



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 14th December, 2017 at 6.30 pm

PRESENT

MEMBERS

Councillors F Cant (Chair), A Khan (Vice-Chair), G Birtwistle, M Brindle, D Fleming, S Graham, J Harbour, M Johnstone, N Mottershead, A Newhouse, T Porter, A Raja, A Tatchell and C Towneley

OFFICERS

Lukman Patel	– Chief Operating Officer
Paul Gatrell	– Head of Housing and Development Control
Janet Filbin	– Senior Planner
Amanda Rumbelow	– Property Solicitor
Imelda Grady	– Democracy Officer
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60. Apologies

Apologies for absence were received from Councillor Trish Ellis.

61. Minutes

The Minutes of the last meeting held on 16th November 2017 were approved as a correct record and signed by the Chair.

62. Additional Items of Business

In accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972, the Chair decided that the item relating to Minute 68 should be considered in view of the special circumstances outlined.

63. List of Deposited Plans and Applications

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

64. APP/2017/0496 - Giant Leap Nursery, Coal Clough House, Coal Clough Lane, Burnley

Full Planning Application

Variation of condition 4 of planning permission APP/2017/0373 to increase opening hours on Sundays/Bank Holidays

GIANT LEAP NURSERY COAL CLOUGH HOUSE COAL CLOUGH LANE BURNLEY

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

Conditions

1. The development must be begun by no later than 25 September 2020.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: SCH/09-Dwg 03, received on 1 August 2017; SCH/09 Dwg 01Rev A, received on 31 August 2017; and, SCH/09 Dwg 02BRevB and SCH/09 Dwg 04, received on 8 September 2017 for APP/2017/0373.
3. The approved building and use of the site shall be used as an after school club facility and play area in association with and ancillary to the use of the adjacent children's day nursery known as Giant Leap Nursery only, and shall not at any time be used as an independent play area or for any other use.
4. The approved building and site shall not be open for use apart from between 07:00 and 19:00 hours Monday to Saturday inclusive and between 09:00 and 18:00 hours on Sundays and Bank Holidays.
5. The external materials of construction to be used on the walls and roof of the development shall be as described on the approved plans unless any variation to this is otherwise previously agreed in writing by the Local Planning Authority. Representative samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to construction work on the approved building being commenced.
6. The approved development shall not be first open for business until two electric charging points with a three-pin 13-amp electrical socket have been installed and are available for use at the site. The electric charging points shall thereafter be retained and remain available for use at all times whilst the premises are open for business.
7. During the construction phase of the development, no construction work or use of machinery or deliveries to the site shall take place on Sundays and Bank/Public Holidays or outside the hours of 08:00 and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays.

8. The approved car park shall be constructed, surfaced and marked out, as indicated on the approved plans only, unless any variation to this is otherwise previously approved in writing by the Local Planning Authority; and, shall be available for use prior to the approved after school club building being first brought into use. The approved car park shall thereafter be retained at all times.
9. The approved car park shall not be constructed other than with a dedicated entrance and exit and a one-way system for the movement of vehicles with associated signage in accordance with the details as indicated on the approved plans. These approved arrangements and signage shall thereafter be retained at all times.
10. Prior to the commencement of development, a scheme of off-site works for the provision and installation of up to six lighting columns on Airdrie Crescent close to the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out and completed prior to either the approved car park or the approved after school club building being first brought into use.
11. No external lighting shall be erected or installed on the site other than that where the details of the type, style, height and intensity of lighting have been previously submitted to and approved in writing by the Local Planning Authority. Any lighting approved by this condition shall be angled to direct light onto the play areas/after school club building or car park only and not towards the adjacent woodland trees or neighbouring properties.
12. All hard and soft landscape works indicated on the approved plans shall be carried out in accordance with the approved details within the first planting season of the approved use being first begun. Any planting that becomes diseased, dies, severely damaged or is removed within five years of planting shall be replanted with similar species.

Reasons

1. 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 and to comply with the commencement period of the original permission APP/2017/0373.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure the satisfactory implementation of the proposal. An independent use is likely to lead to further impacts in respect of parking and amenity which would require further consideration, in accordance with Policies GP1 and TM15 of the Burnley Local Plan, Second Review (2006) and Policy NE2 of Burnley's Local Plan - Submission Document, July 2017.
4. To protect local amenity within a residential area, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).

5. To ensure a satisfactory appearance to the development, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006).
6. 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.
7. To protect the amenities of nearby residents, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).
8. To allow for the effective use of the car park and to ensure adequate off-street parking to cater for the needs of the development, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).
9. In the interests of highway safety and to ensure the effective use of the car park, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).
10. To ensure adequate lighting for parents/carers and children arriving or leaving this site, in the interests of public and highway safety, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).
11. To protect local amenity within a residential area and to avoid lighting towards trees that may affect wildlife, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).
12. In the interests of the visual amenities of the site, in accordance with Policies GP1 and H12 of the Burnley Local Plan, Second Review (2006).

65. APP/2017/0561 -Town Hall, Manchester Road, Burnley

Listed Building Application

Proposed roof repairs to rear of building including replacement flue, repairs and reduction in height of two chimney stacks, repair to roof lights/cladding of clock tower mechanism and lift shaft and motor room/guttering/lead weatherings and redecoration of windows in light well

TOWN HALL MANCHESTER ROAD BURNLEY

Decision:

That, subject to the conditions below and any other conditions which may be required following the receipt of further details relating to the proposals and any comments received from the consultation process, the decision to grant Listed Building Consent be delegated to the Head of Housing and Development Control.

Condition

1. The development hereby permitted shall be carried out in accordance with the approved details and/or plans: TO BE AGREED

Reason

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

66. Decisions taken under the Scheme of Delegation

Members received for information a list of decisions taken under delegation for the period 30th October to 26th November 2017.

67. Exclusion of the Public

That the public be excluded from the meeting before discussion takes place on the item relating to Minute 68 since in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972.

68. Public Inquiry

Members considered arrangements for a forthcoming public inquiry.

RESOLVED That the recommendation contained in the report be approved.