

DEVELOPMENT CONTROL COMMITTEE

Thursday, 17th August, 2023
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

ROOMS 2 & 3, BURNLEY TOWN HALL

Thursday, 17th August, 2023 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 Legal & Democracy by 5.00pm three days before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at: [Request To Speak form](#). You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

A G E N D A

1. Apologies

To receive any apologies for absence.

2. Minutes

5 - 8

To approve as a correct record the Minutes of the previous meeting.

3. Additional Items of Business

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

4. Declaration of Interest

To receive any declarations of interest from Members relating to any item on the agenda in accordance with the provision of the Code of Conduct and/or indicate if S106 of the Local Government Finance Act applies to them.

5. Exclusion of the Public

To determine during which items, if any, the public are to be excluded from the meeting.

6. List of Deposited Plans and Applications	9 - 10
To consider reports on planning applications for development permission:	
a) COU/2023/0389 - 9 Halstead Street Burnley Lancashire	11 - 26
7. Decisions taken under the Scheme of Delegation	27 - 34
To receive for information a list of delegated decisions taken since the last meeting.	
8. Appeals and Other Decisions	35 - 38
To receive for information details of any decisions received since the last meeting.	

MEMBERSHIP OF COMMITTEE

Councillor Saeed Chaudhary (Chair)	Councillor Alan Hosker
Councillor Christine Sollis (Vice-Chair)	Councillor Beki Hughes
Councillor Gordon Birtwistle	Councillor Shah Hussain
Councillor Joanne Broughton	Councillor Jacqueline Inckle
Councillor Scott Cunliffe	Councillor Anne Kelly
Councillor Sue Graham	Councillor Neil Mottershead
Councillor John Harbour	Councillor Paul Reynolds
Councillor Bill Horrocks	Councillor Mike Steel

PUBLISHED

Wednesday, 9 August 2023

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DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 13th July, 2023 at 6.30 pm

PRESENT

MEMBERS

Councillors S Chaudhary (Chair), C Sollis (Vice-Chair), J Broughton, S Cunliffe, S Graham, J Harbour, B Horrocks, A Hosker, B Hughes, S Hussain, A Kelly, P Reynolds and M Steel

OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Laura Golledge	– Planning Manager
Sajada Khan	– Litigation and Regulatory Solicitor
Alison McEwan	– Democracy Officer

12. Apologies

Apologies for absence were received from Cllr Gordon Birtwistle.

13. Minutes

The Minutes of the last meeting were approved as a correct record and signed by the Chair.

14. Declaration of Interest

Cllr Scott Cunliffe declared an 'other personal' interest in FUL/2023/0036 – 4 Lindsay Park, as he lived close to the property and had been approached by the objector. Cllr Cunliffe spoke on the item but did not take part in the vote.

15. Change to Agenda Order

It was moved, seconded and duly RESOLVED to re-order the agenda so that Item 6b – FUL/2023/0036 4 Lindsay Park be heard first due to the public interest in the item.

16. 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:

Mr G Dawes and Ms L Durkin FUL/2023/0036 4 Lindsay Park.

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

17. FUL/2023/0036 - 4 Lindsay Park, Worsthorne-with-Hurstwood, Burnley

Town and Country Planning Act 1990
New build detached house to be built on land at number 4 Lindsay Park
4 Lindsay Park, Worsthorne-with-Hurstwood, Burnley BB10 3RR

Decision

That the application be refused for the following reason. As this decision was contrary to officer recommendation, a recorded vote was taken.

Reason

The proposal, due to its scale and massing would be an incongruous form of development and disproportionate to the size of the plot. As such it is considered to be overdevelopment of the site which would be at odds with the prevailing character of the area and have a detrimental visual impact, contrary to Local Plan Policy SP5 (2a)

FUL/2023/0036 (Motion)

To refuse the application as the proposal, due to its scale and massing would be an incongruous form of development and disproportionate to the size of the plot. As such it is considered to be overdevelopment of the site which would be at odds with the prevailing character of the area and have a detrimental visual impact, contrary to Local Plan Policy SP5 (2a).

Councillor Saeed Chaudhary	Abstain
Councillor Christine Sollis	Abstain
Councillor Joanne Broughton	For
Councillor Scott Cunliffe	Conflict Of Interests
Councillor Sue Graham	For
Councillor John Harbour	For
Councillor Bill Horrocks	Abstain
Councillor Alan Hosker	Abstain
Councillor Beki Hughes	Against
Councillor Shah Hussain	For

Councillor Anne Kelly	For
Councillor Paul Reynolds	For
Councillor Mike Steel	For
Paul Gatrell	No vote recorded
Laura Golledge	No vote recorded
Sajada Khan	No vote recorded
Alison McEwan	No vote recorded
Carried	

18. FUL/2023/0296 - Unit 3 - Sandygate Hall, Sandygate Burnley

Application for Planning Permission
Proposed post 16 educational use (Class F1)
UNIT 3 SANDYGATE HALL SANDYGATE BURNLEY BB11 1EX

Decision

That planning permission be granted subject to the following conditions.

Conditions and Reasons

1. The development must be begun within three years of the date of this decision.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 001S (Proposed Key Plans – Lower Ground Floor at 1:100 Scale) received 04 July 2023.

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

19. FUL/2023/0302 - Cornfield Farm Fishery, Cornfield Grove, Burnley

Town and Country Planning Act 1990
Proposed log cabin for educational purposes.
Cornfield Farm Fishery Cornfield Grove Burnley Burnley

Decision

That planning permission be granted subject to the following conditions.

Conditions and Reasons

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. Prior to commencement of development, full details including elevational treatment and proposed materials shall be submitted in writing to and approved by the Local Planning authority. Thereafter the plans shall not be varied without prior written approval of the Local Planning authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and SP7 of Burnley's Local Plan 2018

3. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to protect the amenity of surrounding uses in accordance with policies SP4 and NE5 of Burnley's adopted Local Plan

4. The cabin hereby permitted shall only be used by Mark Smedley for educational purposes and shall not be used by any other organisations unless written permission is sought by the Local Planning authority.

Reason: In order to protect the amenity of surrounding uses in accordance with policies SP4, SP7 and NE5 of Burnley's adopted Local Plan.

20. Decisions taken under the Scheme of Delegation

Members noted the information.

21. Appeals and other decisions

Members noted the information.

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for
Committee consideration

17th August 2023

Housing and Development Control

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Housing & Development
Town Hall, Manchester Road

Ref.

COU/2023/0389

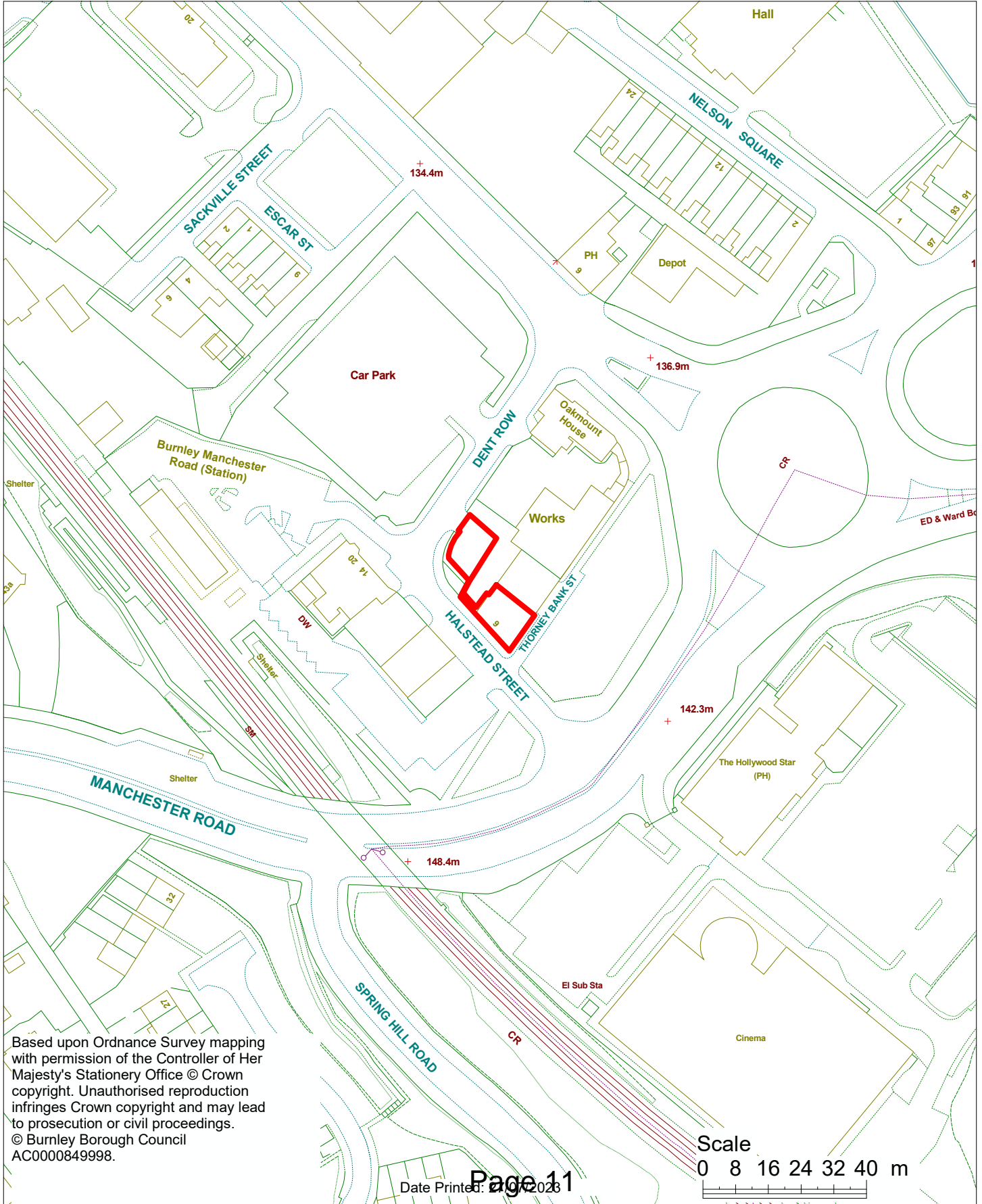
Paul Gatrell Head of Housing and Development Control

Location:

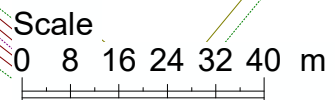


9 Halstead Street, Burnley

1:1250



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Application Recommended for Approve with Conditions

COU/2023/0389

Trinity

Town and Country Planning Act 1990

Change of use from café to office and 3 self-contained apartments on the first floor

9 Halstead Street, Burnley BB11 4HU

Background:

The application is presented to DC committee as the applicants are elected Burnley Borough Councillors

The property is a stone/blue slate building of traditional construction with two storeys to front elevation and three storeys to sides and rear due to falling land levels. It is presently a hairdresser's salon at lower ground floor level, a café at ground floor level and vacant rooms a first-floor level. Part of an existing car park is identified within the red line. This is a commercial locality close to Burnley town centre.

A Commercial Agent's sign at 1st floor level is shown on Google Street View dated July 2022 and was still on the building on 05.06.2023, so it is reasonable to assume that it had been marketed for at least 11 months.

The site is located outside the Town Centre, Weaver's Triangle and Conservation Areas. It is within the development boundary of Burnley as defined by the adopted Local Plan.

Proposal:

Lower Ground Floor – maintain existing use as hairdressers.

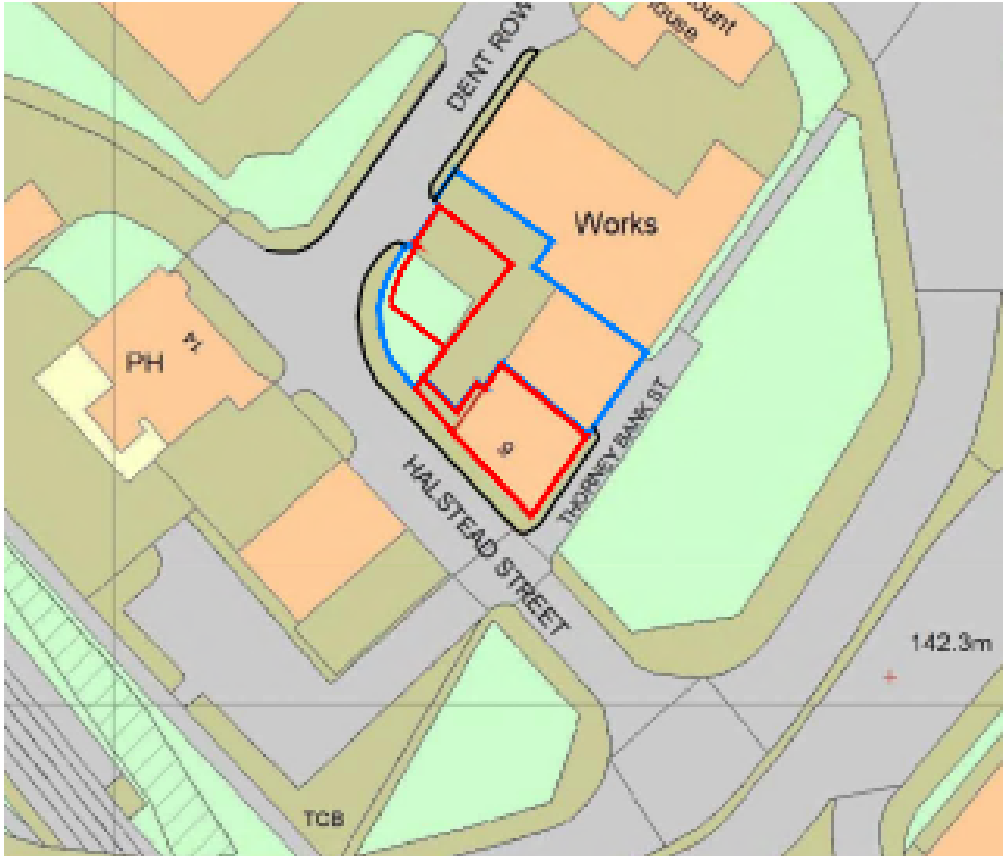
Ground floor– use as office

First floor – three flats

External – proposed gated access and walkway from Halstead Street along the side of the building at ground floor level plus enlargement of the existing window to create an external door. The door will provide access to an internal staircase, which will in turn provide access to the apartments on the 1st floor, thus separating the residential and commercial uses.

Visuals:





Existing



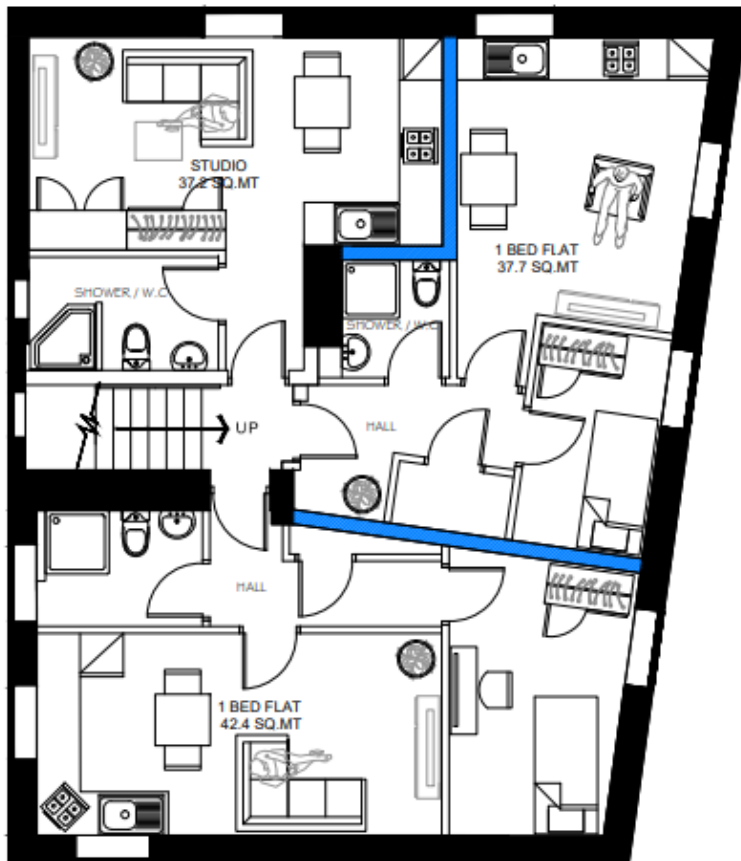
CLIENT: MR ROYALDEE BENTLEY & MISS LORRY BENTLEY
 ARCHITECT: ANW ARCHITECTS
 PROJECT: OLMPHUS HOUSE - HALSTEAD STREET BUNDELT
 SCALE: 1:100 @ A4
 DRAWING NUMBER: 2/04 - 1/17
 DRAWN BY: G. ALAN BENTLEY 08/05/14

ANW
 ARCHITECTS

Proposed



Proposed 1st floor in detail





PART INCOME PRODUCING INVESTMENT

FOR SALE

Olympus House
9 Halstead Street
Burnley
BB11 4HU

Size: 142.80 sq.m (1,435 sq.ft)

- **Adjacent to the redeveloped Manchester Road Railway Station.**
- **3 storey stone build property of character.**
- **Currently used as restaurant but formerly offices.**
- **Investment income from established hairdressers to the rear.**

History:

APP/2013/0052 - Proposed change of use from Use Class A2 (Professional and financial services) to Use Class D1 (Dental practice). Approved 2013. The Officer's Report at the time described the use as 'vacant former insurance offices'. The car park was not included in the application, nor was its use Conditioned.

Relevant Policies:

Burnley's Local Plan (July 2018)

SP1: Achieving Sustainable Development

SP4: Development Strategy

SP5: Development Quality and Sustainability

NE5: Environmental Protection

IC1: Sustainable Travel

IC3: Car Parking Standards

Policy IC5: Protection and Provision of Social and Community Infrastructure

The National Planning Policy Framework (2021)

Houses in Multiple Occupation and Small Flats SPD

Technical Housing Standards: Nationally Described Space Standard (2015)

Article 35 Statement:

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application as (originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

Consultation Responses:

Highways – no objection subject to a pre-commencement Construction Management Plan Condition plus a note informing of the need for a Permit to work on the highway. Agent agreed to pre-commencement Condition by email on 18.07.2023.

Environmental Health – not received to date (27.07.2023)

StreetScene – not received to date (27.07.2023)

Objections:

None received to date (27.07.2023)

Planning Assessment:Impact on residential amenity and surrounding uses

There are no dwellings nearby, therefore there will be no impact on the residential amenity of persons beyond the site.

However, it is proposed to locate dwellings above a commercial use. Notwithstanding that the Environmental Health Officer has not commented, it is considered reasonable to minimise potential disturbance within the building. So a condition restricting the operating hours of the office on the ground floor to between 0700 and 23.00 daily and a condition requiring measures to limit transmission of noise between potentially conflicting uses are recommended.

The scheme is considered acceptable in terms of neighbour amenity and would therefore comply with Local Plan Policy SP5.

Impact on highways and pedestrians

The Highways Consultee hasn't objected. The building is close to the town centre, and both the residential and office uses are considered sufficiently close to transport hubs to be sustainable from the point of view of vehicular journeys.

Local Plan Policy IC3 requires one parking space per dwelling created plus one space per 30sq.m of office. This equates to three plus four spaces respectively. The area of car park shown within the red line contains space for three, so a shortfall of four off-street parking spaces exists.

However, the building is close to the railway station and nearby Manchester Road is a main route into the town with a regular bus service. There is also on street parking and public car parks close by in the town centre. Whilst it cannot be assumed, residents may choose not to own a car in this location. In addition to the three spaces shown for this building, the submitted plan also shows four spaces plus a bin storage area for the lower ground floor hairdresser's premises (albeit not forming part of the planning application).

In view of the Highways Consultee's lack of an objection the parking provision is considered acceptable. The submitted plan also shows secure bicycle parking, and a condition is recommended to ensure that the three dedicated spaces plus the bicycle parking are retained.

The proposed accessway from Halstead Street will not have an impact upon pedestrians using the adjacent footway.

Protection and Provision of Social and Community Infrastructure

It could be considered that the existing café use is a 'social and community facility', and as such the proposal is considered against Policy IC5 which states:

'1) The Council will, where possible and appropriate:

- a) Safeguard existing social and community infrastructure, subject to a continued need or likely future need or demand for the facility in question; and require alternative comparable or improved provision where a development scheme would result in the loss of important social and community infrastructure.'*

In this instance the property has been marketed since at least July 2022, with no alternative user presenting him/herself. Its loss is not considered to conflict with IC5.

Notwithstanding this a café / restaurant use and office would both fall within Class E of the use classes order with the uses within that class being interchangeable without the need for planning permission.

It should also be noted that a previous use of the property has been as an office.

Living Conditions for Occupants

The Council's adopted Houses in Multiple Occupation and Small Flats SPD refers to the Technical Housing Standards: Nationally Described Space Standard (2015). The NDSS requires a minimum gross internal floor area for a single storey dwelling with a shower rather

than a bath as 37.0sq.m with adequate light to rooms. All three proposed apartments meet this standard.

The Council's Houses in Multiple Occupation and Small Flats SPD states the following:

'HMOs should provide a designated area for drying laundry. Where it is not reasonably possible to provide an outside drying area, internal space should be allocated for drying clothing.'

In this instance no specific drying area is identified either internally or externally however the floor area of the flats is adequate and it is likely that there will be indoor space available for this purpose. There is also some limited space available externally.

'The development of HMOs and small flats has the potential for the transmission of noise, internally and with adjoining properties. This is particularly relevant when considering the conversion of semi-detached or terraced properties.'

The EH consultee has not responded. However, conditions are suggested limiting hours of operation of the office and measures to restrict noise transmission, as stated above.

'The design and layout of developments must ensure that there are adequate facilities for waste storage, both internally and externally, and also for collection.'

The proposed plan does show two bin storage areas externally, underneath the proposed pedestrian access deck. The dimensions of the storage areas are 122cm high x 157cm wide x 86cm deep. The dimensions of a 240l wheelie-bin are 107cm high x 58cm wide x 74cm deep. Therefore each of the two storage areas are capable of housing two wheelie-bins with relative ease. It is assumed that each flat will have a bin as will the office and that recycling bins will be located internally under sinks prior to bin day. A Condition requiring provision before occupation, plus retention thereafter is recommended.

'To meet the requirement of Policy IC3 3) and to maximise opportunities for the use of sustainable modes of travel in accordance with Policy IC1, adequate space for cycle parking/storage should be provided within the curtilage of the property or within a convenient and secure communal space.'

Submitted plans show sufficient secure storage for three bicycles which is acceptable. A condition is recommended requiring provision before occupation and retention thereafter.

'It is important for residents of HMOs and small flats to have access to private or semi-private outdoor space.'

'As a general guide, amenity space should, in addition to accommodating necessary bin storage, car parking and external cycle storage, provide space for residents to sit comfortably away from bin storage areas.'

In this instance bins will be stored in enclosed areas, so there is no likely conflict in this respect. In common with many converted buildings close to the town centre, there is no dedicated outdoor amenity space. There is a little land available within the site area at a higher level than the car park surface that currently has no pedestrian access, and it is anticipated that this could be utilised by residents, this does not form part of the application but on balance is considered acceptable given the sustainable location.

'When considering proposals for HMOs and small flats, the Council will also therefore consider the potential cumulative impacts under the requirements of Policy SP4 and SP5. Cumulative impacts here is concerned with the effects of a concentration of HMOs or small flats within a specific area.'

Records indicate that there are no HMOs in excess of 10% of the built stock within 100m of the property, and in the absence of information to the contrary from any source it is considered that the proposal accords with the requirement of the SPD in this respect.

Conclusion:

The potentially conflicting uses of three dwellings and an office is acknowledged and mitigated by suggested conditions.

The loss of a community facility can be accepted on balance by reference to marketing and an apparent lack of interest over the course of the previous year as well as proximity to other similar uses and considering permitted changes of use.

There is no dedicated outdoor space however the building does have some external area within the red line, and it is in a highly sustainable location close to town centre amenities. The residential accommodation is self-contained and meets the SPD in terms of providing acceptable living conditions for future occupants and will bring the upper floors into use making a small contribution to housing supply.

As such considering the relevant local plan policies and material planning considerations the proposal is considered acceptable and approval is recommended.

Conditions and Reasons:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Drawing No. 2198.01 – existing plans, received 04.07.2023

Drawing No. 2198.02 – proposed plans, received 04.07.2023

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

3. Notwithstanding details shown within the submitted planning application, the flats shall not be occupied until a scheme of noise insulation between the office and residential elements has been submitted to and agreed in writing by the Local Planning Authority. The scheme so agreed shall be implemented prior to first occupation of the dwellings and retained thereafter.

Reason: to ensure there is no unacceptable adverse impact on the amenity of occupants in accordance with policy SP5 of Burnley`s Plan.

4. The operating hours of the office element shall be restricted to between 07.00 and 23.00 daily unless otherwise approved in writing by the Local Planning Authority.

Reason: to ensure there is no unacceptable adverse impact on the amenity of occupants of dwellings in accordance with policy SP5 of Burnley`s Plan.

5. Notwithstanding details shown within the submitted planning application, the dwellings shall not be occupied until the secure bicycle parking facilities shown on the approved plan have been provided. The bicycle parking provision shall be retained for the lifetime of the development.

Reason: To ensure that sufficient secure bicycle parking is provided, in accordance with Policy IC3 of the Local Plan.

6. Notwithstanding details shown within the submitted planning application, the dwellings and office shall not be occupied until the external bin storage facilities shown on the approved plan have been provided. The bin storage facilities shall be retained for the lifetime of the development.

Reason: To ensure that sufficient external bin storage is provided, in accordance with Policy SP5 of the Local Plan.

7. Notwithstanding details shown on the submitted plans, the development shall not be occupied until the three dedicated car parking spaces shown on the submitted plans are provided. The three spaces shall be retained for the use of occupants of the apartments and office plus their visitors thereafter.

Reason: In the interests of highway safety, in accordance with Policy IC3 of the adopted Local Plan.

8. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority.

The approved plan/statement shall provide:

- Details of the parking of vehicles of site operatives and visitors.
- Details of loading and unloading of plant and materials.
- Arrangements for turning of vehicles within the site.
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
- Measures to protect vulnerable road users (pedestrians and cyclists).
- Wheel washing facilities.
- Measures to deal with dirt, debris, mud, or loose material deposited on the highway because of construction.
- Measures to control the emission of dust and dirt during construction.
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Construction vehicle routing.
- Delivery, demolition, and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.

Note: Construction Management Plan.

- There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear and turn around in the site before exiting in a forward gear onto the operational public highway.
- There must be no storage of materials in the public highway at any time.
- There must be no standing or waiting of machinery or vehicles in the public highway at any time.
- Vehicles must only access the site using a designated vehicular access point.
- There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site.

- A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary, this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or emailing lhsstreetworks@lancashire.gov.uk

- All references to public highway include footway, carriageway, and verge.

Notes

1. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.

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BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part II: Decisions taken under the scheme of delegation.
For Information

17th August 2023

Housing and Development

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List of Delegated Decisions

Application Number	Applicant	Location	Proposal	Decision	Decision Date
FUL/2022/0387	Mr Nadeem Dad	153 St James Street Burnley Lancashire BB11 1PD	Proposed replacement shopfront and upper floor windows	Approve with Conditions	14th July 2023
REM/2022/0683	Mr Alex Kenwright	Accrington Road Burnley BB11 5QJ	Application for Approval of Reserved Matters for the Layout, Appearance, Scale and Landscaping for Class B2 Industrial building/Class B8 Storage and Distribution (Unit 2) (15,345sqm GIA) and associated service apron and parking (Pursuant to outline planning permission OUT/2020/0366).	Approve with Conditions	27th July 2023
REM/2022/0707	Mr Mark Bassett	Land at Accrington Road, Burnley	Application for Approval of Reserved Matters for the Layout, Appearance, Scale and Landscaping for Class B2/B8 Industrial and Warehouse building (Unit 1) (3,708sqm GIA) and associated service apron and parking (pursuant to outline planning permission OUT/2020/0366).	Approve with Conditions	4th July 2023
FUL/2023/0208	Mrs Faith Stringer	Rockwood Nursery School Kingsland Road Burnley Lancashire BB11 3PU	To remove and replace existing timber single glazed sliding sash windows with double glazed timber sliding sash windows of the same design.	Refuse	30th June 2023

Application Number	Applicant	Location	Proposal	Decision	Decision Date
LBC/2023/0209	Mrs Faith Stringer	Rockwood Nursery School Kingsland Road Burnley Lancashire BB11 3PU	To remove and replace existing timber single glazed sliding sash windows with double glazed timber sliding sash windows of the same design.	Refuse	30th June 2023
FUL/2023/0101	Braithwaite	Walton Copy Farm Burnley Road Cliviger Lancashire BB10 4TA	Erection of agricultural building with associated works to include landscaping.	Refuse	14th July 2023
FUL/2023/0254	Mr Adnan Yousaf	Victoria Inn 84 - 86 Colne Road Burnley Lancashire BB10 1LW	Proposed Change of Use of Existing Building from Public House to form 4No. Retail Units at Ground Floor Level and 4No. Flats at Upper Floor Level	Approve with Conditions	19th July 2023
NMA/2023/0264	Mr Andrew Milnes	Land To The West Red Lees Road Burnley Lancashire	Minor amendments to residential development to alter layout of plots 45-47 and minor changes to elevations of plots 38-43 _ plots 45-49 (with reference to Conditions 2, 3, 17, 27 and 30) (Non-material minor amendment to planning permission APP/2019/0155)	Non-Material Minor Amendment Granted	20th July 2023
CND/2023/0286	S Goff	Towneley Hall Towneley Park Burnley Lancashire BB11 3RQ	Application to discharge condition no.5 (details of mortar(s) to be used for repointing) of LBC/2021/0651.	Conditions part discharged	30th June 2023

Application Number	Applicant	Location	Proposal	Decision	Decision Date
LBC/2023/0297	Mr and Mrs Fentem	Berrils Green Farm Burnley Road Cliviger Lancashire BB10 4SY	Proposed alterations and repairs to the roof and chimney and upgrading the roof construction to improve thermal efficiency (retrospective application).	Approve with Conditions	6th July 2023
CEA/2023/0288	Miss Monica Gigli	24 Newman Street Burnley Lancashire BB10 1RW	Reconstruction of burned roof.	Lawful Dev Cert issued	18th July 2023
FUL/2023/0289	Mrs Emily Wall	Unit 3 19 Athletic Street Burnley Lancashire BB10 4LP	Change of use and conversion of former educational building to one containing a swimming pool and associated facilities (Use Class F1a to F2d).	Approve with Conditions	14th July 2023
HOU/2023/0308	Mr Ernie Howard	Sellars Fold Farm Bungalow Burnley Road Hapton Lancashire BB11 5QT	Proposed Single Storey Rear Extension	Approve with Conditions	18th July 2023
TPO/2023/0085	Mr Preston	2 Fir Grove Road Burnley Lancashire BB11 3PX	Application to crown lift 8 trees covered by The Burnley (Park View, Todmorden Road) Trees Preservation Order 1974 and crown lift 4 trees within the Burnley Wood Conservation Area.	Approve with Conditions	24th July 2023
HOU/2023/0321	Miss Sam Ali	2 Hargrove Cottages Barrowford Road Burnley Lancashire BB12 8TY	Proposed side extension.	Approve with Conditions	20th July 2023

Application Number	Applicant	Location	Proposal	Decision	Decision Date
PAH/2023/0320	Mr D Khan	1 Killington Street Burnley Lancashire BB10 1TT	Proposed single storey rear extension with a sloped roof: 5.95 metres beyond rear wall of dwelling, 3.2 metres in width, 3.4 metres maximum height and 2.5 metres height at the eaves.	Prior Approval not required accept	12th July 2023
HOU/2023/0315	Mr Stephen Gourlay	63 Castlerigg Drive Burnley Lancashire BB12 8AT	Single storey extensions to side and rear	Approve with Conditions	3rd July 2023
HOU/2023/0319	Mrs. Karen English	93 Lower Manor Lane Burnley Lancashire BB12 0EF	Proposed rear extension and proposed Juliette balcony within existing dormer.	Approve with Conditions	19th July 2023
LBG/2023/0271	Miss Kerry Mcdonald	308 Lowerhouse Lane Burnley Lancashire BB12 6LZ	Replacement of patio doors to side (west) extension.	Approve with Conditions	19th July 2023
FUL/2023/0335	Mr David Murrie	64 The Mall Burnley Lancashire BB11 1BA	Installation of replacement shop front and security shutter.	Approve with Conditions	19th July 2023
FUL/2023/0345	Mr Janayd Naim	Pike Hill Post Office 2 Brownside Road Worsthorne-with-hurstwood Lancashire BB10 3JU	Retrospective conversion of living accommodation to 2no. self-contained flats	Approve with Conditions	26th July 2023

Application Number	Applicant	Location	Proposal	Decision	Decision Date
TIC/2023/0343	Kirsten Southern	Lee Moran House Victoria Street Burnley BB11 1DD	To fell and stump grind 3 No. trees which are currently too tall for the adjacent building.	No Objection	26th July 2023
PAH/2023/0356	Mrs Munaza Bibi	38 Grey Street Burnley Lancashire BB10 1BA	Proposed single storey extension to rear elevation, to extend 4.18 metres beyond the rear wall, height of the extension to eaves 2.50 metres and maximum overall height 2.90 metres.	Prior Approval refused	20th July 2023
NMA/2023/0349	Mr & Mrs Hugman	32 Holyoake Street Burnley Lancashire BB12 6LX	Non Material Amendment to Planning Approval No. HOU/2022/0121, to increase ridge and eaves height of rear, single storey extension	Non-Material Minor Amendment Granted	13th July 2023
CND/2023/0360	Healthcare Solutions	66 - 68 Bank Parade Burnley Lancashire BB11 1TS	Application to discharge condition no.10 (Construction Method Statement) of planning permission FUL/2023/0045.	Conditions part discharged	13th July 2023
CND/2023/0363	Mr Mohammed Sulayman	353 - 355 Briercliffe Road Burnley Lancashire BB10 1TX	Application to discharge condition no.4; an acoustic design statement and plans showing construction details for the areas of concern of planning permission FUL/2022/0579	Conditions part discharged	24th July 2023
CND/2023/0371	Mr S Rigby	Land At Wytham Street Padiham	Discharge of condition no.4 (hard and soft landscaping works) and condition no.6 (Construction Management Plan (CMP) or Construction Method Statement (CMS)) of planning permission FUL/2022/0431.	Conditions part discharged	24th July 2023

Application Number	Applicant	Location	Proposal	Decision	Decision Date
PIP/2023/0376	Mr D Bulling	Land At Low Bank Burnley BB12 6PP	Application for Permission in Principle for residential development of 4no. dwellings and provision of formal link to the Greenway (Resubmission of PIP/2021/0702).	Refuse	19th July 2023
PAOR/2023/0368	Tina Etherington	60 Manchester Road Burnley Lancashire BB11 1HN	Prior Approval (Class MA) Use of first and second floor accommodation as 4 No. apartments	Prior Approval Granted	26th July 2023
CEU/2023/0380	Mr Stephen Marsden	The Rookery Pasturegate Burnley Lancashire BB11 4DE	Application for a Lawful Development Certificate for existing use of the building as a dwellinghouse and land within its curtilage as garden (C3) (s.191)	Lawful Dev Cert issued	24th July 2023
HOUS/2023/0393	Miss Saima Khaliq	40 Belford Street Burnley Lancashire BB12 0DF	Proposed single storey extension to the rear.	Application Withdrawn	25th July 2023

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part III: Appeal and other decisions
For Information

17th August 2023

Housing and Development

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APPEAL DECISIONS

Date: 1st July 2023 – 31st July 2023

File Ref	Location	Proposal	Date Appeal Determined	Decision
VAR/2022/0659	Land Off Calder Vale Road Calder Vale Road Burnley	Removal of condition 10 (external render, roof materials and fenestration) relating to application FUL/2021/0126	11.07.2023	ALC

ALC - Appeal Allowed with Conditions

ALLOW - Enforcement Appeal Allowed

ALW - Appeal allowed

ALWCST - Appeal allowed with costs

APPABY - Appeal held in abeyance

ASP - Appeal allowed in part

AWD - Appeal withdrawn

DIS - Appeal dismissed

DISCST - Appeal dismissed with costs

DISMIS - Enforcement Appeal Dismissed

FEEDUE - Appeal Allowed, Awaiting Fee Payment

HCLOG - High Court Appeal Lodged

INPROG - Appeal In Progress

LODGED - Appeal Lodged

QUASH - Quashed on Appeal

REMIT - Remitted to Secretary of State

VALID - Appeal Valid

WITHDR - Enforcement Appeal Withdrawn

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