



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Wednesday, 14th December, 2016 at 6.30 pm

PRESENT

MEMBERS

Councillors A Khan (Chair), F Cant (Vice-Chair), C Briggs, S Graham, J Harbour, M Johnstone, L Khan, E Monk, N Mottershead, M Payne, T Porter, A Raja, D Roper and C Towneley

OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Graeme Thorpe	– Planning Team Manager
Janet Filbin	– Senior Planner
Amanda Rumbelow	– Property Solicitor
Alison McEwan	– Democracy Officer

38. Apologies

None were received.

39. Minutes

The Minutes of the last meeting held on 24th November 2016 were approved as a correct record and signed by the Chair.

40. List of Deposited Plans and Applications

The following members of the public attend the meeting and addressed the Committee under the Right to Speak Policy:

Name	Planning Application
Mark Jkinson	APP/2016/0417 – Butchers Farm, Ormerod Street, Worsthorne
Roger Wheeldon	APP/2016/0417 – Butchers Farm, Ormerod Street, Worsthorne
Amy James	APP/2016/0417 – Butchers Farm, Ormerod Street, Worsthorne

RESOLVED That the list of deposited plans be dealt with in the manner shown in the appendix to these minutes.

41. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 7th November 2016 to 4th December 2016.

42. Appeals and other decisions

Members received for information the outcome of appeals in relation to:

Land off Extwistle Road, Worsthorne	Appeal allowed
7 Southern Avenue, Burnley	Appeal dismissed

Appendix - Minute No. 40

PLANNING APPLICATIONS APPROVED

APP/2016/0417 **Outline Planning Application**
Cliviger with Worsthorne Ward
Outline application for residential development including
details of means of access (all other matters reserved for
future approval)
BUTCHERS FARM, ORMEROD STREET, WORSTHORNE-
WITH-HURSTWOOD, BURNLEY

Decision: That outline planning permission be approved for the above proposal subject to the following conditions.

Conditions: 1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (the reserved

matters) shall be obtained from the local planning authority in writing before any development starts.

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
5. The parameters of the development shall be substantially in accordance with those set out in the indicative details shown on the following approved plans: 601A 18C, and 601A 24 received 19th September 2016, and 1086-F01 and 601A 41A received 21st November 2016.
6. Foul and surface water shall be drained on separate systems.
7. As part of any reserved matters application and prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority.
 1. Formal surface water drainage scheme which as a minimum shall include:
 - a. Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - b. The drainage scheme should demonstrate that the surface water run-off from the proposed development must not exceed 9.9 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution

(which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

- d. Flood water exceedance routes, both on and off site;
- e. A timetable for implementation, including phasing where applicable;
- f. Site investigation and test results to confirm infiltration rates;
- g. Details of water quality controls, where applicable

2. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

8. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c. Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

9. Prior to the first use of the development a Travel Plan shall be submitted to and approved in writing by the Planning Authority. The Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals as approved and the approved plan shall be carried out.

10. The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
11. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear.
12. As part of any subsequent reserved matters application, alternative off street parking for a minimum of 3 vehicles, inclusive of a garage facility, shall be provided for the sole use of 1 Stoneycroft.
13. All housing plots should have an electrical supply provision suitable for charging an electric motor vehicle, whether externally or within the dwelling or garage. They shall thereafter be retained permanently for vehicles of occupiers and visitors to the site.
14. As part of any subsequent reserved matters application, where there are any dwellings without a garage facility or where garages will be substandard in size (and therefore unable to accommodate the storage of bicycles), in these circumstances suitable alternative secure and covered cycle storage should be provided.
15. As part of any subsequent reserved matters application, an assessment of the noise likely to affect the occupiers of the proposed development shall be submitted to the Local Planning Authority. The assessment shall consider noise from surrounding road networks and any other noise sources which are deemed significant on the site. The assessment shall identify all noise attenuation measures which may be determined appropriate to reduce the impact of noise on the residential properties. Once approved in writing, all noise control measures shall be implemented and thereafter retained.
16. As part of the subsequent reserved matters application, a scheme for the provision of Public Open Space in connection with the development, whether by the making of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 or otherwise, shall be agreed and submitted to the Local Planning Authority to be approved in writing.
17. As part of the subsequent reserved matters application, a scheme for the provision of Affordable Housing or otherwise, to be provided either on site or in connection with the development, has been submitted to and approved in writing by the Local Planning Authority. Whether by the making of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 or otherwise, this shall be agreed

and submitted to the Local Planning Authority to be approved in writing.

18. As part of the subsequent reserved matters application, a scheme for the provision of cycle vouchers or bus passes for three months for new home owners, or otherwise, to be provided on purchase of each new dwelling, shall be submitted to and approved in writing by the Local Planning Authority. This can be via the making of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 or otherwise.
19. As part of the subsequent reserved matters application, unless otherwise agreed in writing, a developer contribution under a section 106 (Town and Country Planning Act) agreement shall be provided towards the delivery and improvement of public transport service for the area. The level of contribution to be requested will be decided based upon the number of dwellings proposed and will be assessed and clarified as part of a detailed matters application.
20. Notwithstanding the submitted report, prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site.

1. The method statement shall detail how:-

- a. an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
- b. a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

2. All agreed remediation measures shall thereafter be

carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

21. The mitigation and recommendations detailed in the submitted Daytime Bat Survey (Appletons, June 2016) and Extended Phase 1 Habitat Survey (Appletons, April 2016) at Chapter Six shall be incorporated within the detailed proposal at reserved matters, and thereafter carried out in full prior to the first occupation of the development or in accordance with an approved timetable.
22. No development shall commence on site until a final scheme for the provision and management of the compensatory habitat creation proposed on the illustrative Masterplan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details, before the development is first occupied; or in accordance with an approved timetable. The scheme details shall also include a detailed management plan for the area.
23. All tree felling, scrub and general vegetation clearance must be undertaken outside of the bird breeding season (March to August inclusive).
If vegetation removal outside the breeding season is not possible, then it must be subjected to a nesting bird survey, by an experienced ecologist, immediately prior to removal or works within the nesting season. Results of this survey must be submitted to and approved in writing with the Local Planning Authority prior to work commencing on site.
24. An updated survey shall be carried out to ensure that non-native invasive species have not spread on to the site, prior to works commencing. No site clearance, site preparation or development work shall take place until a scheme for the control and eradication of plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

25. If works have not commenced within 12 months of the date of the surveys submitted with this application (Appletons, April and June 2016), an updated walkover of the site should be undertaken to ensure that the baseline conditions have not changed.

Reasons:

- 1-4. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does not contain complete details of the proposed development.
5. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
6. To secure proper drainage and to manage the risk of flooding and pollution.
7. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users, and, to ensure that water quality is not detrimentally impacted by the development proposal.
8. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, in order to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
9. In order to improve the sustainability credentials of the site, with a specific aim of encouraging other means of travel than via the private car.
10. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
11. Vehicles reversing to and from the highway are a hazard to other road users.
12. In order to provide suitable and alternative off street parking provision equal to that displaced from 1 Stoneycroft as part of the access alterations to the scheme, in the interests of highway safety.
13. In order to further increase the sustainability credentials of the development and to encourage the use of electric vehicles in order to reduce emissions and protect the local air quality in accordance with paragraph 35 of the National Planning Policy

14. In order to further increase the sustainability credentials of the development.
15. In the interests of the amenity of the future occupants of the development, in accordance with policy GP1 of the Burnley Local Plan, Second Review.
16. To ensure that adequate provision is made for public open space in connection with the development, either on-site or off-site through other means or improvements to the nearby Worsthorne Recreation ground. As required by Policy H7 of the Burnley Local Plan Second Review.
17. To ensure provision of Affordable or Special Needs Housing in accordance with Policy H5 of the Burnley Local Plan Second Review.
18. In order to ensure a further increase in the sustainability credentials of the development.
19. The site location is served by a single bus service which has recently been reduced in frequency, so this is required in order to ensure a further increase in the sustainability credentials of the development.
20. To ensure the protection of the health of the occupants of the new development, and in order to prevent contamination of the controlled waters.
21. To ensure there is appropriate mitigation against the loss of existing biodiversity and nature habitats and in order to provide a net gain in biodiversity in accordance with the NPPF.
22. To ensure there is appropriate mitigation against the loss of existing biodiversity and nature habitats and in order to provide a net gain in biodiversity in accordance with the NPPF; and to ensure the proposal is suitably managed.
23. To satisfy the requirements of the NPPF, the Wildlife and Countryside Act 1981, DEFRA Circular 01/2005, Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System, and The Conservation of Habitats and Species Regulations 2010.
24. To ensure proper management of plant species otherwise harmful to the built environment.
25. To ensure that the baseline conditions have not changed and to inform the reserved matters process.

APP/2016/0516

Full Planning Application

Brunshaw Ward

Retention of the repositioned boundary wall and fence.

90 APPLECROSS DRIVE, BURNLEY

Decision: That planning permission be granted subject to the following conditions.

Conditions: 1. The development hereby permitted shall be carried out in accordance with the following approved plans: 15067.01 (1:1250 location plan), 15067.02 (1:500 site plan), 15067.07RevA, 15067.08RevA, 15067.09 and 15067.10, received on 21 November 2016.

Reasons: 1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

APP/2016/0401

Outline Planning Application

Hapton with Park Ward

Outline application for proposed re-development of remaining northern section of Burnley Bridge Business Park including details of access only. Development shall include industrial (B1c/B2/B8) and possible mixed use (A1) (convenience store), A3/A5 (hot/cold food sales eaten on/off premises) development with ancillary offices.

BURNLEY BRIDGE BUSINESS PARK, MAGNESIUM WAY, BURNLEY

Decision: That Outline Planning Permission be granted subject to the following conditions.

Conditions:

1. Notwithstanding the submitted masterplan options, approval of the details of the layout, scale and appearance of the building(s), the final details of the access thereto and the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of all the reserved matters in relation to this site shall be made to the local planning authority before the expiration of five years from the date of this permission.

4. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
5. The development hereby permitted shall be carried out in accordance with approved plan 1719-09-200.
6. Notwithstanding the submitted masterplan options, final details of the bus lane and access route thereto, including details of the layout, equipment, gates etc. (the reserved matters) shall be obtained from the local planning authority in writing before its implementation on site.
7. The bus lane accessed from Cambridge Drive, as per details approved by Condition 6 of this permission, shall be implemented and made available for use within one year of the completion of the final phase of the development of this site. This will be subject to securing a viable bus operator and unless otherwise agreed in writing with the Local Planning Authority in consultation with The Burnley Bridge Business Park Transportation Steering Group.
8. There shall be no vehicular access to the proposed development taken from Cambridge Drive. All access shall be taken via the estate access off Junction 9 of the M65.
9. In accordance with the submitted justification statement received 24th November 2016, in light of the need to service Burnley Bridge Business Park, a maximum of 450m² of gross floor space shall be made available for the proposed A1/ A3/ A5 uses approved in principle as part of this application, with a restriction placed on the maximum gross floor space of any unit proposed for these uses at reserved matters stage of 150m².
10. No development, or part thereof, hereby approved shall start until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans. Foul and surface water shall be drained on separate systems.
11. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.
12. As part of any reserved matters application and prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority.
 1. Surface water drainage scheme which as a minimum shall

include:

- a. Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b. The drainage scheme should demonstrate that surface water run-off from this phase of the development must not exceed 136 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c. Any works required on or off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d. Flood water exceedance routes, both on and off site;
- e. A timetable for implementation, including phasing where applicable;
- f. Site investigation and test results to confirm infiltrations rates;
- g. Details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

13. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a. The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system

(including mechanical components) and will include elements such as:

- (i) on-going inspections relating to performance and asset condition assessments
- (ii) operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

14. As part of subsequent Reserved Matters applications, the previously agreed Master Travel Plan for the Burnley Bridge site (Reference: LDT 089/TP/01 dated 06.11.09), approved following approval of APP/2008/0805 and APP/2011/0362, shall be updated to reflect the approved amendment to the site for the development of the site for commercial/industrial purposes, unless otherwise agreed in writing.

Subsequent applications will also require the submission of a plot specific Technical Note to the Local Planning Authority and the Transportation Steering Group which shall demonstrate compliance with the Vehicle Generation Limits given in the previously agreed Master Travel Plan for the Burnley Bridge site (Reference: LDT 089/TP/01 dated 06.11.09), insofar as it relates to such part of the land as is subject of that Reserved Matters Application.

Within 6 months of the completion of each building approved under reserved matters, a plot specific Travel Plan for the building will be prepared to identify methods to reduce single occupancy trips by the private car to and from the site and, to encourage and increase the use of other modes of transport, including low emissions vehicles, walking, cycling and public transport. The plot specific Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority and the Transportation Steering Group.

15. In regards to each submitted reserved matters application, an air quality assessment shall be provided in order to assess and

seek to reduce air quality impacts of the development (primarily from increased traffic). This will require an assessment of the current air quality at the time of the submission of the application, and measures to mitigate for any potential impacts on the air quality.

16. In respect of each phase of development approved by reserved matters;
 1. No construction work shall take place on the development outside the hours of 8am to 6pm Monday to Friday, 8am to 4pm on Saturdays and not at any time on Sundays or Bank Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority, and
 2. A programme of works shall be submitted to the Local Planning Authority detailing the following:
 - a. The specific processes/activities which will be carried on during the construction phase(s)
 - b. The proposed timescales for the processes/activities in a), and
 - c. The proposed noise mitigation measures for the processes/activities in a)
17. In regards to each phase of the development of this site, no development shall begin until a scheme detailing the insulation of the building/unit against the transmission of noise and vibration, in accordance with the recommendations of the Noise Assessment Report (Doc. Ref. 02882-130100) has been submitted to, and approved in writing by the Local Planning Authority. Provisions of the approved scheme shall be implemented before the use/operation commences, and be thereafter maintained.
18. Concurrently with the submission of any application for reserved matters approval, a scheme shall be submitted to the Local Planning Authority detailing measures for protecting residential occupiers from noise associated with the proposed industrial/commercial premises. No part of the development shall be brought into use until the works comprising the approved scheme have been approved in writing by the Local Planning Authority. The development shall not be carried out or brought into use except in accordance with the approved scheme. The measures identified in the approved scheme shall thereafter be retained.
19. In regards to each phase of the development of this site, no development shall start until a Dust Management Plan has been submitted to and approved in writing by the Local Planning

Authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control methods to ensure that dust does not travel beyond the site boundary. The identified measures shall be implemented and maintained at all times. Should there be any failure of equipment used to control dust, all handling of materials shall cease immediately until the dust control equipment has been repaired or replaced.

20. In regards to each phase of development of this site, full details of the method of illumination of the external areas of each particular site shall be submitted to and approved in writing by the Local Planning Authority as part of the landscaping within the reserved matters application before any building/unit is occupied, and the lighting shall only be implemented wholly in accordance with the approved details.
21. The details of landscaping submitted for the purposes of Condition 1 for each subsequent reserved matters application shall be in substantial accordance with the Landscape Strategy (Paxman Landscapes UK Ltd, PL38R01 - received 9th September 2016), in particular the retention and enhancement of the buffer on site (with planting around the boundaries of the site with native trees, scrub and tall ruderal/herb species and rough grassland) particularly on the northern and eastern boundaries which is currently dense scrub.

A landscape strategy shall also be submitted and this should include;

- a) details of the provision made to enhance wildlife habitats within the site and avoiding breaks in the continuity and connectedness therein; use of plant species with local provenance; and, management of landscaped areas and habitats, and
 - b) It shall also include details of acoustic fencing on the boundaries (if required) adjacent to residential properties in order to mitigate for any likely noise impacts from the proposed units and their service yards and parking areas.
22. The mitigations / recommendations made in Section 7 of the Ecological Appraisal (Envirotech, August 2016 - received 9th September 2016) should be adhered to throughout all phases of the development of this site.
 23. For any works commencing 12 months after the date of this decision notice, an updated ecology survey or walkover ecology survey will be undertaken to check for any changes which may have occurred since the initial survey carried out. The details of

the surveys shall be submitted to the Local Planning Authority as part of any future reserved matters application.

24. The comments from the Council's Contaminated Land Consultant (received 8th November 2016) shall be adhered to throughout each phase of the development hereby approved. Verification reports to advise that the works have been carried out in accordance with this advice shall be submitted to the Local Planning Authority for approval in writing prior to the first occupation of any building approved under reserved matters.
25. As part of any subsequent reserved matters application, electric vehicle charging points on each phase of development of the site will be encouraged.

With each new building proposed at reserved matters, the developer shall include within the parking area the installation of a minimum of two, three-pin 13-amp electrical sockets in suitable positions to enable the recharging of an electric vehicle using a 3m length cable.

26. No combustion of any waste materials likely to result in smoke or other nuisance by atmospheric pollution shall take place on the site.

Reasons:

- 1-4. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does not contain complete details of the proposed development.
5. To ensure the development is implemented in substantial accordance with the approved principals contained within the masterplans and to avoid ambiguity.
6. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does not contain complete details of the proposed development.
7. In order to comply with Condition 11 of APP/2011/0362, to ensure the site remains accessible by modes other than private vehicles, to reduce the movements to and from the site from Junction 9 of the M65, and to help the site achieve an improved level of sustainability and compliance with the aims and objectives of the Master Travel Plan for the site.
8. In the interests of residential amenity, and pedestrian and highway safety.
9. In accordance with the general principle of Local Plan Policy CF12 and in order to permit a small convenience store/cafe/sandwich shop, or any other use within A1/A3/A5, to operate to serve the Business Park, thereby reducing the need to leave the site in a vehicle and improving the sustainability of

the site.

10. To ensure a satisfactory means of drainage is provided on site.
11. To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere, and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.
12. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users and, to ensure that water quality is not detrimentally impacted by the development proposal.
13. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance and, to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
14. For consideration by Highways England on the basis that there is now a need to better understand the development aspirations for the remainder of the site and of the traffic impacts of the site currently in existence; occupied and as-built. This is as there are grounds for concern that potential future development of the site could result in there being severe congestion at M65 Junction 9; potentially locking the junction and therefore making the site as a whole unattractive to patrons, occupiers and investors.
15. On the basis that there is now a need to understand the impacts of the site currently in existence; and as there are grounds for concern that potential future development of the site could result in there being impacts on air quality in the local area and local highway networks.
16. To identify and reduce the potential for nuisance to the occupiers of nearby buildings and dwellings, and to protect the amenities of the occupiers of nearby buildings and dwellings, in accordance with Policy GP7 of the Burnley Local Plan, Second Review.
17. In the interests of the amenities of the neighbouring occupiers and residents, in accordance with Policy GP7 of the Burnley Local Plan, Second Review.
18. To minimise the risk of noise pollution to occupiers of nearby buildings and dwellings and the local environment, in the

interests of the amenities of the neighbouring occupiers and residents, in accordance with Policy GP7 of the Burnley Local Plan, Second Review.

19. To minimise the risk of pollution to occupiers of nearby buildings and dwellings and the local environment, in the interests of the amenities of the neighbouring occupiers and residents, in accordance with Policy GP7 of the Burnley Local Plan, Second Review.
20. To ensure the potential for light pollution and nuisance to the occupiers of nearby buildings and dwellings and the local environment is acceptable before works are implemented, in the interests of the amenities of the neighbouring occupiers and residents and in accordance with Policy GP7 of the Burnley Local Plan, Second Review.
21. To ensure proper provision is made for those matters in accordance with Policies GP7, E2, E3, E4, E5, E6 and E7 of the Burnley Local Plan Second Review.
22. In order to comply with the NPPF, the Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.
23. In order to satisfy the requirements of the NPPF, the Wildlife and Countryside Act 1981, the Natural Environment and Rural Communities Act 2006, and The Conservation of Habitats and Species Regulations 2010.
24. To ensure the development does not pose a risk to human health before, during or after works have commenced/completed, in accordance with Policy GP7 of the Burnley Local Plan, Second Review.
25. To encourage the use of electric vehicles in order to reduce emissions and protect the local air quality in accordance with paragraph 35 of the National Planning Policy Framework and the Burnley Green Infrastructure Strategy 2013-2031.

NOTE: Any socket provided must comply with BS1363, or an equivalent standard, Building Regulations, and be suitable for charging electric vehicles. The socket should be suitable for outdoor use and have an internal switch within the building to enable the socket to be turned off.

26. To reduce the potential for pollution and nuisance to the occupiers of nearby buildings and dwellings.

APP/2016/0462

Full Planning Application

Gannow Ward

Proposed change of use of part of shop to hot food take-away (mixed use class A1/A5) opening hours 11:00 to 23:30 seven days a week; external flue system to rear of premises and new shop front.

702 PADIHAM ROAD, BURNLEY

Decision: That planning permission be granted subject to the following conditions:

Condition:

1. The development must be begun within three years of the date of this decision.
2. The hot food take-away shall not open for business outside the hours of 11:00am – 11:30pm on any day.
3. No development shall take place until a scheme of odour suppression (including details of measures to control noise and vibration) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet requirements of relevant legislation including the Gas Safety (Installation and Use) Regulations 1998. The scheme shall include a description of all proposed cooking processes, a plan of the proposed ventilation system and odour abatement measures including the location and details of the filters and fans and the manufacturer's recommendations concerning frequency and type of maintenance. The approved equipment shall be installed in accordance with the approved details prior to the use hereby approved commencing and shall thereafter be operated at all times when cooking is taking place and maintained in accordance with the manufacturer's instructions.
4. Provision shall be incorporated for the storage of wheeled refuse and recycling bins. The details of the said provision shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details and provided on site prior to the occupation of the development and maintained as such thereafter.

Reason:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning Compulsory Purchase Act 2004.
2. To protect the amenities of nearby residents, having regard to Policy CF13 of the Burnley Local Plan Second Review.
3. In order to avoid odour and noise nuisance to the occupiers of adjacent properties.

4. In the interests of the provision of adequate refuse and storage/collection facilities, of general and visual amenities.

APP/2016/0487

Full Planning Application

Hapton with Park Ward

Proposed change of use from commercial premises to a two storey 2 bedroom dwelling and convert existing outbuilding to a store.

1A BRIDGE STREET, PADIHAM

Decision: That planning permission be granted subject to the following conditions:

- Condition:**
1. The development must be begun within three years of the date of this decision.
 2. The development shall be carried out in accordance with the application drawings, namely: Drawing nos: 1613-LP01 (incorporating location plan), 1613-LP01, 1613-PL01, 1613-PL02, 1613-PL03, 1613-PL04, 1613-PL11 & 1613-PL13 received 15 October 2016; 1613-PL10 A & 1613-PL12 A received 2 December 2016.

- Reason:**
1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 2. To ensure that the development remains in accordance with the development plan.