



# DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 25th January, 2018 at 6.30 pm

## PRESENT

## MEMBERS

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

### 69. Apologies

None were received.

### 70. Minutes

The Minutes of the last meeting held on 14<sup>th</sup> December 2017 were approved as a correct record and signed by the Chair.

### 71. Declaration of Interest

Cllr Andy Tatchell declared an Other Predjudicial interest in item 6b. He left the room and took no part in the item.

### 72. 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:

ORDER	NAME	SUBJECT
1.	Carole Robinson (AGAINST)	APP/2017/0454&0455 Rowley Farm, Rowley Lane, Burnley
2.	Claire Bradley (AGAINST)	APP/2017/0454, 0455, 0458 & 0459 Rowley Farm, Rowley Lane, Burnley
3.	Cllr David Heginbotham (AGAINST)	<b>APP/2017/0572 Thanet Lee Close, Cliviger, Burnley</b>
4.	Daniel Gaughan (FOR)	APP/2017/0572 Thanet Lee Close, Cliviger, Burnley

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

**73. APP/2017/0461 63 Elm Street, Burnley**

**Full Planning Application  
Proposed single storey rear kitchen extension  
63 ELM STREET, BURNLEY**

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

**Conditions:**

1. The development must be begun 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: KH/01 Dwg 02 and 04, received 20 September 2017.
3. The extension shall be painted in a colour to match the stonework of the existing dwelling within 3 months of this permission.

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

**74. APP/2017/0518 2 Westwood Road, Burnley**

**Full Planning Application**

**Proposed two storey extension, single storey extension and new roof to garage  
2 WESTWOOD ROAD, BURNLEY**

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

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No WR2/5, W.R2/2A & W.R2/1A, received 20 October 2017

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

**75. APP/2017/0454 & APP/2017/0455 Rowley Farm, Rowley Lane, Burnley**

**Full Planning Application and Listed Building Consent**

**Convert barn to two dwellings and shippin to one dwelling (APP/2017/0454)**

**Carry out external and internal alterations for the conversion of barn to two dwellings and shippin to one dwelling (APP/2017/0455)**

**ROWLEY FARM, ROWLEY LANE, CLIVIGER**

**Decision:**

**That authority be delegated 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:-**

**APP/2017/0454**

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Loc1 (1:1250 location plan), received 19 September 2017; access road plan - GFP/2016-LP-20.12.2017, received on 20 December 2017; 2016-

02-07A (Curtilage proposals), received on 6 November 2016; and, 2016-02-08A (Barn - Proposed plans and elevations), 2016-02-04B (Shippon - Proposed plans and elevations) and 2016-02-10 (Landscape plan), received on 18 December 2017.

3. The external materials of construction to be used on the walls of the conversion shall be of matching stone and slate to the existing barn in terms of its type, size, shape, thickness, texture and colour.
4. Prior to development being commenced for either building, representative samples and details of the corresponding external materials to be used on the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved materials.
5. The pointing to be used in the stonework of the development shall be a lime based mortar and brushed back into the stonework.
6. The re-building work to the walls of the barn and shippon shall be confined to the extent as indicated on the approved plans only.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no development shall be carried out on any part of the site within the terms of Classes A, B, C, D, E, F, G and H of Part 1 and Class A of Part 2 of Schedule 2 of the Order without the prior written permission of the Local Planning Authority.
8. All windows and doors to be used in the barn conversions shall be of timber construction only and painted, not stained.
9. All new and replacement rainwater goods or soil pipes to be used in the conversion of the barn shall be in cast iron, aluminium or wood and painted black, unless otherwise approved in writing by the Local Planning Authority.
10. 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.
11. No dwelling shall be first occupied until the improvements to the access to the site as indicated on drawing number GFP/2016-LP-20.12.2017 have been carried out and completed in accordance with the associated Supplementary Comments Reference GFP:2016-02 and 13, received on 20 December 2017.
12. No dwelling shall be first occupied until its associated parking has been constructed and is available for use in accordance with the details as indicated on the approved plans. The approved car parking shall thereafter be retained at all times.

13. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i) the parking of vehicles of site operatives and visitors
  - ii) loading and unloading of plant and materials
  - iii) storage of plant and materials used in constructing the development
  - iv) the erection and maintenance of security hoarding including decorative displays
  - v) measures to control the emission of dust and dirt during construction
  - vi) wheel washing facilities
  - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
  - viii) details of working hours.
  
14. No development approved by this planning permission shall be commenced on each building until:
  - a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
  - b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site.
  - c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
  - d) A Method Statement and remediation strategy, based on the Information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.

Work shall be carried out and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

15. No dwelling shall be first occupied until provision has been made for the storage of refuse and recycling bins as indicated on drawing number 2016-02-10. The approved refuse and recycling storage provision shall be retained at all times.
  
16. No external lighting shall be installed at any part of the application site other than low level lighting which is in accordance with a scheme of external lighting which shall be previously submitted to and approved in writing by the Local Planning Authority. No additional or more intense lighting shall at any time be installed without the prior written permission of the Local Planning Authority.
  
17. No works shall take place on the site until the applicant, or their successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and approved in writing by the Local Planning Authority. A copy of the recording and analysis shall be placed in an appropriate archive following its completion.

18. Prior to any dwelling being first occupied, the cobbles and stone flagging in the existing farmyard shall be retained and repaired and supplemented with cobbles and stone flagging as necessary as indicated on the approved plans. The surfacing of the farmyard shall thereafter be retained as approved at all times.
19. The perimeter stone walls shall be retained as indicated on the approved plans and there shall be no other boundary treatment either on the boundaries or within the application site area unless details of any other form of boundary treatment are first submitted to and approved in writing by the Local Planning Authority.
20. The Reasonable Avoidance Measures in respect of bats and birds shall be carried out prior to and throughout the development process in accordance with the recommendations set out at section 5 of Ecological Appraisal prepared by Bowland Ecology (reference, BOW17/838, dated September 2017) submitted with the application.
21. Prior to the development being commenced, details of how bat and bird nesting features can be incorporated into the barn and shippon shall be submitted to and approved in writing by the Local Planning Authority. The approved bat and bird nesting features shall thereafter be incorporated into the conversion of the buildings and be completed prior to any respective dwelling being first occupied.
22. The rooflights to be used in the development shall have a matt black surround and be fitted flush with the roof slates, in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.
23. 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.
24. Prior to any dwelling hereby approved being first occupied, the apron area at the entrance to Rowley Farm shall be improved with hard and soft landscaping which shall be designed to deter the use of this area for parking, in accordance with a scheme which shall be first submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall thereafter be retained at all times.

## **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.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure the use of appropriate materials 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).

4. To ensure the use of appropriate materials 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).
5. 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).
6. To ensure the integrity of the conversion scheme and its historic interest, in accordance with Policies GP2 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).
7. In order that the Local Planning Authority can assess any future changes on the rural character of the converted 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).
8. To ensure an appropriate appearance to protect the rural character of the former farm buildings, 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).
9. To ensure that these features have a minimal impact on the visual appearance and character of the converted farm buildings, 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).
10. 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).
11. To ensure a satisfactory means of access to cater for the proposed development, in the interests of highway safety, in accordance with Policy EMP6 of Burnley's Local Plan, Submission Document (July 2017) and the National Planning Policy Framework.
12. To ensure adequate access and parking to cater for the development, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006) and Policy EMP6 of Burnley's Local Plan, Submission Document (July 2017) and the National Planning Policy Framework.

13. To safeguard safety and amenity in the vicinity of the construction works, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.
14. To ensure the site is suitable or can be made suitable for the construction of the development upon it, in accordance with Policy GP7 of the Burnley Local Plan, Second Review (2006). It is necessary for the ground investigation report to be submitted and approved prior to the commencement of development in order that any remediation measures that may be necessary can be carried out at the appropriate stage in the development process.
15. To ensure appropriate and discreet external storage for bins away from public views, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006) and Policy EMP6 of Burnley's Local Plan, Submission Document (July 2017).
16. To avoid excessive lighting in the countryside, in accordance with Policy GP2 of the Burnley Local Plan, Second Review (2006) and Policy EMP6 of Burnley's Local Plan, Submission Document (July 2017).
17. To ensure and safeguard the recording and inspection of barns of archaeological/historical importance, in accordance with Policy E19 of the Burnley Local Plan, Second Review (2006). The recording and analysis is required prior to the commencement of development to ensure that a proper recording can take place.
18. To preserve the historic interest and setting of Rowley Farm, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policies HE2 and HE3 of Burnley's Local Plan, Submission Document (July 2017).
19. To safeguard the character and setting of Rowley Farm which is characterised by perimeter stone walls and an open farmyard, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policies HE2 and HE3 of Burnley's Local Plan, Submission Document (July 2017).
20. To ensure that bats and nesting birds which are protected by the Wildlife and Countryside Act 1981 are adequately protected and not harmed by the development, in accordance with Policy E5 of the Burnley Local Plan, Second Review (2006), Policy NE1 of Burnley's Local Plan, Submission Document (July, 2017) and the National Planning Policy Framework.
21. To ensure that the proposal provides for an adequate enhancement of biodiversity, in accordance with Policy E5 of the Burnley Local Plan, Second Review (2006), Policy NE1 of Burnley's Local Plan, Submission Document (July, 2017) and the National Planning Policy Framework.
22. To ensure a satisfactory appearance that respects the 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).



23. 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).
24. To encourage visitors to the area to park at designated car parks close to the site and to protect the residential amenities of neighbouring properties, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006).

**APP/2017/0455 – That Listed Building Consent be granted subject to the following conditions:**

**Conditions:**

1. The works shall start within three years of the date of this consent.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Loc1 (1:1250 location plan), received 19 September 2017; access road plan - GFP/2016-LP-20.12.2017, received on 20 December 2017; 2016-02-07A (Curtilage proposals), received on 6 November 2016; and, 2016-02-08A (Barn - Proposed plans and elevations), 2016-02-04B (Shippon - Proposed plans and elevations) and 2016-02-10 (Landscape plan), received on 18 December 2017.
3. The external materials of construction to be used on the walls of the conversion shall be of matching stone and slate to the existing barn in terms of its type, size, shape, thickness, texture and colour.
4. Prior to development being commenced for either building, representative samples and details of the corresponding external materials to be used on the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved materials.
5. The pointing to be used in the stonework of the development shall be a lime based mortar and brushed back into the stonework.
6. The re-building work to the walls of the barn and shippon shall be confined to the extent as indicated on the approved plans only.
7. All windows and doors to be used in the barn conversions shall be of timber construction only and painted, not stained.
8. All new and replacement rainwater goods or soil pipes to be used in the conversion of the barn shall be in cast iron, aluminium or wood and painted black, unless otherwise approved in writing by the Local Planning Authority.
9. No works shall take place on the site until the applicant, or their successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and approved in writing by the Local Planning

Authority. A copy of the recording and analysis shall be placed in an appropriate archive following its completion.

10. Prior to any dwelling being first occupied, the cobbles and stone flagging in the existing farmyard shall be retained and repaired and supplemented with cobbles and stone flagging as necessary as indicated on the approved plans. The surfacing of the farmyard shall thereafter be retained as approved at all times.
11. The perimeter stone walls and stone water trough shall be retained as indicated on the approved plans and there shall be no other boundary treatment either on the boundaries or within the application site area unless details of any other form of boundary treatment are first submitted to and approved in writing by the Local Planning Authority.
12. The rooflights to be used in the development shall have a matt black surround and be fitted flush with the roof slates, in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

**Reasons:**

1. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure the use of appropriate materials 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).
4. To ensure the use of appropriate materials 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).
5. To ensure the use of appropriate materials 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).
6. To ensure the integrity of the conversion scheme and its historic interest, in accordance with Policies GP2 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).
7. To ensure an appropriate appearance to protect the rural character of the former farm buildings, 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).

8. To ensure that these features have a minimal impact on the visual appearance and character of the converted farm buildings, 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).
9. To ensure and safeguard the recording and inspection of barns of archaeological/historical importance, in accordance with Policy E19 of the Burnley Local Plan, Second Review (2006). The recording and analysis is required prior to the commencement of development to ensure that a proper recording can take place.
10. To preserve the historic interest and setting of Rowley Farm, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policies HE2 and HE3 of Burnley's Local Plan, Submission Document (July 2017).
11. To safeguard the character and setting of Rowley Farm which is characterised by perimeter stone walls and an open farmyard, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policies HE2 and HE3 of Burnley's Local Plan, Submission Document (July 2017).
12. To ensure a satisfactory appearance that respects the 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).

<b>76. APP/2017/0458 &amp; APP/2017/0459 Rowley Farm, Rowley Lane, Burnley</b>
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**Full Planning Application and Listed Building Consent  
Sub-division of farmhouse to form two dwellings (Retrospective) (APP/2017/0459)  
Listed building consent for internal alterations to Sub-divide farmhouse to form two dwellings (Retrospective) (APP/2017/0458)**

**ROWLEY FARM ROWLEY LANE, CLIVIGER**

**Decision:**

**APP/2017/0458: That Listed Building Consent be granted subject to the following conditions:**

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: LBC Loc1 (1:1250 location plan), 2016-13-03 and 2016-13-04, received on 19 September 2017; 2016-02-07A, received on 6 November 2017; 2016-02-10, received on 18 December 2017; and, access road plan - GFP/2016-LP-20.12.2017, received on 20 December 2017.

3. No later than six months from the date of this permission, the existing upvc windows shall be replaced by timber window frames in accordance with details of their design and appearance which shall be first submitted to and approved in writing by the Local Planning Authority. The timber window frames shall thereafter be retained.

### **Reasons**

1. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. The existing windows have previously been installed without the appropriate consent and are inappropriate and insensitive to the historic nature of this Grade II listed building. Replacement window frames are therefore necessary to preserve the special interest and character of this heritage asset, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policy HE2 of Burnley's Local Plan, Submission Document (July 2017).

**APP/2017/0459: That planning permission be granted subject to the following conditions:**

### **Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: LBC Loc1 (1:1250 location plan), 2016-13-03 and 2016-13-04, received on 19 September 2017; 2016-02-07A, received on 6 November 2017; 2016-02-10, received on 18 December 2017; and, access road plan - GFP/2016-LP-20.12.2017, received on 20 December 2017.
3. No dwelling shall be first occupied until its associated parking has been provided and is available for use in accordance with the details as indicated on the approved plans. The approved car parking for each dwelling shall thereafter be retained at all times.
4. No later than six months from the date of this permission, the existing upvc windows shall be replaced by timber window frames in accordance with details of their design and appearance which shall be first submitted to and approved in writing by the Local Planning Authority. The timber window frames shall thereafter be retained.

### **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.

2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure adequate access and parking to cater for the development, in accordance with Policy GP3 and TM15 of the Burnley Local Plan, Second Review (2006).
4. The existing windows have previously been installed without the appropriate consent and are inappropriate and insensitive to the historic nature of this Grade II listed building. Replacement window frames are therefore necessary to preserve the special interest and character of this heritage asset, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policy HE2 of Burnley's Local Plan, Submission Document (July 2017).

**77. APP/2017/0511 72 Rosehill Road, Burnley**

**Full Planning Application**

**Proposed single storey extension and porch (re-submission of APP/2015/0367)  
72 ROSEHILL ROAD, BURNLEY**

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

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, existing and proposed site plans and drawing no. R.R 72/1 received 20 Oct 17

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

**78. APP/2017/0569 48 Lindale Crescent**

**Full Planning Application**

**Conversion of garage to reception and entrance hallway, construction of front porch and dormer to rear of property  
48 LINDALE CRESCENT, BURNLEY**

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

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No: LIN(22) E/P 01, (Existing) LIN(22) E/P 01, (Proposed),
3. No development shall commence until the parking area associated with the site is fully accessible by means of a properly constructed dropped crossing.

**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.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To maintain the proper construction of the footway and reduce the likelihood of damage by vehicles crossing the footway and in accordance with policy TM15 of the Burnley Local Plan Second Review and policy IC3 of the emerging Burnley Local Plan.

**79. APP/2017/0572 3 Thanet Lee Close, Cliviger, Burnley**

**Full Planning Application**

**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**

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

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 100/01A, 02, 100/04A, 100/05, 100/06, 100/07 received 29/11/2017. Dwg nos. 100/03B and 100/08 received 9/1/2018.`
3. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

**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.

2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To limit the number of access points to, and to maintain the proper construction of the highway.

## 80. Decisions taken under the Scheme of Delegation

Members received for information a list of decisions taken under delegation for the period 27<sup>th</sup> November to 31<sup>st</sup> December 2017.

## 81. Appeals and other decisions

Members received for information the outcome of an appeal in relation to:

**APP/2017/0231** Appeal against the refusal of planning permission for the change of use from a Nursing Home (Use class C2) to key worker accommodation (sui generis) at 1 The Paddock, Highfield Avenue, Burnley

The Inspector identified the following as the main issues:

1. The principal issue related to car parking provision. Whilst there would be a choice of transport available to residents in terms of access to nearby hospitals (Burnley and Blackburn), many of the professionals would no doubt want to have access to a car for both social and possibly “on call” purposes. Therefore, even if public transport/shuttle bus, walking or cycling was utilised, many residents’ cars would be parked at the appeal site.
2. The Highway Authority assessment of a required 15 car spaces (discounted on the basis of likely car ownership from a maximum of 22; ie one per resident) was reasonable. The proposal before the Inspector provided 9 parking spaces.
3. The Inspector considered that the proposal would result in additional vehicles being parked on Highfield Avenue, including pavement parking, to the detriment of pedestrian safety and the free flow of traffic along Highfield Avenue where there are already issues associated with street parking.

Appeal Decision – The Inspector **DISMISSED** the appeal.