



**DEVELOPMENT CONTROL  
COMMITTEE**

**BURNLEY TOWN HALL**

**Thursday, 25th January, 2018 at 6.30  
pm**

**SUPPLEMENTARY AGENDA**

**9) *Late Correspondence 25.01.18***

**3 - 8**

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## DEVELOPMENT CONTROL COMMITTEE

Thursday 25<sup>th</sup> January 2018

### Late Correspondence/Verbal Reports

**Agenda Item 6a**  
**Pages 13-18**

**APP/2017/0461 – Proposed single storey rear kitchen extension**

**Page 17 - Additional condition**

Condition 3:

The extension shall be painted in a colour to match the stonework of the existing dwelling within 3 months of this permission.

Reason 3:

To ensure the extension is in keeping with the appearance of the dwelling, in accordance with Policy H13 of the Burnley Local Plan (2006).

**Agenda Item 6c**  
**Pages 27-46**

**APP/2017/0454 - Convert barn to two dwellings and shippon to one dwelling**  
**APP/2017/0455 - Carry out external and internal alterations for the conversion of barn to two dwellings and shippon to one dwelling**  
**at Rowley Farm, Rowley Lane.**

**Page 31 – Correction**

The corrugated roof of the barn would be replaced by stone slates rather than blue/grey slate. To confirm, stone slate is proposed to be used both the roof of the barn and the shippon.

**Page 33 – Consultation responses**

Green Spaces and Amenities Manager

The curtilage of this planning application includes a public right of way, FP2. This footpath links through to Worsthorne and has been identified as the only potential route for a public bridleway that would create a much needed route for pedestrians, cyclists and horses between Worsthorne village and the Brun Valley Greenway, which continues to Burnley town centre.

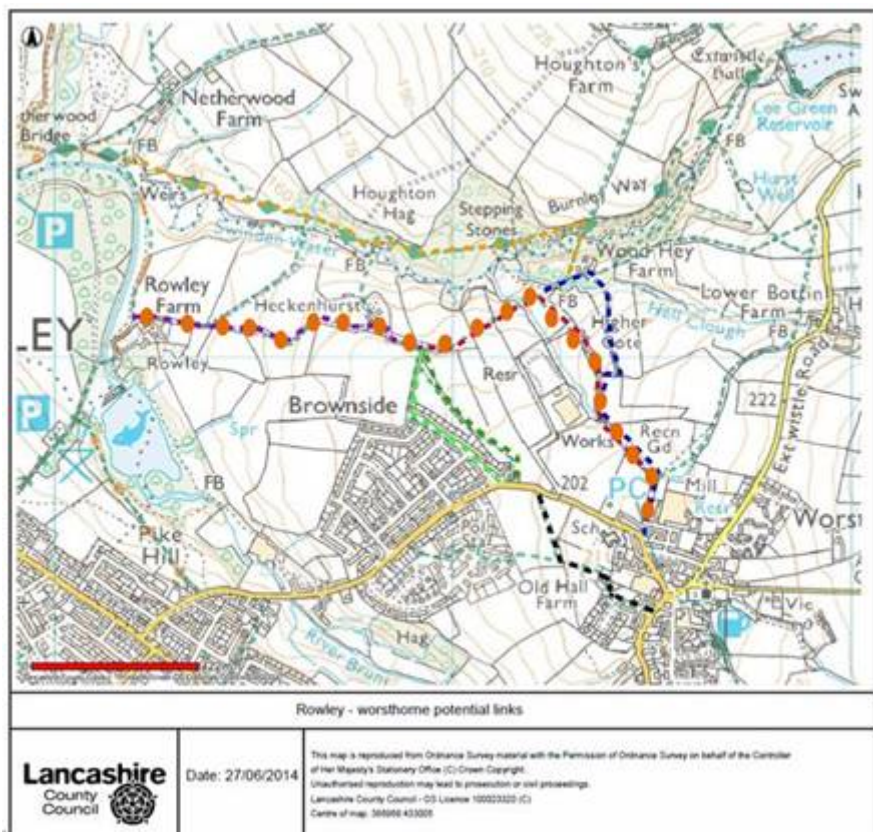
I recommend that, as a condition of granting planning consent, the owner should be required to dedicate that section of FP2 as a bridleway. There will be no cost to the owner and the owner will incur no additional liabilities. The process of dedication is very simple, requiring only a signed statement by the owner.

The public benefits of upgrading the footpath to a bridle way are considerable. At present there are no safe off-road routes connecting the village of Worsthorne with Burnley's developing greenway network. Currently, cyclists and horse riders must use Brownside Road, which is narrow, carries a significant amount of traffic and is particularly constricted where it crosses the River Brun. (See illustration 1. Below).

### Street View of Brownside Road



LCC and Borough Council officers have explored a number of potential routes that could link Worsthorne and the preferred route is shown marked with orange dots on the plan below.



If created, this bridle route would provide a vital connection to the boroughs developing greenway network which is illustrated in the plan below;



The Council's Green Infrastructure Strategy (2013 - 2031) identifies the importance Burnley's developing green travel network and the Strategy highlights need to develop a route linking Townerley Park, Brun Valley Forest Park and the Pennine Bridleway (of which the Mary Townerley Loop forms part). The proposed upgrade of FP2 at Rowley Farm would achieve this link and benefit both horseriders and cyclists, as well as pedestrians.

### **Extract from Burnley's Green Infrastructure Strategy p31 - 32**

Consultation has also revealed the following aspirations for improved links for horseriding:

- Route linking Townerley Park, Brun Valley Forest Park and the Pennine Bridleway
- Route linking the River Calder Greenway and the Brun Valley Forest Park
- Greater access to the Leeds Liverpool Canal towpath
- Route following historic 'Limersgate' from Crown Point towards Clitheroe
- Completion of Cliviger Gorge Packhorse Trail

### **RECOMMENDATIONS**

- **EXTEND GREEN TRAVEL ROUTE NETWORK FROM SOUTH BURNLEY INDUSTRIAL ESTATE TO HAPTON**
- **PROMOTE ROUTES FOR HORSERIDING**
- **EXTEND CROSS BOUNDARY GREEN TRAVEL ROUTE NETWORK BETWEEN CASTERTON AVENUE AND PENDLE BOROUGH**
- **ENHANCE THE SETTING OF ON-ROAD GREEN TRAVEL ROUTES**
- **PROMOTE GATEWAYS TO GREENWAYS (LISTED ABOVE)**

The section of footpath (FP2) that crosses the application site continues across land owned by the Worsthorne Estate and United Utilities and the development of the proposed bridle route will also require consent from these owners. The dedication of the section owned by the applicant will allow the process to start, but the route will not be open as a bridleway until all three owners have granted consent. Once this is achieved funding will be sought to improve the surface on the sections that cross the Worsthorne Estate and United Utilities land. The condition of the section that is owned by the applicant is perfectly adequate and requires no improvement.

### **Summary**

If the Council wishes to implement the recommendations contained in Burnley's Green Infrastructure Strategy and encourage more people to walk, cycle and ride, then it is vital that, as a condition of granting planning consent, the land owner should be required to dedicate FP2 as a public bridleway.

### **Officer Comments :**

The part of FP2 at Rowley Farm is essential to the proposed public bridleway route between Burnley and Worsthorne and without which the upgrading of the footpath route to a public bridleway route is not possible. The Green Spaces and Amenities Manager is seeking the applicant's agreement to there-designation of the part of FP2 that is under the control of Rowley Farm and has stated that no improvement works are necessary as the route is already adequate. No costs are therefore being sought from the applicant. It is clear from the inclusion of the proposed bridleway route in the Council's Green Infrastructure Plan that the proposed public bridleway has been a long term objective and there would be significant benefits arising from this in terms of improving accessibility within the borough. Accessibility and the promotion of sustainable modes of travel are material planning considerations. The proposed improvements are therefore relevant to planning and in this case, where the proposal would lead to the creation of new dwellings in an open countryside setting, are also relevant to the planning permission that is sought and would provide greater choice of sustainable travel options for new occupiers. As such, the redesignation of this part of the proposed bridleway route is necessary to provide for this improved choice and to ensure the sustainability of the proposal.

Given that this request has been made at an advanced stage in the application process, a meeting has recently been held with the applicant's agent and tenant farmer. As a result of this the applicant is duly considering the request and is awaiting assurances in respect of costs, maintenance and liabilities. Once these concerns have been adequately addressed then the applicant will be in a position to confirm whether he agrees to the request. To permit the additional time that is required to complete this process, the recommendation is changed as follows:-

### **Change to Recommendation**

**Delegate authority to the Head of Housing and Development Control to approve applications APP/2017/0454 and APP/2017/0455 subject to a Section 106 Agreement or Unilateral Undertaking to dedicate the part of FP2 Worsthorne with Hurstwood at Rowley Farm to a Public Bridleway and to the agenda conditions and further/modified conditions as set out below:-**

## **Page 39 – Additional Conditions**

### **Windows**

An additional condition is recommended to require the recessing, profile, specifications and design of the proposed new windows frames to be agreed with the Council:-

No window frames shall be installed in any part of the development until details to determine the amount of recessing of the frames, their profile and design specifications have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details.

Reason:- To ensure the new window frames are sympathetic and respect the historic character of former agricultural buildings, in accordance with Policies GP2, GP3 and E10 of the Burnley Local Plan, Second Review (2006) and Policies HE2, HE3 and EMP6 of Burnley's Local Plan, Submission Document (July 2017).

### **Condition 5 – Correction**

Condition 5 in the report shall be corrected and replaced as follows:-

“The pointing to be used in the stonework of the development shall be a lime based mortar and brushed back into the stonework.”

The reason for the condition is altered as follows:-

“To prevent the deterioration of stonework from the use of an inappropriate mortar mix, in order to protect the rural character and appearance of the barn, in accordance with Policies GP3 and E10 of the Burnley Local Plan, Second Review (2006) and Policies HE2, HE3 and EMP6 of Burnley's Local Plan, Submission Document (July 2017).”

### **Condition 10 – Modified**

Condition 10 in the report should be modified and replaced as set out below:-

“All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the associated dwelling or the completion of that dwelling, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the associated dwelling die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless, the Local Planning Authority gives written consent to any variation.”

The reason for the condition is unaltered:-

“In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings, in accordance with Policies GP3 and E27 of the Burnley Local Plan,

Second Review (2006) and Policy EMP6 of Burnley's Local Plan, Submission Document (July 2017).”

**Agenda item 6g**

**p73**

**APP/2017/0572 – Proposed new porch extension, utility extension, new drive entrance & alterations to garage and elevations. New disabled ramp to allow access to garden area.**

**3 Thanet Lee Close, Cliviger**

**Additional Correspondence**

A further objection has been received from a resident (28 Thanet Lee Close) who is a daily dog walker through to Towneley Park from Park Road; on the grounds that the proposed new driveway could be hazardous to them, their dog and 85 year old dad; they say that a car coming out of the drive would need to be on the pavement before the car driver saw them.