan (2012, reviewed 2018)

Other documents relevant to proposals for Market Chambers are:

- Accrington Town Centre Conservation Area Management Plan (May 2008)
- Accrington Town Centre Investment Plan 2022 - 2023

With regards to the local development plan, the Council recently consulted on a Reg 19 Proposed Submission Version Plan – ‘Hyndburn 2037: Local Plan (Strategic Policies and Site Allocations)’. The consultation ran from November 2022 to January 2023, and the Council are currently considering the responses received.

The draft Plan provides a policy framework for investment in Hyndburn’s town centres, with a particular emphasis on supporting proposed major new investment in Accrington Town Centre, including the improvement and redevelopment of existing buildings and new uses that will attract people into the Town Centre. Draft Policy SP7 ‘Accrington Town Centre’ states:

Policy SP7: Accrington Town Centre

- 1) Accrington Town Centre will consolidate and develop as the principal centre and historic market town, providing for the Borough's key services and comparison and food retailing needs. The regeneration of Accrington Town Centre will be supported through the following:
 - i. The improvement and redevelopment of shop fronts / facades and building improvements;
 - ii. Improvements to public realm through tree planting schemes and public art in Accrington Town Centre;
 - iii. Development that will attract people into Accrington Town Centre by increasing the range and quality of goods or services available;
 - iv. Developments that will attract businesses into the town centre and bring buildings back into use in creative and innovative ways such as live / work schemes;
 - v. Improvements to the accessibility and connectivity of Accrington Town Centre to facilitate access by all groups of the community;
 - vi. Residential developments where they are shown to support the restructuring of the housing market and the benefits of apartment development can be demonstrated. All residential development should meet the nationally described space standards.

- 2) Developments affecting a heritage asset should sustain and enhance the significance of the heritage asset and new development should make a positive contribution to the character and distinctiveness of Accrington.

It is envisaged that the draft Plan will be submitted for independent examination later this year. Given the advanced stage of the draft Plan it is likely to be afforded some/limited weight in decision making at present.

The Local Development Scheme also identifies the need for the Accrington Area Action Plan to be reviewed in the future in line with the requirements of the NPPF and to address current and future challenges faced by the town centre.

At the regional scale, the Pennine Lancashire Growth and Prosperity Plan 2016-2032 was produced covering five local authority areas including Hyndburn to set out the ambition to accelerate economic growth and housing development. This is not a statutory planning document but forms part of the framework within which proposals at Market Chambers sits, for delivering significant growth in the working age population and ensuring Pennine Lancashire retains its position as a major contributor to the Lancashire Economy.

Development Appraisal

Principle of Development

The principle of diversifying uses within Market Chambers and renovating its frontages to attract new and diverse businesses is strongly supported by planning policy and national and local guidance.

The Accrington Town Centre Investment Plan (2022) identifies the transformation of properties within Market Chambers as a 'proposed intervention' to improve the quality of life and experience of the town for residents and visitors. This is part of the wider regeneration of the Accrington Acre, which also incorporates the transformation of Burton's

Chambers (adjacent to the site), which Hyndburn Council is bringing forward. The vision for these properties is for them to be renovated and repurposed with the ground floor ideally suited to independent cafes, restaurants and higher-end retailers. The Plan also identifies the opportunity to transform the upper floors to form part of an arts, culture and heritage offer. There is an overall aim to reduce the amount of empty shops and dependency on the retail sector within the Town Centre. The Accrington Area Action Plan (2012) also identifies the need to diversify the offer in the town centre in order to create a destination and address deficiencies in uses. This reflects a key tactic for town centre regeneration within the Future Place report *Placeshaping: Learning from 2020*¹, which recommends that town centres should *'consider new uses to foster 'living local' spirit... it is important to explore new, more diverse uses in city centres, widening the offer to include cultural offers as well as shopping.'*

The Accrington Town Centre Conservation Area Appraisal suggests that a new museum or exhibition space could be established within Accrington Town Centre Conservation Area, and suggests this could be located within an underused historic building.

The proposals involve the loss of the existing residential use on the first floor. It is our understanding that there is no formal planning history for the change of use from former commercial to create the residential units now occupied. However, we understand that these dwellings have been created and occupied for over 10 years, meaning they are now lawful.

Emerging Local Plan policy is generally supportive of residential uses within the Town Centre, albeit draft policy SP7 does not explicitly protect against the loss of residential use of the town centre. However, Hyndburn Council's latest Five Year Housing Land Supply Statement (2021) calculates the housing land supply (taking account of shortfall) as 11.5 years. This indicates that the Hyndburn local authority area has a healthy supply of alternate housing in the authority area, and we understand the Council has commenced discussions with existing tenants as required. The emphasis should be on promoting the diversification of the building by changing the use and providing a new cultural and leisure destination that will encourage people into the town centre. The proposed use will make beneficial and active use of the whole building, rather than large parts of it remaining vacant and becoming dated and in need of refurbishment, as at present.

This approach is supported by national planning policy which sets out that local planning policies should *'promote (town centres') long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries (and) allows a suitable mix of uses...'* (NPPF para. 86(a)). Locally, Development Management DPD Policy DM3 supports town centre uses, including retail, arts and culture development, within the town centre. Accrington Area Action Plan Policy ATC6 supports the provision of a facility for arts, culture and the community. Emerging Policy SP7 builds upon this, stating that the regeneration of the town centre will be supported through a number of means

¹ [Placeshaping: Learning from 2020 | Resources | High Street Task Force \(highstreettaskforce.org.uk\)](https://www.highstreettaskforce.org.uk/resources/placeshaping-learning-from-2020/)

including *'development that will attract people into Accrington Town Centre by increasing the range and quality of goods and services available'*.

Planning policy is also supportive of renovating the shop fronts to attract a range of retail uses into the building, *'creat(ing) conditions in which businesses can invest, expand and adapt'* and placing *'significant weight on the need to support economic growth and productivity'* (NPPF para 81). This is also reflected in Development Management DPD Policy DM3, and emerging Policy SP7(i), which includes direct support for improvement and redevelopment of shop fronts / facades and building improvements.

Heritage

The building is recognised as architecturally important, as reflected by its locally listed status. Improvements to the façade of the building are noted as a priority by the Accrington Town Investment Plan. The NPPF (para 194) requires applications to describe the significance of heritage assets in order to understand the potential impact of the proposal on its significance.

The proposal to bring the building back into full use will support the future of the locally listed building, and the retention of such buildings is fully supported in Development Management DPD Policy DM22). The principle of positively conserving and enhancing the historic environment, including heritage assets most at risk of neglect and decay is also strongly supported (NPPF para 190).

External alterations, and the addition of a storey and terrace to the roof (if proposed), will need to be carefully designed to align with the building's historic fabric, avoid harm to the nearby listed buildings, and to align with the character and appearance of the Conservation Area within which it is located.

Views along Dutton Street north towards Market Hall (Grade II Listed) and east-west along Blackburn Road (to include the Town Hall (Grade II* Listed) and other locally listed buildings should be considered to ensure proposals protect the special collective character of the suite of buildings and respect the historical context. Any residual harm to the Conservation Area would need to be weighed against the public benefits of bringing the building into full and more diverse use.

The proposals originally included for a rooftop extension and addition of a terrace area and balustrade, although it is understood that this is currently no longer being considered. If this were to be included in the proposals, the extension and terrace area would need to be carefully designed to align with the building's historic fabric, and the character and appearance of the Conservation Area. It should also be supported by evidence to demonstrate that the repurposing of the building relies on the additional storey as part of the viability and business case for the project to support any increase in height.

The detail of the proposals will be subject to assessment to demonstrate that they would be in accordance with the technical considerations set out by planning policy.

Design

As the proposals develop, it will be important to ensure they are designed to a high standard (Development Management DPD Policy DM1). If the addition of a storey and terrace to the roof is proposed, it will be important that the proposals are of an appropriate scale, height, density, massing and appearance and relate well to surrounding buildings, spaces and building lines in order to enhance the town centre and historic environment, as well as considering the impact on views and skylines (Development Management DPD Policy DM26; Accrington Area Action Plan Policy ATC13).

For refurbishment of the shopfronts, the design and use of materials (type and colour) will also need to be considered, to ensure they enhance the existing building and are in keeping with wider character when viewed from a longer distance. There is a local policy presumption for the retention and restoration of existing historic, traditional or art deco shop fronts within the Conservation Area (Development Management DPD Policy DM28). The same policy sets out specific design expectations for shopfronts, including that equal access is provided and that premises provide and retain clear views into and out of shop windows.

Any future proposals for the display of shop signage will be considered in the interests of amenity and public safety, and will require particularly sensitive treatment and be more carefully designed so that the Conservation Area is not negatively impacted (Development Management DPD Policy DM27).

New development will need to demonstrate should sustain and enhance the significance of the heritage asset and new development should make a positive contribution to the character and distinctiveness of Accrington.

Flood Risk

The building is within Flood Zone 3 (high risk of flooding). Development Management DPD Policy DM20 requires all development within Flood Zone 3 to be accompanied by a site-specific Flood Risk Assessment which addresses the 'Sequential Test' as set out in the NPPF. The proposals are to repurpose an existing building in the town centre for an arts / culture use, which is categorised as 'less vulnerable' to flood risk by the Annex 3 of the NPPF and therefore should be considered acceptable in flood risk terms. The accompanying Flood Risk Assessment would need to include an appropriate level of detail to deal with drainage issues and flood risk management.

Scope of Planning Application

The building currently contains a mix of uses. The ground floor is in commercial use (the majority of units are Class E, with some units potentially Sui Generis), with multiple units currently in use as shops, a recently opened wine bar and a betting shop. The first floor comprises some vacant commercial units (assumed to be Use Class E). The rest of the building is residential use (Class C3), with a total of 18 flats across the second and third floors.

A museum or exhibition space falls under Use Class F1, and a meeting place for the local community falls under Use Class F2.

There is a requirement to apply for full planning permission for the change of use from both retail (Use Class E) and residential (Use Class C3) to more of a cultural/community use such as a museum or community hub type space (Use Class F1/F2).

An application for external alterations to the building, and (if proposed) the additional storey and roof terrace and balustrade, will also be required.

The planning application would likely need to be supported by the following plans and documents:

- Plans
 - Site Location Plan
 - Existing and Proposed Floor Plans
 - Existing and Proposed Elevations and Roof Plans
- Photographs and Photomontages
- Planning Statement
- Design and Access Statement, to include Crime Avoidance / Impact Statement
- Details of any pre-application advice sought (see below)
- Landscaping Proposals
- Transport Assessment (and potentially a Green Travel Plan)
- Parking Arrangements / Cycle Storage and Accessibility Questionnaires
- Flood Risk Assessment
- Heritage Statement
- Refuse Storage Facilities / Recycling Details

Any proposals for signage would require advertisement consent, and so an application would also need to be submitted for this.

The sequence of application submission would depend on the project programme, but we would suggest that the change of use and external alterations proposals could comprise one planning application. Any applications for advertisement consent could follow (as and when units are filled).

We would recommend seeking pre-application advice from the Local Planning Authority, to discuss the sequence and scope of the application/s, and to confirm the supporting documentation that would be required.

Summary

The existing Market Chambers is an important local listed building, in a prominent position within the Accrington Town Centre Conservation Area and adjacent to key listed buildings, primarily the Grade II* listed Town Hall and Grade II Market Hall. The building therefore forms an important role, contributing to the character of the Conservation Area and its special interest.

Diversifying the uses within the building to provide a museum / arts facility / cultural hub as well as retail uses is supported in principle by planning policy. The change of use from retail and residential to a museum / cultural space would require a planning application.

Refurbishment of the retail units and shopfronts and supporting investment within the town centre is supported by national and local planning policy, as well as the Accrington Town Centre Investment Plan and Accrington Area Action Plan.

External alterations to the building would also require planning permission. A key consideration for the proposals will be to ensure that the external alterations are of high quality design which responds appropriately to the building's context and location within the Town Centre Conservation Area. This will need to be clearly demonstrated through details submitted with the planning application.