

# DEVELOPMENT CONTROL COMMITTEE

Thursday, 19th October, 2017  
6.30 pm





# **DEVELOPMENT CONTROL COMMITTEE**

## **BURNLEY TOWN HALL**

**Thursday, 19th October, 2017 at 6.30  
pm**

**Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.**

**Notice in writing of the subject matter must be given to the Head of the Chief Executive's Office by 5.00pm three days before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall or the Contact Centre, Parker Lane, Burnley. Forms are also available on the Council's website [www.burnley.gov.uk/meetings](http://www.burnley.gov.uk/meetings).**

### **A G E N D A**

#### **8. Late Correspondence**

**3 - 4**

#### **MEMBERSHIP OF COMMITTEE**

Councillor Frank Cant (Chair)  
Councillor Arif Khan (Vice-Chair)  
Councillor Charlie Briggs  
Councillor Margaret Brindle  
Councillor Trish Ellis  
Councillor Danny Fleming  
Councillor Sue Graham  
Councillor John Harbour

Councillor Marcus Johnstone  
Councillor Lubna Khan  
Councillor Neil Mottershead  
Councillor Mark Payne  
Councillor Tom Porter  
Councillor Asif Raja  
Councillor Andrew Tatchell  
Councillor Cosima Towneley

**PUBLISHED**

**Wednesday, 11 October 2017**

## DEVELOPMENT CONTROL COMMITTEE

Thursday 19<sup>th</sup> October 2017

### Late Correspondence/Verbal Reports

Agenda Item 6a  
Pages 11-26

**APP/2017/0358 - Erection of building to use as builders merchants (sui generis) with associated external storage yard, landscaping, access and associated infrastructure and erection of an industrial building (Use Classes B1, B2 & B8) at Empire Business Park, Liverpool Road, Burnley**

#### Page 17 – Consultation responses

##### Lead Local Flood Authority (LLFA)

Withdraw objection subject to the inclusion of conditions to require an appropriate surface water drainage scheme and a lifetime management and maintenance plan be agreed and implemented. Conditions 16 and 17 in the agenda report would secure these requirements.

##### United Utilities

Following the issues raised by residents and Lowerhouse Cricket Club, United Utilities state that their Network engineer has confirmed that 3 repairs were carried out and the length of sewer was cleaned and all debris removed after the incident so the public sewer is currently in good order. They also understand that necessary repairs were required on the downstream culverted watercourse that belongs to either Lancashire County Council or the Riparian owner.

#### **Page 22 – Conditions**

The applicant has requested a change to condition 22 which restricts hours of use. The prospective occupier of the proposed builders merchants operates similar builders merchants across the country, the majority of which open at 7:30am on Saturdays. The full opening hours that are proposed for Unit 7 are:-

07:00 – 18:00 Monday to Friday

07:30 – 16:00 Saturdays

10:00 – 16:00 Sundays and Bank Holidays

The applicant states that this is essential to the occupier's business model as the majority of tradesmen will arrive early to pick up materials/tools to start work on site at 8am and work through till noon and then have the rest of the weekend off. It is accepted that the number of visits to the premises at 7:30am would be relatively few

and measures to reduce noise during the most sensitive times can be included in the scheme for the control of noise required by condition 4 in the agenda report.

#### Condition 5 as set out in agenda report

The premises shall not be open for business and no machinery shall be operated nor any process carried out, no loading or unloading take place and no delivery vehicles be allowed to enter or leave at the approved units or any part of the site except between 07:00 and 18:00 hours Monday to Friday, 09:00 and 16:00 hours on Saturdays, and 10:00 and 16:00 hours on Sundays and Bank Holidays.

#### Proposed change to condition 5

The premises shall not be open for business and no machinery shall be operated nor any process carried out, no loading or unloading take place and no delivery vehicles be allowed to enter or leave at the approved units or any part of the site except between 07:00 and 18:00 hours Monday to Friday, between 07:30 and 16:00 hours on Saturdays, and between 10:00 and 16:00 hours on Sundays and Bank Holidays.

#### Reason for Condition 5

To protect the residential amenities of neighbouring properties, in accordance with Policy GP1 of the Burnley Local Plan, Second Review (2006).

#### Additional condition

Prior to the commencement of built development, details of the boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

#### Reason for Condition

To ensure a satisfactory appearance to the development, in the interests of the visual amenities of the area, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006).

#### **Page 22 – Recommendation**

**The recommendation is changed from Delegate authority to the Head of Housing and Development Control to Approve subject to conditions.**