

DEVELOPMENT CONTROL COMMITTEE

Thursday, 25th January, 2018
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 25th January, 2018 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 the Chief Executive's Office by 5.00pm three days before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall or the Contact Centre, Parker Lane, Burnley. Forms are also available on the Council's website www.burnley.gov.uk/meetings.

A G E N D A

1. Apologies

To receive any apologies for absence.

2. Minutes

5 - 10

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

11 - 12

To consider reports on planning applications for development permission:

a) APP/2017/0461 63 Elm Street, Burnley

13 - 18

Proposed single storey rear kitchen extension.

b) APP/2017/0518 2 Westwood Road, Burnley

19 - 26

Proposed two storey extension, single storey extension and new roof to garage.

- c) **APP/2017/0454 & APP/2017/0455 Rowley Farm, Rowley Lane, Burnley** 27 - 46
- Convert barn to two dwellings and shippon to one dwelling.
 - Listed Building Consent to carry out internal and external alterations for the conversion of barn to two dwellings and shippon to one dwelling
- d) **APP/2017/0458 & APP/2017/0459 Rowley Farm, Rowley Lane, Burnley** 47 - 54
- Listed building consent for internal alterations to Sub-divide farmhouse to form two dwellings.
 - Sub-division of farmhouse to form two dwellings.
- e) **APP/2017/0511 72 Rosehill Road, Burnley** 55 - 64
Proposed single storey extension and porch (re-submission of APP/2015/0367).
- f) **APP/2017/0569 48 Lindale Crescent** 65 - 72
Conversion of garage to reception and entrance hallway, construction of front porch and dormer to rear of property.
- g) **APP/2017/0572 3 Thanet Lee Close, Cliviger, Burnley** 73 - 80
Proposed new porch extension, utility extension, new drive entrance & alterations to garage and elevations. New disabled ramp to allow access to garden area.
- 7. Decisions taken under the Scheme of Delegation** 81 - 88
To receive for information a list of delegated decisions taken since the last meeting.
- 8. Appeals and other decisions** 89 - 92

MEMBERSHIP OF COMMITTEE

Councillor Frank Cant (Chair)
Councillor Arif Khan (Vice-Chair)
Councillor Gordon Birtwistle
Councillor Margaret Brindle
Councillor Trish Ellis
Councillor Danny Fleming
Councillor Sue Graham
Councillor John Harbour

Councillor Marcus Johnstone
Councillor Lubna Khan
Councillor Neil Mottershead
Councillor Andrew Newhouse
Councillor Tom Porter
Councillor Asif Raja
Councillor Andrew Tatchell
Councillor Cosima Towneley

PUBLISHED

Wednesday, 17 January 2018

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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
	–

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.

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BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for
Committee consideration

25th January 2018

Housing and Development

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Part One Plan

Housing & Development
9 Parker Lane

Agenda Item 6a

Ref.

APP/2017/0461

Paul Gatrell Head of Housing and Development

Location:



63 Elm Street, Burnley

1:1250



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Application Recommended for APPROVAL
Daneshouse with Stoneyholme Ward

APP/2017/0461

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

Background:

This is a retrospective application for a single storey rear extension.

APPLICATION EXTENSION:



NEIGHBOURING EXTENSION:



OTHER EXTENSIONS ALONG THE STREET:



An objection has been received.

Relevant Policies:

Burnley Local Plan Second Review

GP1 – Development within the Urban Boundary

GP3 – Design & Quality

H13 – Extensions and Conversions of Existing Single Dwellings

Burnley's Local Plan: Proposed Submission Document – March 2017

SP4 – Development Strategy

SP5 – Development Quality and Sustainability

HS5 – House Extensions and Alterations

Site History:

No relevant history

Consultation Responses:

Neighbouring resident objects on the following grounds:

- Proposal blocks sunlight
- Damp concern
- Party Wall issue

The neighbour has constructed an extension of the same scale and design which requires planning permission. The sunlight issue is no different prior to the construction of this proposal. The neighbour also installed a smaller lounge window and reduced their sunlight.

Planning and Environmental Considerations:

The main considerations in determining this application relates to the impact that the extension has on the character and appearance of the existing house, surrounding area and the impact on the amenities of neighbouring properties.

Given the location of the mid-terrace property, the extension does not appear overly dominant within the street scene and forms a natural extension to this existing terrace given its design & style. Many other properties have similar and larger extensions to the rear which are acceptable since the precedent has been set many years ago.

The width and depth of the extension is relative to the existing dwelling, and considered appropriate to the existing property which does not result in the extension over dominating the existing property or detracting from the appearance of the rear elevations of the property. It would replicate the extension built to the adjoining property

The use of materials matches the existing property and ensures its compatibility with the existing dwelling.

The extension would not have any direct impact on the neighbouring properties in terms of loss of light or appearing unduly overbearing. The only impact would be to the applicants own windows and this does not result in the application being refused.

The proposal provides an improved kitchen/utility facility which is necessary and will improve the living conditions.

Conclusion

The proposed single-storey extension is not detrimental to the character and appearance of the existing dwelling or the character of the surrounding area. It therefore accords with local plan policies.

Recommendation:

That planning permission be granted.

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 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***

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.

AA 08/01/2018

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Part One Plan

Agenda Item 6b

Housing & Development
9 Parker Lane

Ref.

APP/2017/0518

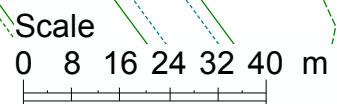
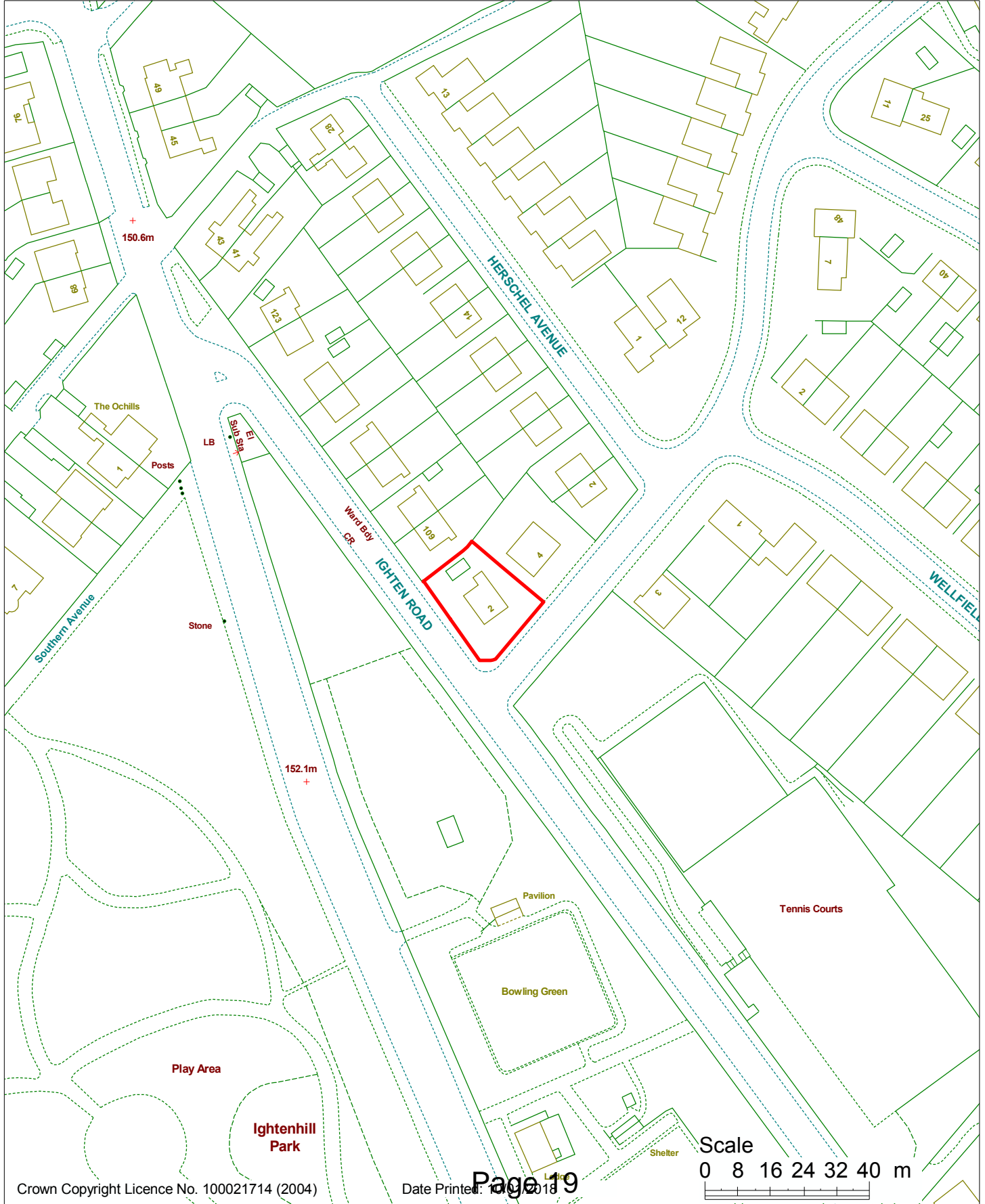
Paul Gatrell Head of Housing and Development

Location:



2 Westwood Road, Burnley

1:1250



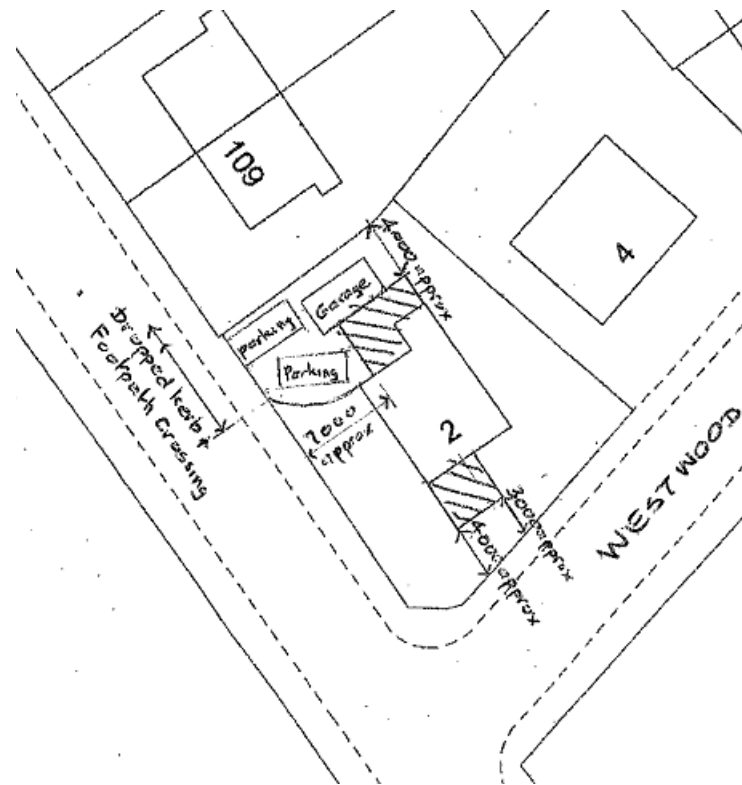
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Full Planning Application

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

Background:

The proposal is to erect a single storey extension to the side elevation along Westwood Road and Double Storey extension facing Ighten Road with a new roof to the existing garage.



WESTWOOD ROAD - ELEVATION



IGHNTEN ROAD - ELEVATION



An objection has been received.

Relevant Policies:

Burnley Local Plan Second Review

GP1 – Development within the Urban Boundary

GP3 – Design and Quality

H13 – Extensions and Conversions of Existing Single Dwellings

Burnley's Local Plan: Proposed Submission Document – March 2017

SP4 – Development Strategy

SP5 – Development Quality and Sustainability

HS5 – House Extensions and Alterations

Site History:

No relevant history

Consultation Responses:

LCC Highways Burnley

The proposal retains 4 beds and 3 off street parking spaces, raising no highway concerns and therefore no objections are raised to the proposal.

Neighbouring resident objects on the following grounds:

- Loss of sunlight and daylight and overshadowing
- Increased overlooking and loss of privacy
- Increased flood risk

Planning and Environmental Considerations:

Principle

The application site lies within the built up area and the principle of extensions to existing dwellings is acceptable under Policy H13 of the Local Plan, subject to ensuring compatibility with the existing dwelling, character of the area and neighbouring amenity.

Design

Single Storey Extension

The proposed extension is considered to be well composed, proportionate to the size and scale of the host building and would have a roof with x2 velux roof lights. It is considered that the proposal would not be harmful to the appearance or the character of the existing dwelling house and is acceptable.

The proposed extension would be sympathetic to the original dwelling and would be of an appropriate scale in relation to the existing dwelling. The proposal would not cause any demonstrable harm to the character and appearance of the dwelling due to its use of matching materials (white upvc, facing brick, concrete roof tiles to match the existing house).

Two Storey Side Extension

The proposed side extension would match the eaves height of the main dwelling, however it would be set back from the front elevation by 1m and have a slightly lower overall roof height. It would join to the existing garage.

Due to lower height of the roof and the set-back, the extension would appear subordinate to the host property. The design of the roof is therefore considered acceptable as the development does not interrupt the regular built rhythm of the street and thereby does not appear incongruous. The proposed materials match those of the host dwelling and are acceptable.

Garage Roof

A new roof is proposed to the garage which will improve the design/appearance and will not have any further impact to the surrounding area.

Amenity

Single Storey Extension

It is considered that the proposal would not have any impact on the residential or visual amenities of either adjacent properties, in particular terms of loss of light, loss of outlook or by being overbearing.



Two Storey Side Extension

The side extension would not project beyond the rear wall of the property and it is noted that the neighbour does have a window to the side elevation which is obscurely glazed. The space between both properties would not be compromised and so no amenity space would be affected. It is appreciated that the land levels differ and the proposed site is located higher, however the neighbour already experiences such surroundings and the proposal would not significantly alter the situation to a point that a significant level of harm is being caused over and above the present situation.

As such, the side extension is not anticipated to have any detrimental impacts on amenity through over-shadowing, over-looking or an over-bearing impact.

No other surrounding properties will be affected by this proposal.



Rear of 2 storey extension

Parking and highway safety

The development would 4 bedrooms and therefore an increase in parking demand is not anticipated. The highway authority is satisfied with the proposal and request 3 off-road parking spaces will remain available at all times.

Consequently no further access, parking or highway safety concerns are identified

Conclusion

By reason of siting, scale and design I consider the proposed extension will be compatible with the character, layout, scale and design of the area. The proposal will also provide adequate standards of amenity and privacy for the occupants. The proposal therefore accords with the local plan policies.

Recommendation:

That planning permission be granted

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.

AA – 11/01/2018

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Housing & Development
9 Parker Lane

Ref.

APP/2017/0454

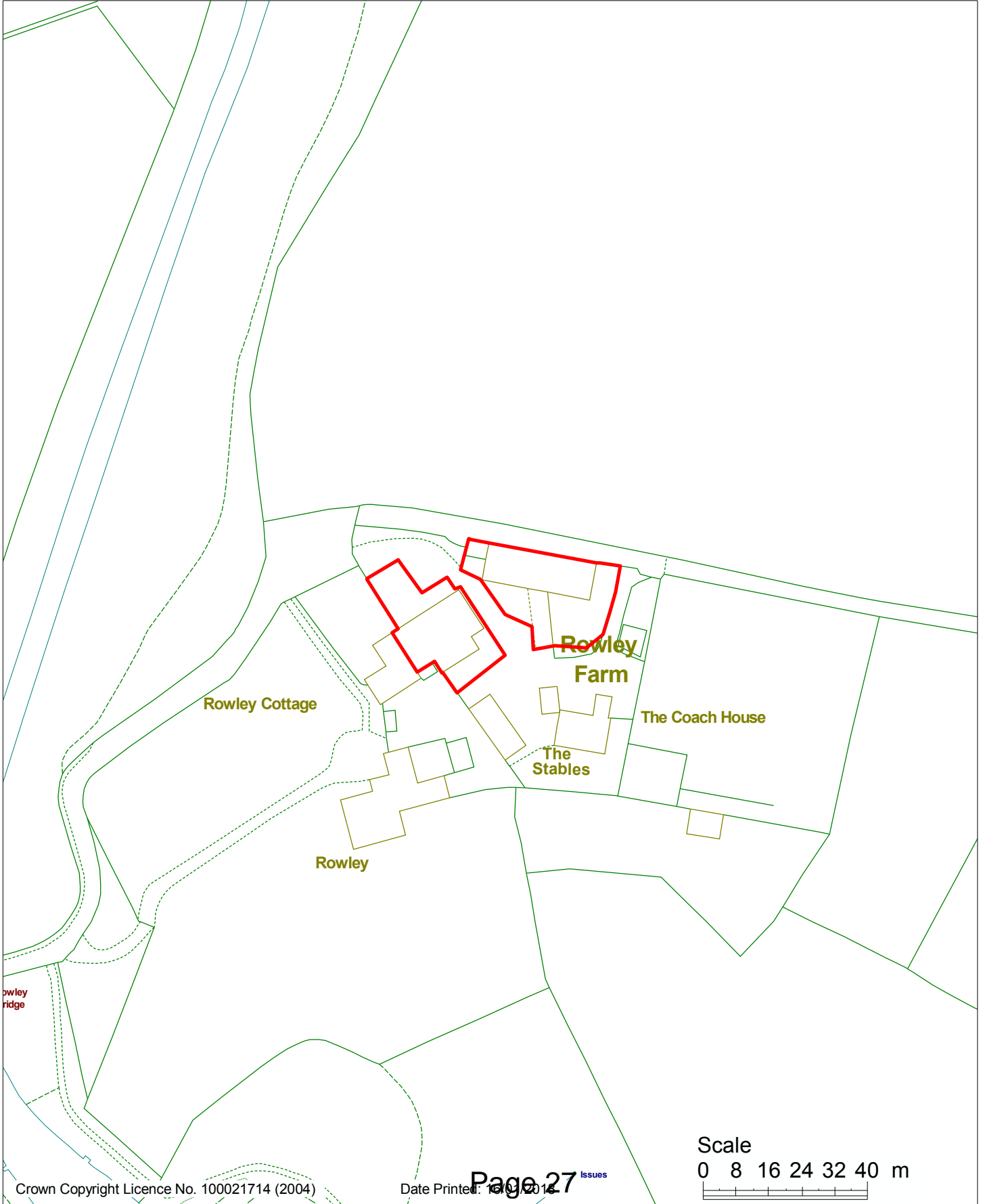
Paul Gattrell Head of Housing and Development

Location:



Rowley Farm, Rowley Lane, Burnley

1:1250



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Cliviger and Worsthorne ward

Full Planning Application and Listed Building Consent

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

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

ROWLEY FARM ROWLEY LANE

Background:

The proposals relates to a large two storey barn and single storey shippon at Rowley Farm which is set within the rural area between Burnley and Worsthorne, accessed from Rowley Lane off Brunshaw Road. Also accessed off Rowley Lane and to the south side of the farm is a public picnic area and fishing lake. Rowley is a small historic rural farmstead which comprises Rowley Hall (dated 1593 is Grade II listed and replaced by an ancient farmstead), Rowley Farmhouse which appears to have been the Home Farm for Rowley Hall (built late 18th Century with 19th Century alterations), Rowley Cottage (not listed), Coach House and Stables (converted to two dwellings, not listed but regarded as curtilage listed buildings) and the application buildings, a large two storey stone barn and single storey stone shippon within the farmyard of Rowley Farm.

South elevation of Barn



View of west gable and public footpath (along track)



The barn is interrupted on its south elevation by a timber building that would be demolished, The track on the north side of the barn is the route of Public Footpath No. 2 (Worsthorne with Hurstwood) and forms the access to the Coach House and Stables. The date of the barn and shippon are not known but in the case of the barn, this could be as early as 1850 and in the case of the shippon, this may be a similar age and may have been built prior to the barn. The buildings are not included in the statutory list of listed buildings but by reason of their position with the farmyard and historic association with Rowley Farm, they should be regarded as Curtilage Listed Buildings which gives them the same protection as a statutory listed building. As a result of this, permission is also sought for listed building consent.

Shippon – south elevation



Shippon – east elevation

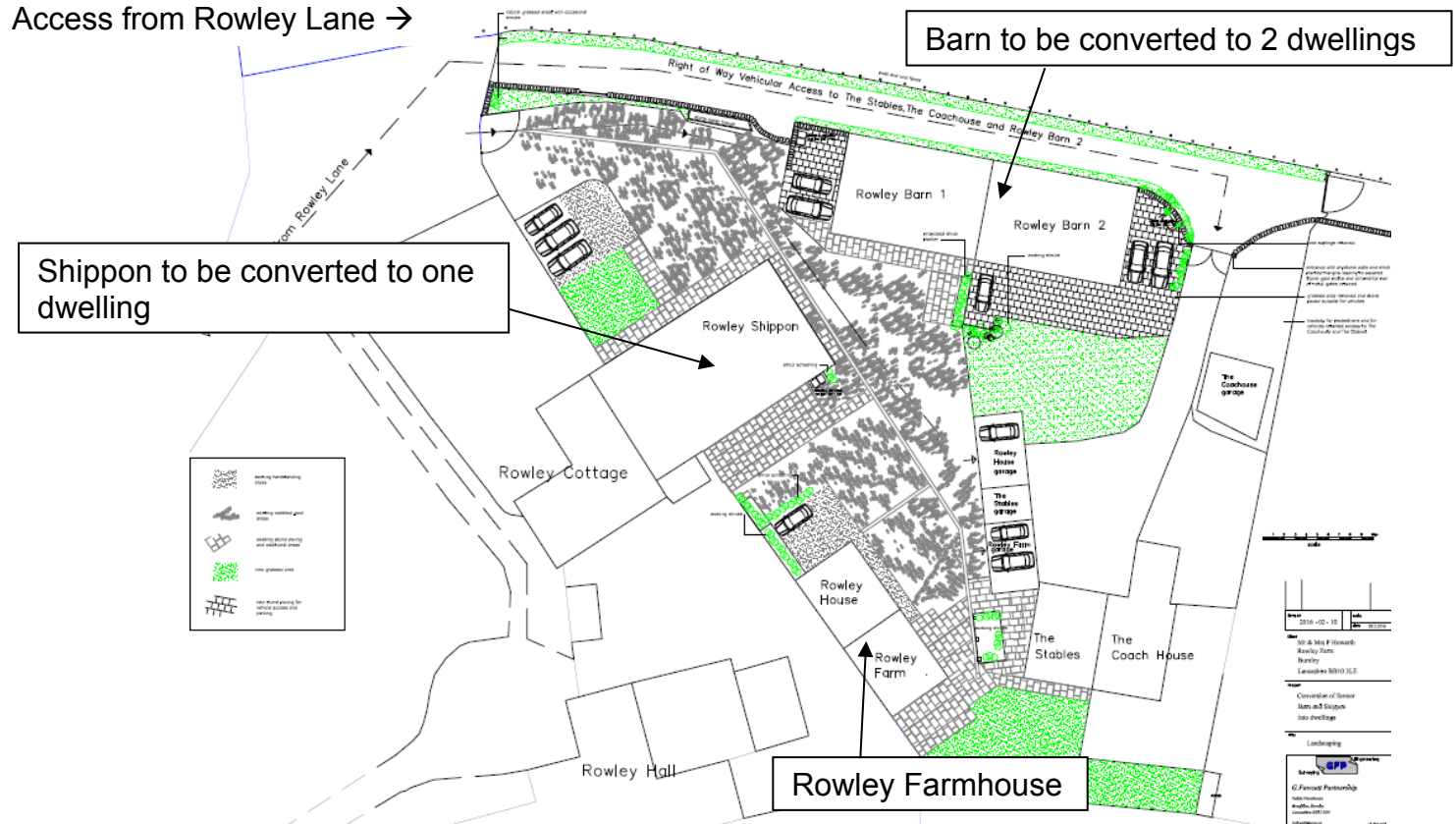


The shippon previously had a stone slate pitched roof which was reduced to a flat roof after a fire in 1991. The west wall of the shippon is attached to the gable wall of Rowley Cottage.

The proposals are to carry out internal and external alterations to facilitate the conversion of these buildings to residential use. The larger barn would be sub-divided to form two dwellings whilst the smaller shippon would be a single dwelling.

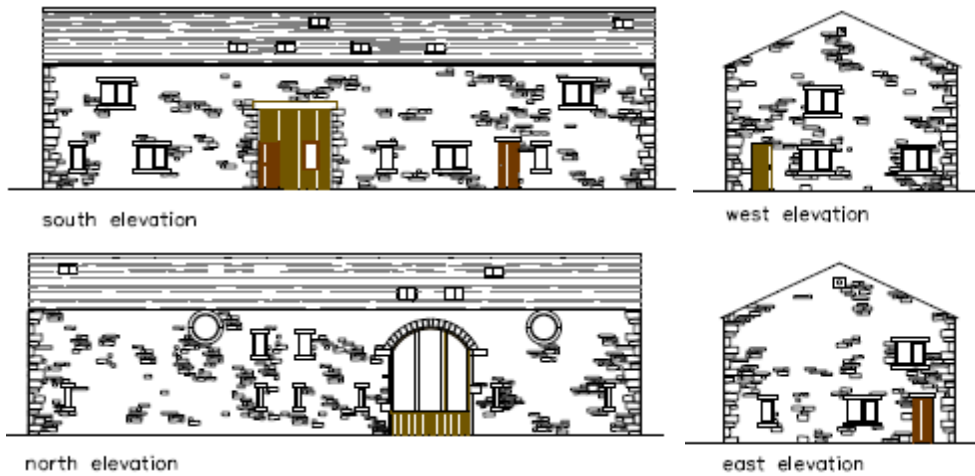
Proposed Site Plan

Access from Rowley Lane →



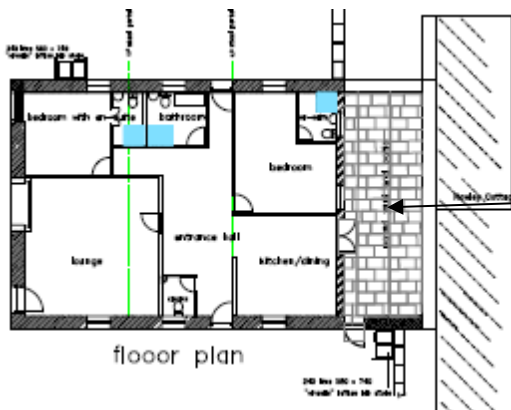
The conversion of the larger barn would involve removing the timber panelling on part of its southern elevation and infilling with matching stone and replacing the existing

corrugated roof with slate. The existing large cart door openings and circular windows on the north elevation would be retained and a moderate number of new openings and rooflights would be inserted. Amended plans have been received to



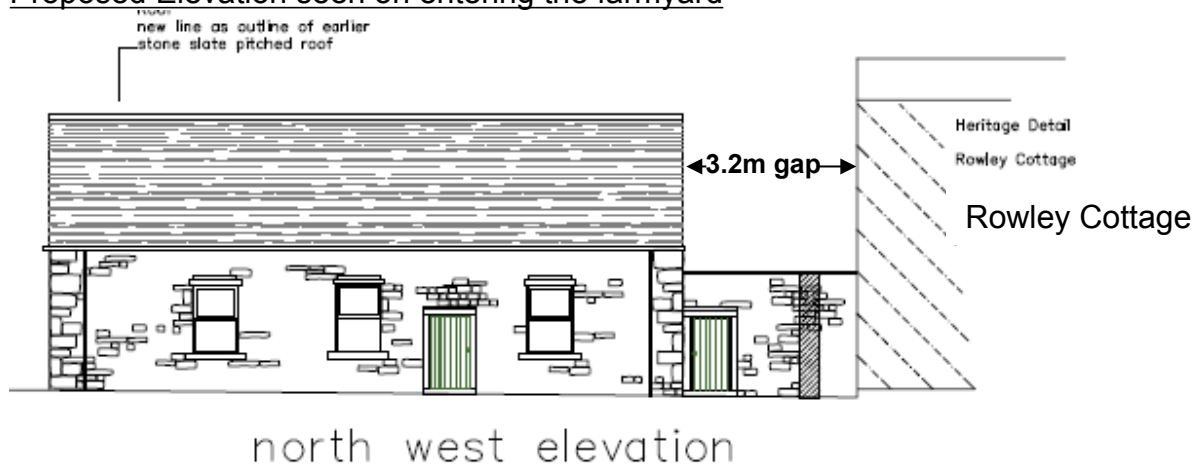
reduce the number of new windows at first floor level. As a result, there would be two new first floor windows to the south elevation, one to each of the gables and two narrow windows to the north elevation. Internally, the existing roof trusses are damaged from a former fire and would need to be replaced for structural stability.

Shippon - Proposed floor plan



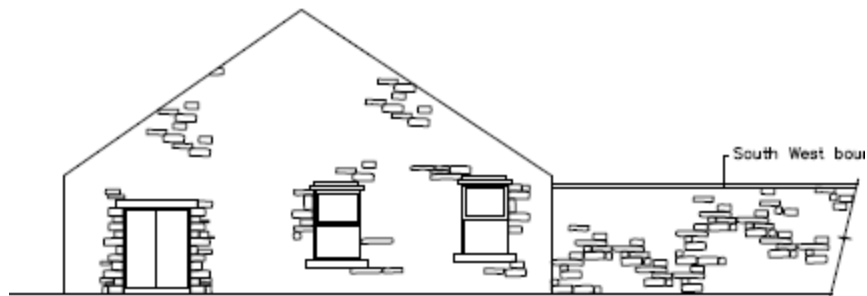
The shippon would be made detached from the gable wall of the adjoining Rowley Cottage and the space between the cottage and the recessed new shippon gable wall, made into a paved patio area.

Proposed Elevation seen on entering the farmyard



The proposed pitched roof would be similar to the former roof but would be covered in slate rather than stone slate as original. Existing openings would be re-used with new timber frames and door.

Elevation seen from Rowley Cottage



south west elevation

The elevation above would be created from a reduced footprint of the shippon and would be viewed from a small secondary first floor bedroom at Rowley Cottage and out of direct public view.

Elevation facing into farmyard



north east elevation

Relevant Policies:

Burnley Local Plan Second Review

GP2 – Development in rural areas

GP3 – Design and quality

E5 – Protected species

E8 – Development and flood risk

E10 – Alterations, extensions, change of use and development affecting listed buildings

E19 – Development and archaeological remains

E27 – Landscape character and local distinctiveness in rural areas and green belt

GP7 – New development and the control of pollution

TM6 – Walking and horse riding in the countryside

TM15 – Car parking standards

Burnley's Local Plan – Submission Document, July 2017

SP1 – Achieving sustainable development

SP4 – Development strategy

SP5 – Development quality and sustainability

EMP6 – Conversion of rural buildings

HE2 – Designated heritage assets

HE3 – Non-designated heritage assets

NE1 – Biodiversity and ecological networks

CC4 – Development and flood risk

IC1 – Sustainable travel

IC2 – Managing transport and travel impacts

IC3 – Car parking standards

National Planning Policy Framework

Site History:

None.

Consultation Responses:

LCC Highways

No objection. The access details and parking provision is acceptable. In respect of the access on Rowley Lane and the impact of additional traffic, the development will increase the use of the lane but based on the existing road conditions and the injury accident records both along its length and at the junction with Brunshaw Road (no injury accidents), there is no evidence that would support a recommendation for refusal on highway grounds. There is no objection therefore on highway grounds. In respect of maintenance, Rowley Lane is unadopted.

Greater Manchester Ecology Unit (GMEU)

The survey submitted with the application finds the site to have low ecological value and given the localised nature of the works, no impact on other habitats or designated sites is likely. The Appraisal makes a number of recommendations in relation to bats, birds and enhancement measures and would advise that these are required by condition.

Publicity

Objections have been received from the adjoining cottage (Rowley Cottage) and Rowley Hall, the latter being submitted by Kirkwells planning consultancy. A further letter has been received from Rowley Hall which maintains their objection following the receipt of various amendments and additional information. The main points of objection are summarised below:-

- Impact on the heritage of Rowley as an historic settlement, originating with the Hall (1593) followed by the Farm (late 18th Century onwards with its array of associated farm buildings.
- Where there is harm to a heritage asset there is a statutory presumption in favour of preservation and against the grant of planning permission.

- The development will erode its character by the subdivision of all the farm, barn and curtilage which would be detrimental to the setting of the listed buildings.
- There are a significant number of unsuitable new openings, especially at first floor level in the barn, which affect the simple character and form of the buildings and introducing suburban influences into a rural setting.
- Issues with poor visibility at the junction of Rowley Lane and Brunshaw Road where there is a bus stop on either side of the road
- Access from the Rowley picnic area onwards is via a private road which is single track, bounded by a wall around Rowley Hall and fencing around the Brun Valley Forest Park which has paths used by walkers, riders and cyclists. Three (soon to be four) rights of way cross the access to the proposed development.
- There is no street lighting in the vicinity. Problems occur from visitors accidentally using the private road where access is narrow and without opportunities to turn around until the farm is reached. Farm vehicles and refuse vehicles will not reverse, making cars reverse all the way back to the farm. Reversing in the dark is dangerous; blind bend makes this more difficult.
- The road is in poor condition, is ungritted and turns to ice, also floods where there is a dip.
- The extra 4 houses in addition to the existing situation with 5 dwellings and farm traffic, will create significant problems and conflicts with the recreational uses promoted in the area.
- Would have a severe cumulative impact on the highway to the detriment of pedestrians, cyclists and horse riders
- Inaccuracies with plans and survey plans indicating pitched roof rather than existing flat roof.
- New roof of shippon would be 3.6m from gable window of adjoining cottage.
- Concerns about how the exposed gable wall of the adjoining cottage will be treated and its impact on the character of settlement.
- Significant adverse impact on residential amenity due to impact on the privacy and outlook of the occupants of Rowley Cottage due to the proposed pitched roof, loss of light and the noise and disturbance from a yard area adjacent to a bedroom window.
- Doubling the amount of families in the hamlet will affect privacy.
- The barn and shippon are currently in use and therefore are not redundant or disused buildings.
- The development would result in a requirement for further agricultural buildings in order to maintain the livestock operation which would impact on the historic character of the area and the landscape character.
- There is a lack of private amenity space for each dwelling.
- There is insufficient amenity space to accommodate the required car parking.
- Will affect the wildlife (foxes, deer, badgers, hares) and there is no evidence that the proposal would not detrimentally affect habitats of protected species.
- The tarmacking of the apron at the entrance to the farm will encourage more people to come and park up, night and day. Anti-social behaviour already occurs because of this. Request permission from owner to landscape this area to deter its use as a meeting place.

Planning and Environmental Considerations:

Principle of proposal

Policy GP2 permits the re-use of existing buildings in the rural area provided that the building is capable of re-use without complete or major reconstruction. Policy EMP6 of the emerging local plan (Submission document of Burnley's Local Plan) permits the re-use and conversion of existing buildings outside of development boundaries to new uses provided it meets a number of criteria, which amongst others, includes the above requirement of Policy GP2 and that it would not adversely affect the character, rural setting and appearance of the surrounding landscape. The National Planning Policy Framework (the Framework) at Paragraph 55 promotes sustainable development in rural areas and states that new isolated dwellings in the countryside should be avoided unless there are special circumstances, which includes where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

Rowley has not operated as a working farm since the sale of the farm in 1995 and despite occasional use by another farmer, the barn and shippon are redundant from use. The buildings have historic significance, are substantial in size and appear to be capable of conversion without any major re-building and as such would comply in principle with Policy GP2 and the Framework subject to detailed consideration, including any impacts from the proposal on highway safety, residential amenity and on protected species. In this case, the barn and shippon are regarded as curtilage listed buildings and as such, consideration must be given to the effect of the proposed works on the non-designated heritage assets and account should also be taken of the desire to preserve the special interest of the adjacent listed buildings at Rowley Farm and Rowley Hall in terms of the contribution of the barn and the shippon to their setting.

Impact on heritage assets

Policy E10 of the Local Plan and Policy HE2 of the emerging local plan seek to protect the character and historic interest of listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers upon local planning authorities a duty to have special regard to the desirability of preserving the interest of a listed building or its setting. The National Planning Policy Framework (the Framework) states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Where development would lead to substantial harm, the Framework indicates that it should be refused, whilst where the proposal would lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Rowley Farm is significant to the setting of the older (Grade II listed) Rowley Hall and the 19th Century buildings that are evident today would have replaced earlier buildings associated with the Hall. The barn and shippon are significant components of the farmyard which forms the historic setting for the Grade II listed farmhouse. The preservation of these buildings is therefore necessary to preserve the setting of the listed farmhouse and hall. The proposed plans have been amended over the course of the application process with the purpose of minimising the amount of alteration to the buildings and the farmyard in order to preserve their agricultural appearance and their farmyard setting. Some new windows are necessary, particularly in respect of the larger barn and stone infilling is also required to replace timber cladding on the south elevation. The removal of the timber building attached to part of the south elevation, the re-use of the existing larger openings and sensitive treatment to new

openings, and a replacement slate roof, would preserve the form and principal features of the agricultural building.

The shippon would be reduced in size by a length of approximately 3.2m in order to separate it from the adjoining Rowley Cottage (unlisted) and would also be altered by the removal of blockwork additions and the re-instatement of a pitched roof. The reduction in the shippon's footprint would be mostly evident at roof level due to the retention of the side walls which enclose the new paved yard/patio. The mass of the building would preserve its presence and the sensitive treatment to remove more modern additions, form a pitched roof and make use of existing openings would preserve its character and its contribution to the setting of the farm. The exposed part of the gable of Rowley Cottage is currently rendered and this will be removed and replaced to produce an evenly finished render. A condition is recommended to ensure the details of this are satisfactory.

Minimal alteration is proposed to the farmyard. The existing cobbled yard would be retained and existing stone flagging retained and improved at the open parking areas and areas around the perimeter of the buildings. No visible subdivision of the farmyard is proposed in the form of boundary treatment. The presence of parked cars and small areas of landscaping would display domestic influences but the open setting of the farmyard would therefore be essentially preserved. The impact of the proposal would therefore amount to less than substantial harm on the setting of Rowley Farm and Rowley Hall. The re-use of the curtilage listed buildings and their sensitive conversion in sustaining the setting of Rowley, albeit not in agricultural use, would be a significant benefit that would outweigh any limited harm from the development. The removal of permitted development rights would be necessary to ensure that any future changes are controlled to protect the historic interest of the buildings and the setting. The proposal would therefore be acceptable in terms of Policy GP2, HE2 and the Framework.

Impact on residential amenities

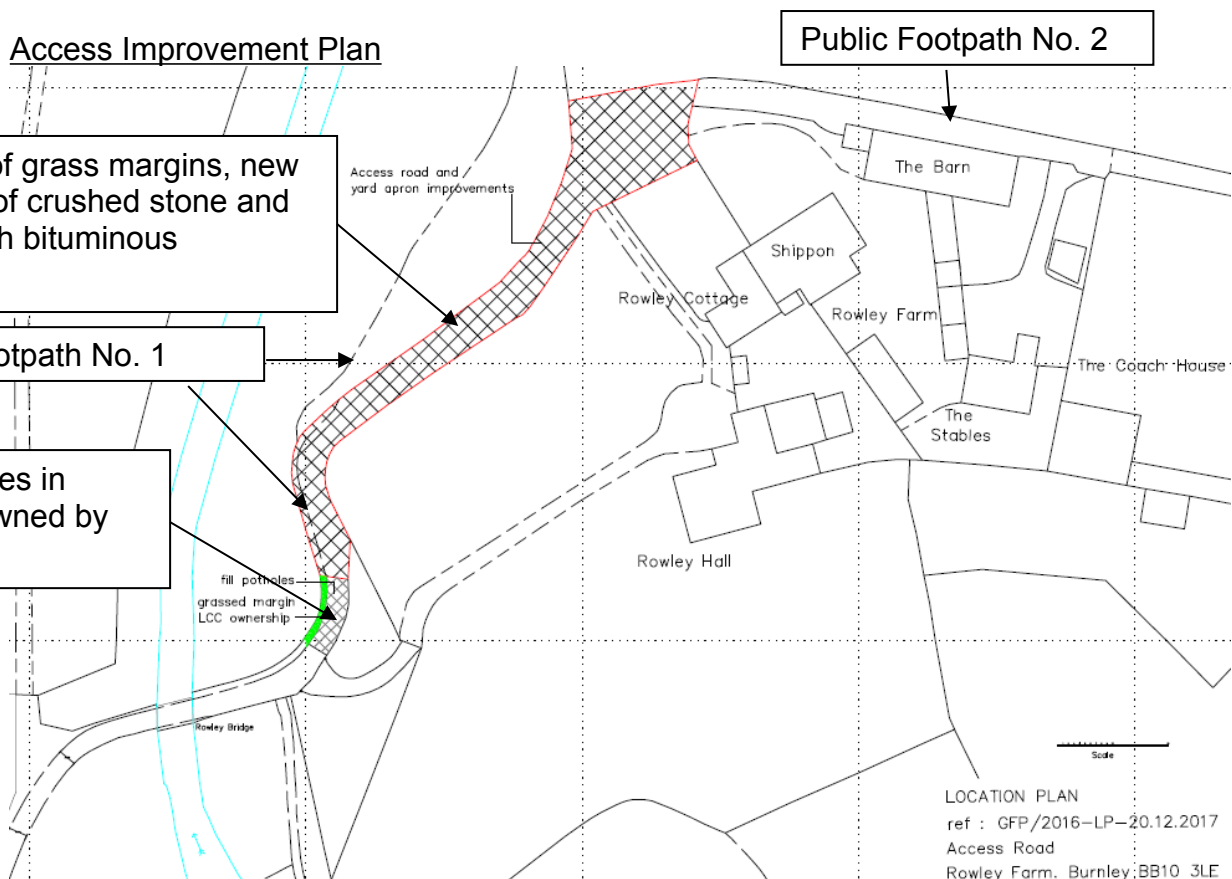
A Core Planning Principle of the Framework is to seek a good standard of amenity for all existing and future occupants of land and buildings. Neighbour objections refer to loss of privacy and disturbance from the close position of the shippon and outside patio to an adjoining property which contains a first floor secondary bedroom window. The proposed conversion of the shippon would create no direct overlooking into the higher level neighbouring window and the level of disturbance from its position above an enclosed patio area would be offset by the former farming activities that would have been associated with the building and the farm. The re-instatement of a pitched roof would have a minor impact on the outlook from the window but would not be significantly affected by daylight, due to the position and separation of the window in relation to the proposed roof. There would therefore be no direct impacts from the proposal on the amenity of the adjoining occupier or other neighbouring properties. The general increase in activity that would be associated with three additional dwellings is unlikely to significantly affect existing amenities, particularly as the site has previously been in active use with farm traffic and livestock.

Impact on highway safety

Policy EMP6 of the emerging local plan permits the conversion of rural buildings where, amongst other things, vehicular access can be created without the need for substantial engineering works. The Framework states that account should be taken of whether safe and suitable access to the site can be achieved and whether

improvements can be made that cost effectively limit the significant impacts of the development. It also states that development should only be prevented or refused on transport grounds where the cumulative impacts of the development are severe.

Adequate car parking would be provided for all 3no. dwellings. Neighbour objections refer to the poor visibility at the junction of Rowley Lane and Brunshaw Road and the impact of additional car movements associated with an increase in the number of dwellings [an increase in 3no. dwellings from this proposal] using the single width lane that serves Rowley picnic area and fishing lake as well as an existing 5no. dwellings. The objections also state that part of the lane is in poor condition, is un-lit and involves a blind bend. The initial length of the lane up to the picnic area is in the ownership of Burnley Borough Council and is in good condition. It is used by walkers and visitors to the picnic area and fishing lake. LCC Highways affirm that the increase in use from the proposed three dwellings would not significantly affect the use of the lane or highway safety. At a point approximately 14m to the north side of the access to Rowley Hall, the lane is the ownership of Rowley Farm and the applicant has set out works to improve this part of the lane up to the entrance into the farmyard.



The improvement works would provide more opportunities for cars to pass and improve the conditions for all users. The lane is also the route of Public Footpath No. 1 (Worsthorne with Hurstwood) for part of its route. The small increase in use of the lane that would result from the development would be partly offset by the loss of potential farm traffic and would not significantly affect the safety of the lane for vehicular or pedestrian traffic. A condition is however recommended to ensure that the proposed improvements are carried out in order to ensure a satisfactory level of access for all future occupiers of the development.

In terms of improvements to the accessibility of the location, the Council's Head of Greenspaces and Amenities has requested that the applicant agree formally to the upgrading of the existing public footpath No. 2 to a Green Way as part of a longer route for cyclists and horse riders between Burnley and Worsthorne. No contribution is being sought, solely a mechanism to secure the applicant's agreement to the change of status of that part of the footpath that is in the ownership of Rowley Farm. Given that this would be a benefit to the future occupiers of the development and to the public in general, the applicant's agreement to this request is being sought and a response will be reported in the late correspondence issued prior to Committee.

Subject therefore to the proposed improvements to the lane, proposed car parking and the upgrading of Public Footpath No.2 to part of a Green Way, the proposal would be adequately accessible and would not significantly affect highway safety.

Impact on protected species

Policy E5 of the Local Plan states that the presence of a protected species will be a material consideration in determining any planning application. Policy EMP6 of the emerging plan permits the conversion of rural buildings where, amongst other things, it would safeguard the roosting or nesting habitat of any protected species that is present. An Ecological Appraisal submitted with the application found that the buildings have low ecological value. As such, a qualified ecologist at GMEU, in assessing the proposal for the Council, concludes that the proposal would not impact on habitats or designated sites but requests that enhancement measures should be carried out by incorporating bat and bird nesting features in the converted buildings. A condition is therefore recommended to ensure these measures are carried out.

Other issues

The site is within Flood Zone 1 and is not likely to lead to the risk of flooding.

No desk top study has been submitted to identify how past uses may have contaminated the barn and shippon and as such a condition is recommended to require this to be carried out prior to any development being commenced.

A neighbouring property has requested that the applicant allow the neighbour to landscape and plant the entrance area to Rowley Farm in order to deter its use by members of the public. The request has been passed onto the applicant's agent and should be dealt with as a private matter.

Conclusion

The proposed conversion of the barn and shippon to a total of 3no. dwellings would make efficient use of redundant farm buildings which are substantial in size, of historic interest and make a positive contribution to the rural landscape and the setting of Rowley Farm and Rowley Hall. The proposed conversion has been sensitively designed to retain the agricultural character and appearance of the former farm and preserve the setting of designated heritage assets. The development is unlikely to significantly affect highway safety, residential amenities or protected species and conditions can be imposed to mitigate against any of the impacts that may arise. In considering the impact of the development on the historic interest of the barn and shippon as curtilage listed buildings and the desire to preserve the special interest and setting of Rowley farm and Rowley Hall, the proposal would have less than substantial harm to these heritage assets and their setting and any harm resulting from the loss of agricultural use within the farmstead would be outweighed by the sensitive

preservation of the buildings. It is therefore recommended that planning permission and listed building consent be granted subject to conditions set out below.

Recommendation for APP/2017/0454 : Approve with 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: 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 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 buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development 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.

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 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. 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).

Recommendation for APP/2017/0455 : Approve Listed Building Consent

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).
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).

JF
16/01/17

Housing & Development
9 Parker Lane

Ref.

APP/2017/0458

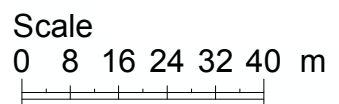
Paul Gatrell Head of Housing and Development

Location:



Rowley Farm, Rowley Lane, Burnley

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Applications Recommended for Approval

APP/2017/0458 and
APP/2017/0459

Cliviger with Worsthorne Ward

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

Background:

These applications are retrospective as the works to sub-divide this Grade II listed farmhouse at the historic farm settlement of Rowley have already been carried out.

The farmhouse sits adjacent to Rowley Hall (Grade II listed) and within the farmstead of Rowley, accessed from the farmyard which consists of a barn and shippon which are subject to concurrent applications (APP/2017/0454 and APP/2017/0455) for their conversion to residential use as well as a former barn that has been previously converted to two dwellings (the Coach House and Stables) and outbuildings which provide garaging.



The farmhouse was built late 18th Century with 19th Century alterations which is likely to have included its front façade. There is evidence that the building was previously occupied as two dwellings, although has more latterly the farmhouse has been in family occupation for a number of generations and closely associated with the running of the farm which ceased as a working farm in 1995.

No external alterations are proposed to create the proposed sub-division of the farmhouse into a pair of semi-detached houses. Internal alterations are also minimal, involving the formation of a second staircase and the closing of a doorway at the

ground and first floors. The proposal provides 2no. two bedroom houses. No new physical boundaries would be formed around the properties and parking would be provided in the existing garages in the farmyard and an open parking space.

Relevant Policies:

Burnley Local Plan Second Review

GP2 – Development in rural areas

GP3 – Design and quality

E10 – Alterations, extensions, change of use and development affecting listed buildings

TM15 – Car parking standards

Burnley's Local Plan – Submission Document, July 2017

SP1 – Achieving sustainable development

SP4 – Development strategy

SP5 – Development quality and sustainability

HE2 – Designated heritage assets

IC1 – Sustainable travel

IC2 – Managing transport and travel impacts

IC3 – Car parking standards

National Planning Policy Framework

Site History:

None.

Consultation Responses:

LCC Highways

No objections.

Publicity

Objections have been received from the adjoining cottage (Rowley Cottage) and Rowley Hall, the latter being submitted by Kirkwells planning consultancy. A further letter has been received from Rowley Hall which maintains their objection following the receipt of various amendments and additional information. The main points of objection are summarised below:-

- Impact on the heritage of Rowley as an historic settlement, originating with the Hall (1593) followed by the Farm (late 18th Century onwards with its array of associated farm buildings.
- Where there is harm to a heritage asset there is a statutory presumption in favour of preservation and against the grant of planning permission.
- The development will erode its character by the subdivision of all the farm, barn and curtilage which would be detrimental to the setting of the listed buildings.
- Issues with poor visibility at the junction of Rowley Lane and Brunshaw Road where there is a bus stop on either side of the road.
- Access from the Rowley picnic area onwards is via a private road which is single track, bounded by a wall around Rowley Hall and fencing around the Brun Valley Forest Park which has paths used by walkers, riders and cyclists. Three (soon to be four) rights of way cross the access to the proposed development.

- There is no street lighting in the vicinity. Problems occur from visitors accidentally using the private road where access is narrow and without opportunities to turn around until the farm is reached. Farm vehicles and refuse vehicles will not reverse, making cars reverse all the way back to the farm. Reversing in the dark is dangerous; blind bend makes this more difficult.
- The road is in poor condition, is ungritted and turns to ice, also floods where there is a dip.
- The extra 4 houses in addition to the existing situation with 5 dwellings and farm traffic, will create significant problems and conflicts with the recreational uses promoted in the area.
- Would have a severe cumulative impact on the highway to the detriment of pedestrians, cyclists and horse riders
- Significant adverse impact on residential amenity due to impact on the privacy of the occupants of Rowley Cottage from a side window which is now being used as a bathroom and overlooks bedroom window.
- There is a lack of private amenity space for each dwelling.
- There is insufficient amenity space to accommodate the required car parking.
- Will affect the wildlife (foxes, deer, badgers, hares) and there is no evidence that the proposal would not detrimentally affect habitats of protected species.
- The tarmacking of the apron at the entrance to the farm will encourage more people to come and park up, night and day. Anti-social behaviour already occurs because of this. Request permission from owner to landscape this area to deter its use as a meeting place.

Planning and Environmental Considerations:

Principle of proposal

Policy GP2 permits limited development in the rural area. In this case, the sub-division of the farmhouse to two dwellings involves minimal physical works. The main issues relate to the sustainability of the proposal and the desire to preserve the special interest of the listed building and its setting, including the setting of the adjacent grade II listed Rowley Hall.

Impact on heritage assets

Policy E10 of the Local Plan and Policy HE2 of the emerging local plan seek to protect the character and historic interest of listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers upon local planning authorities a duty to have special regard to the desirability of preserving the interest of a listed building or its setting. The National Planning Policy Framework (the Framework) states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Where development would lead to substantial harm, the Framework indicates that it should be refused, whilst where the proposal would lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Rowley Farm is significant to the setting of the older (Grade II listed) Rowley Hall and the 19th Century buildings that are evident today would have replaced earlier buildings associated with the Hall. The external and internal alterations that are necessary to facilitate the sub-division of the farmhouse are minor and would lead to no significant

harm to the special interest or character of the farmhouse. The cobbled area outside of the farmhouse would be retained and would remain open, uninterrupted by any boundary treatment. Parking can be accommodated within two existing garages with an additional open parking space. The external changes to the farmhouse and its farmyard curtilage would therefore be minimal and would lead to less than substantial harm to both the special interest of Rowley Farm and its setting as well as the setting of the older and associated adjacent Rowley Hall. Inappropriate upvc windows which are insensitive to the historic features of the farmhouse have in the more recent past been installed in the farmhouse without listed building consent. To address this, the applicant agrees to the replacement of the upvc windows with suitable timber frames. A condition is therefore recommended to ensure that this is carried out within six months. With this provision, the proposal would not therefore have a significant impact on heritage assets.

Impact on residential amenities

A Core Planning Principle of the Framework is to seek a good standard of amenity for all existing and future occupants of land and buildings. Neighbour objections refer to loss of privacy and disturbance. No new windows are proposed to facilitate the conversion although an existing window which served the landing is now used as a bathroom window. The window is approximately 11.5m from the neighbour's first floor bedroom window but has recently been obscure glazed and will not therefore lead to an unacceptable loss of privacy. Despite the rear elevation of the farmhouse sitting on the boundary with the garden and property at Rowley Hall, there would be no overlooking windows and no significant impacts on amenities. The increase from one to two dwellings would have minimal impact on the general levels of activity and there would be no discernible impact on neighbouring properties in this respect.

The proposal would therefore have an acceptable impact on residential amenities.

Impact on highway safety

The Framework states that account should be taken of whether safe and suitable access to the site can be achieved and whether improvements can be made that cost effectively limit the significant impacts of the development. It also states that development should only be prevented or refused on transport grounds where the cumulative impacts of the development are severe.

Adequate car parking would be provided for the additional dwelling. Neighbour objections relate to the cumulative impact of additional traffic generation that would be created from this application and concurrent applications (APP/2017/0454 and APP/2017/0455) for the conversion of a barn and shippon to three dwellings. Together with the current proposal, this would increase the number of dwellings at Rowley from five to nine. The neighbour objections regarding the narrow and restricted nature of Rowley Lane and issues of visibility and passing are reported in the agenda reports for APP/2017/0454 and APP/2017/0455 which also being considered at this Committee. Given that the proposal has adequate parking for 2no. dwellings and would lead to a minimal level of new traffic generation, there are no substantive reasons to refuse permission on highway grounds. Notably, LCC Highways has no objections to the proposal. Some improvements to the condition and width of the part of Rowley Lane within the farm's current ownership are however proposed as part of the development of the proposed barn conversions and if permitted, would improve conditions for all users.

For the reasons set out above, the proposal is acceptable in highway terms.

Conclusion

The proposal would lead to no significant impact on the special historic interest of the Grade II listed farmhouse and the setting of the farmhouse and adjacent Rowley Hall and would not adversely affect existing residential amenities or highway safety. The proposal would therefore have no significant adverse impacts and would represent a reasonable form of sustainable development.

Recommendation for APP/2017/0458 : Approve Listed Building Consent

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).

Recommendation for APP/2017/0459 : Approve

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).

JF
16/01/17

Part One Plan

Housing & Development
9 Parker Lane

Agenda Item 6e

Ref.

APP/2017/0511

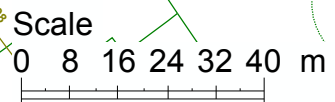
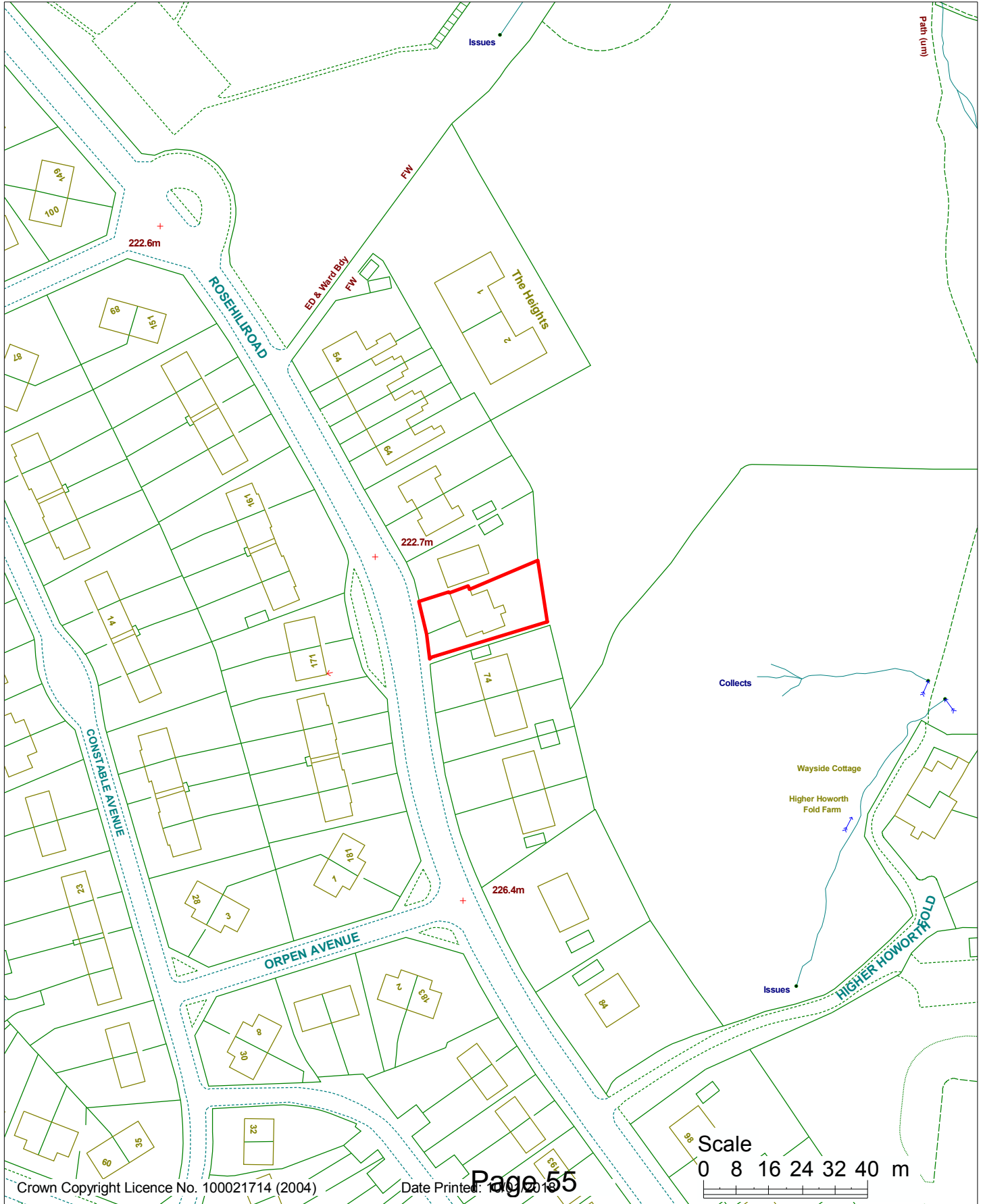
Paul Gatrell Head of Housing and Development

Location:



72 Rosehill Road, Burnley

1:1250



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Application Recommended for Approval

APP/2017/0511

Rosehill with Burnley Wood Ward

Full Planning Application

Proposed single storey extension and porch (re-submission of APP/2015/0367)

72 ROSEHILL ROAD, BURNLEY

Background:

A single-storey extension is proposed at the rear of the property together with a porch at the front. The property is adjacent to public footpath (no. 98).

An objection has been received.

Relevant Policies:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

TM15 - Car parking standards

Proposed submission Local Plan (emerging Local Plan)

HS5 - House Extensions and Alterations

SP5 - Development Quality and Sustainability

IC3 – Car Parking Standards

SP1 - Achieving Sustainable Development

SP4 - Development Strategy

Site History:

APP/2015/0367 – proposed single-storey extension and porch – withdrawn

Consultation Responses:

Neighbouring resident (76 Rosehill Road) – Concerned about the hedge and a rose type bush that have been left to grow into the footpath at the side of the property. Also concerned about the size of the extension and any possible impact on utilities. Also on the submitted plans there is a gap indicated between the side of no.72 and the public footpath, and I am not sure there is such a gap.

Burnley and Pendle Ramblers - I and another member of the Ramblers group have been to inspect the site and how it would impact on the footpath immediately adjacent to the property.

First of all, there is no distinguishable signage indicating that a public footpath exists and the entrance to the path is restricted by an overgrown hedge. As you walk further down the path, it gets easier to access although it is still very narrow.

We have no objections to the proposed plan providing the width of the path is maintained and the hedge cut back. The current fencing would have to be replaced and an application for temporary closure would be required during the work.

Highway Authority – The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway grounds.

Planning and Environmental Considerations:

The property is a detached bungalow in a residential area where there is a mix of house types. There is a public footpath to the right hand side of the dwelling, between the application property and no.74 Rosehill Road which goes to the open land at the rear of the properties and links with other public footpaths in the area.

The proposal involves the erection of a large extension at the rear/side of the property to provide an extended bedroom with on-suite, an extension to the living room and an additional bedroom. A small porch to the front of the property is also proposed.

The main considerations are design/ materials, privacy/outlook/daylight and the affect the extension would have on the public footpath at the side of the property.

Design/materials

The existing bungalow has rendered elevations with a hipped slate roof; there is an attached garage (with storeroom behind) to the left hand side and a small extension to the right hand side of the dwelling (see below).



front of 72 Rosehill Road

The proposed porch is 2.4m in width and 1.5m in depth and has a hipped roof. A window is proposed on the front elevation, another window on the side elevation facing no.74 Rosehill Road and a door on the elevation facing no.70 Rosehill Road.



rear of 72 Rosehill Road

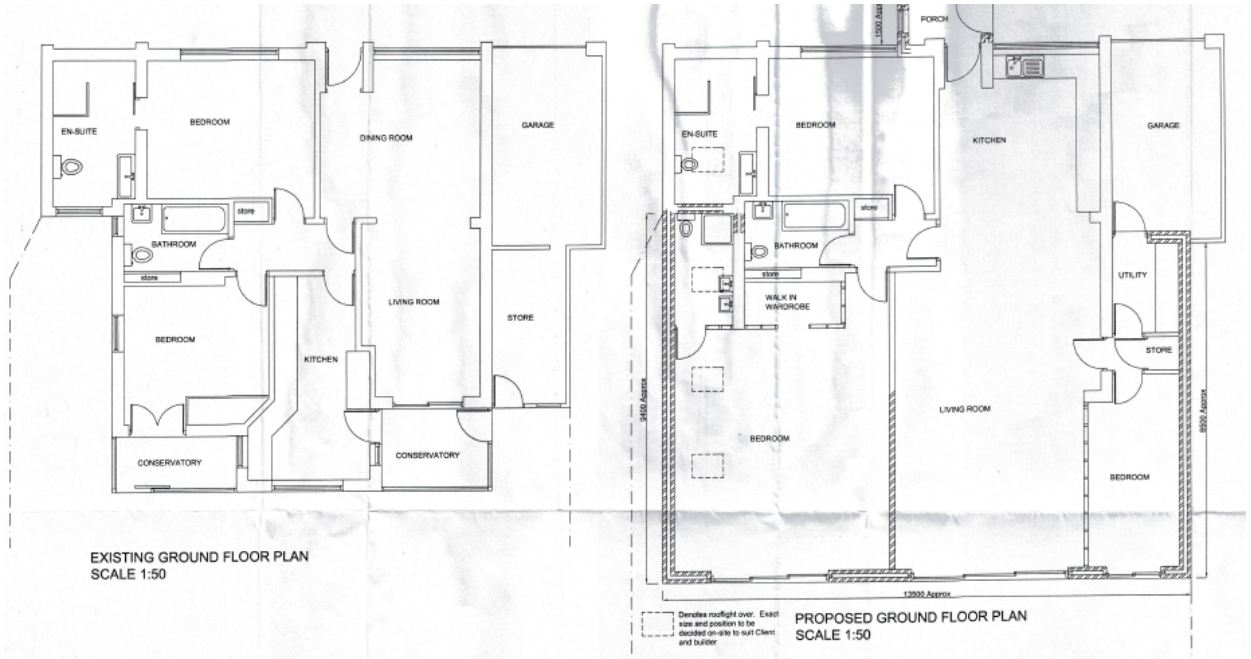
The proposed rear extension would extend out to the side which is adjacent to the public footpath so that it is in line with the existing side extension (en-suite), which would still leave a gap between the boundary fence and the footpath down the side. On the other side the extension would follow the line of the existing store (at the rear of the garage). The extension would extend out by approx. 2.4m from the rear of the existing bungalow and would be 13.5m in width.

The existing property has a hipped roof with the four sides of the roof coming to a point in the centre. Following the extension the roof would still be hipped but with a ridge. The side extensions would have pitched roofs including over the existing flat roofed garage. Four roof lights are proposed over the side of the extension which is nearest to the footpath. The roof of the extended property will be at the same height as the existing roof.

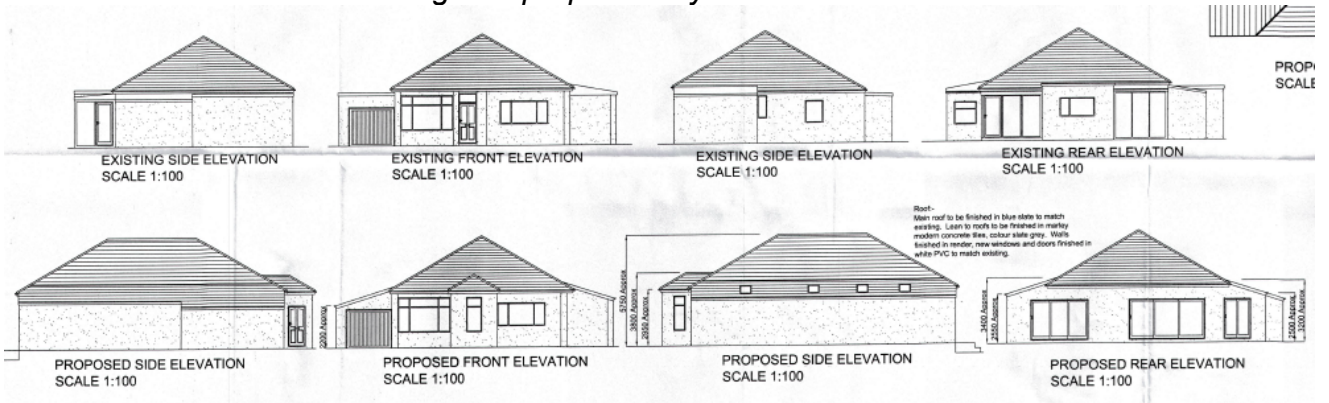
The proposed materials are render for the elevations and blue slate for the roof, both to match the existing dwelling.

The internal arrangements of the bungalow will be altered to provide larger rooms and an additional bedroom.

The design and materials are considered to be acceptable.



existing and proposed layout



existing and proposed elevations



looking from the rear of the property towards no.70 Rosehill Road

Privacy/outlook/daylight

There are no windows on the side elevations of the extension just windows on the rear elevation, therefore privacy is not considered to be an issue.

Outlook is not considered to be an issue for neighbouring properties; no. 70 has a similar rear extension with no main habitable windows on the side elevation and there is a footpath and high fence on the boundary with no.74 Rosehill Road.

Public footpath

The existing footpath to the side of the property which goes to the fields at the rear is quite narrow for the first stretch and is encroached on by a privet hedge to the side of the applicant's property. As you walk further along the footpath between nos. 72 and 74 the footpath opens up slightly and, the footpath is still narrow as it is between buildings which are alongside the path; the line of the footpath then goes slightly to the side. The proposed extension would follow the line of the existing en-suite side extension which would be approx. 0.8m from the edge of the footpath.

If the footpath needs to be closed whilst the building work is undertaken then the applicant would need to apply for a temporary closure. The planning authority does not have any control over the maintenance of the footpath and the cutting back of the adjacent hedge.



no.74

the footpath looking back towards Rosehill Road

no.72



the footpath looking toward the fields showing it bending slightly to the right

Conclusion

Although the extension would be nearer to the footpath there would still be a gap between the path and the extension, and the extension is only single-storey (2.55m to the eaves - the applicant could build a wall up to 2m without planning consent) therefore it is considered that on balance the extension is acceptable.

Recommendation:

Grant 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.

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Housing & Development
9 Parker Lane

Ref.

APP/2017/0569

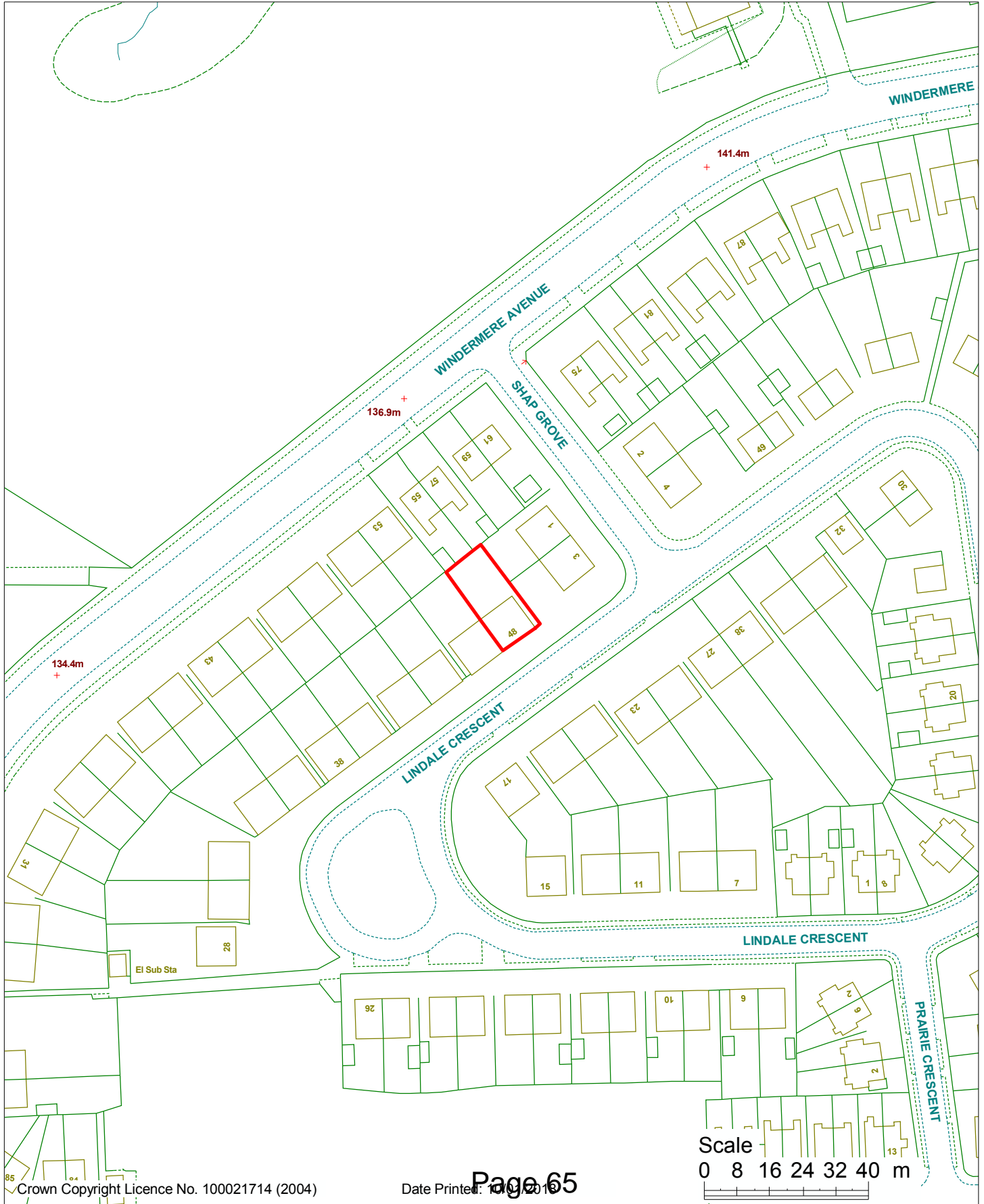
Paul Gatrell Head of Housing and Development

Location:



48 Lindale Crescent, Burnley

1:1250



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Application Recommended for Approval

APP/2017/0569

Queensgate Ward

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

Background:

The property is a small semi-detached bungalow with an integral garage.

An objection has been received.

Relevant Policies:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

TM15 - Car parking standards

Proposed submission Local Plan (emerging Local Plan)

SP1 - Achieving Sustainable Development

SP4 - Development Strategy

SP5 - Development Quality and Sustainability

HS5 - House Extensions and Alterations

IC3 - Car Parking

Site History:

None.

Consultation Responses:

Highway Authority - The loss of the garage will be compensated by the availability of forecourt parking, however I noted, during my visit to the site, that the footway had not been altered to accommodate this additional parking I would therefore request that the following condition be attached to any permission that may be granted.

1 No development shall commence until the parking areas associated with the site is fully accessible by means of a properly constructed dropped crossing. Reason to maintain the proper construction of the footway and reduce the likelihood of damage by vehicles crossing the footway.

Neighbour (46 Lindale Road) – Has no objection to the majority of the proposals, but is concerned about the proposals for the porch. Because the proposed porch will be right on the boundary of the two properties (centrally over the garage), this will seriously affect my options for the future development of a similar porch, or would be overbearing to a window that would replace the garage door. A porch, or two individual porches, to the centre of the houses would look ridiculous and would not enhance the frontage.

Planning and Environmental Considerations:

The semi-detached bungalow is within a residential area on Lindale Crescent which is located off Windermere Avenue. The existing property has an integral garage (see below) with a paved area at the front of the property. The proposals involve changing the garage to a reception area and hallway together with the erection of a porch and the erection of a dormer extension on the rear elevation.

The main considerations are design/materials, privacy/outlook and highway issues.



nos. 46 and 48 Lindale Crescent (as existing)

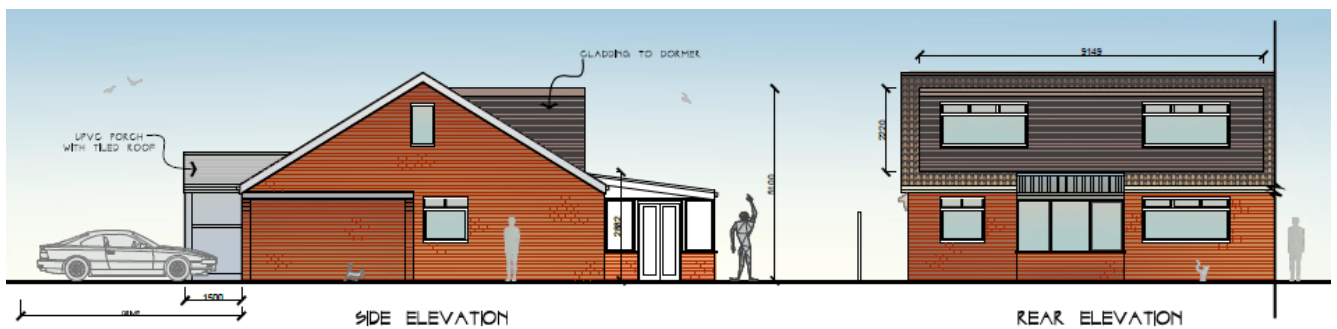


*shows the garage next door changed to a window
no.46*

*proposed front elevation
no.48*



existing rear elevation



proposed side and rear elevations

Design/materials

The proposals involve the erection of a dormer on the rear of the dwelling which would be below the ridge of the property, have a flat roof with two windows with the dormer being constructed and clad in timber.

The front porch is proposed in place of the existing garage door; the garage is to be changed to form a hallway and reception room. The porch would be 2.957m in width and extend out from the front elevation by 1.5m; the porch would be constructed in UPVC glass with a pitched tiled roof.

Three roof lights are also proposed on the front elevation of the property.

The design of the porch and dormer are both considered to be acceptable. The front porch is considered to be sympathetic to the bungalow and has been designed in glass so that light will penetrate through. Should the occupier of the attached semi-detached bungalow decide to change the garage door to a window the porch would still meet the 45 degree rule when taken from the centre of the window. The porch would be built on the owners land and would not interfere with the attached occupiers plans (to change the garage door to a window or build a porch in front of the garage door).

Privacy/outlook

The rear dormer is quite a distance from properties at the rear and will not be an issue in terms of privacy and outlook.

The porch at the front would be glass and will not affect privacy and outlook for next door; as mentioned above, should the occupier of the attached semi-detached property decide to change their garage door to a window the porch would still meet the 45 degree rule when taken from the centre of the window.

Privacy and outlook are not considered to be an issue.

Highway issues

The existing garage is to be changed into living accommodation, however there is off-street parking available in front of the property. The property has two bedrooms at present, this will increase to three; two off street parking spaces are required therefore and these can easily be provided on the forecourt at the front of the dwelling.

The Highway Authority have no objections to the proposals subject to the construction of a dropped crossing (which would be the subject of a condition).

Conclusion

The proposals are considered to be acceptable and in accordance with the Local Plan policies listed above.

Recommendation:

Grant 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.

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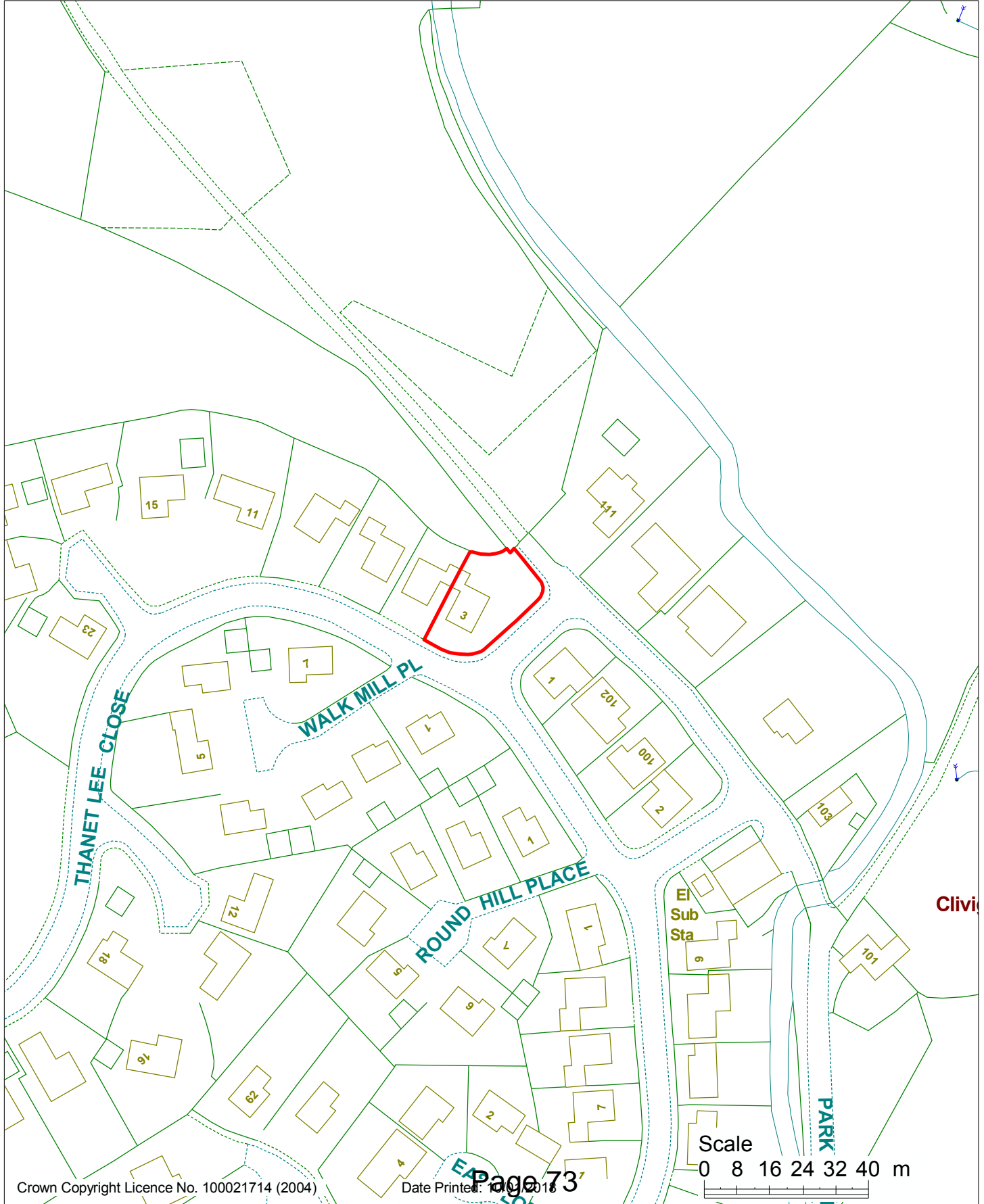
Paul Gatrell Head of Housing and Development

Location:



3 Thanet Lee Close, Cliviger, Burnley

1:1250



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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

Background:

The detached property is on the edge of the Park Road housing development adjacent to Towneley Park.

Objections have been received.

Relevant Policies:

Burnley Local Plan Second Review

GP2 - Development in rural areas

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

TM15 - Car parking standards

Proposed submission Local Plan (emerging Local Plan)

HS5 - House Extensions and Alterations

SP5 - Development Quality and Sustainability

IC3 – Car Parking Standards

SP1 - Achieving Sustainable Development

SP4 - Development Strategy

Site History:

None.

Consultation Responses:

Highway Authority - Whilst I would raise no objection to the proposal on highways grounds, I would request that the following Condition be attached to any permission that may be granted

1. 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. Reason: To limit the number of access points to, and to maintain the proper construction of the highway.

Further Highway comments received: As we discussed earlier there is no reason to object to these proposals. The access would be formed on to an existing adopted highway and would not represent a situation that is not repeated at almost every other driveway/footway interface.

Nevertheless, a minor improvement could be made by removing the wooden fence on the top of the wall for a distance of approx. 2m either side of the entrance which would improve the intervisibility between pedestrians and emerging vehicles.

Neighbouring resident – Objects to the proposed new drive entrance at 3 Thanet Lee Close. The junction at Thanet Lee Close and Park Road is a very busy road junction to have another potential entrance into the junction in my opinion would be very hazardous.

The new drive would dissect the pavement between the Thanet Lee junction and the entrance to Towneley Farm/Towneley Park which is a very busy thoroughfare for children, dog walkers and local residents. It would be difficult to turn a car into the proposed entrance and unless it is possible to turn a car round on the property reversing out would be dangerous due to lack of vision. Also if the car was driving straight out, the front wheels and the bonnet of the car would be over the pavement before the driver could see if anyone was crossing.

I have no objections to the other proposed modifications to the property.

Cliviger Parish Council – Have concerns about the position of the new driveway access. The pavement across which the driveway is proposed is a well-used path into Towneley Park. It is used by local residents and walkers and also by children and young people. There will be a hazard/conflict between vehicles exiting the drive and footpath walkers emerging from the field.

Planning and Environmental Considerations:

The property is a detached bungalow on the corner of Park Road and Thanet Lee Close and is adjacent to the entrance to Towneley Park/Towneley farmland. The proposals involve the erection of a porch, a utility room extension, a new drive entrance, alterations to the garage and other elevations and a new disabled ramp to allow access to the garden area.

The main considerations are design/materials, privacy/outlook and highway issues.



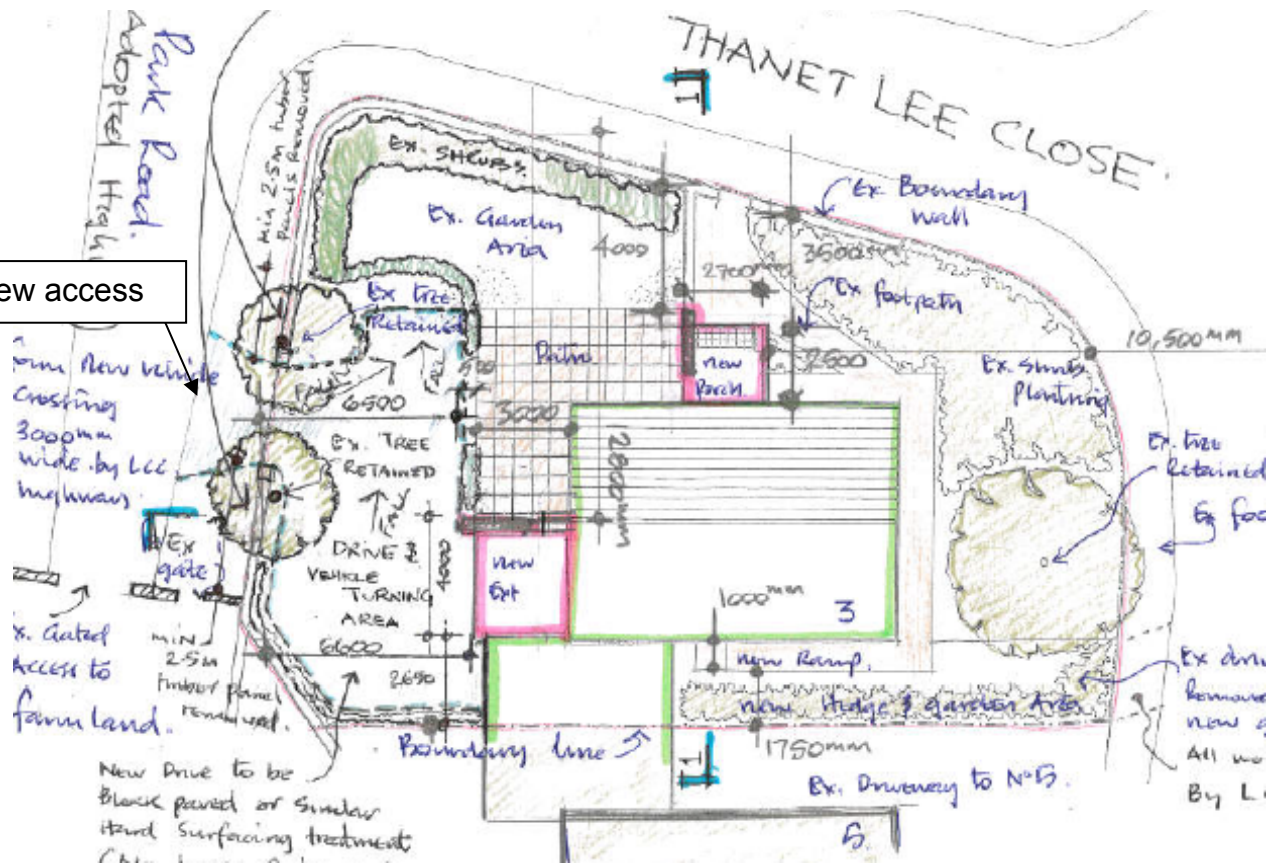
elevation to Thanet Lee Close (front)



side elevation



Park Road frontage (rear elevation) and gates to Towneley

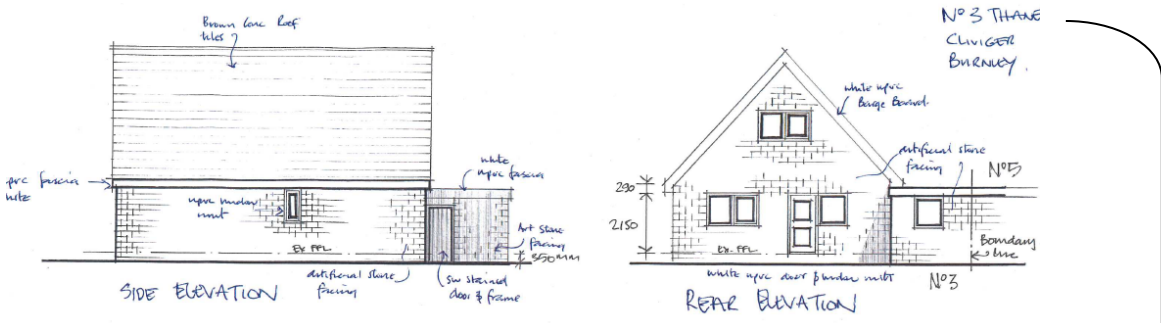


proposed alterations / site layout

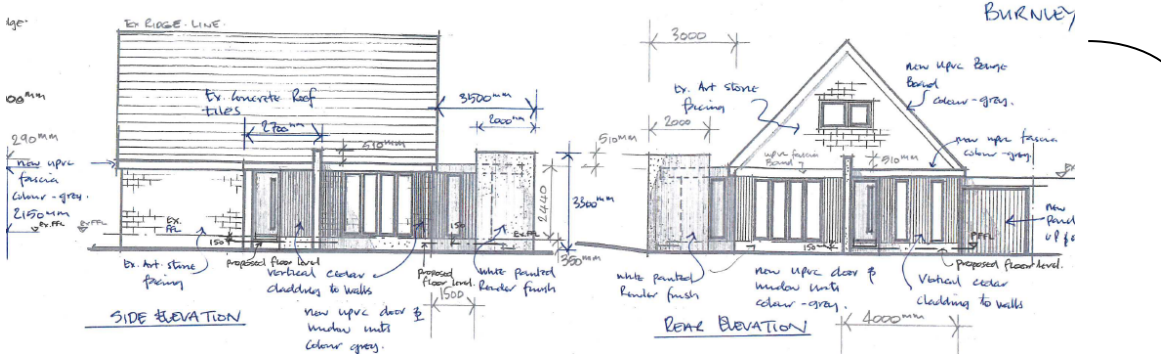
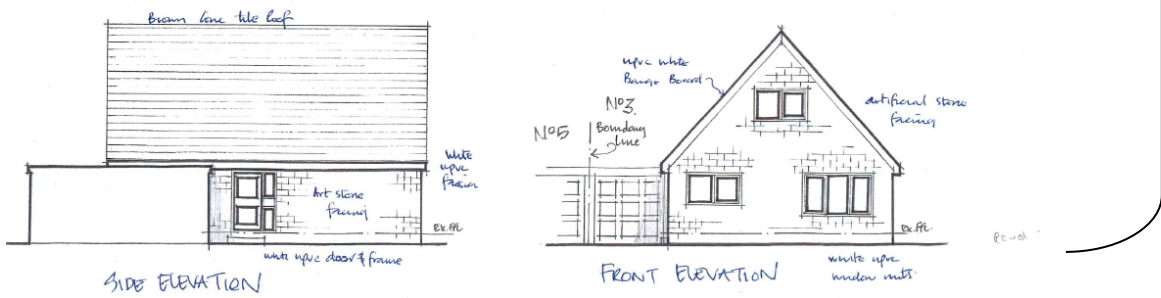
Design/materials

The proposed porch on the side elevation would be 2.5m by 2.7m and 2.59m in height with a flat roof; the proposed materials are cedar cladding with a felt roof. Additional windows are proposed in the side elevation at ground floor level.

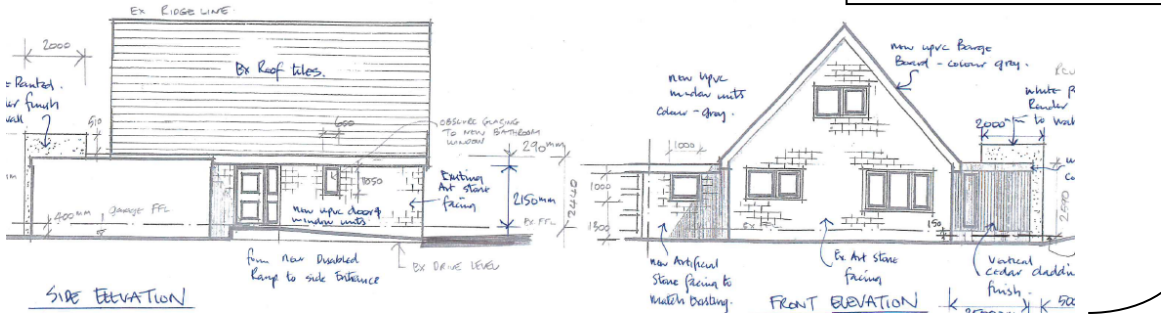
The proposed utility room on the rear elevation would be approx. 3m x 4m and 2.59m in height; the proposed materials are also cedar panelling with a felt roof. Additional windows are also proposed on this elevation.



existing elevations



proposed elevations



The garage door on the front elevation is to be faced in artificial stone with a small window. The opposite end of the garage will be opened up and have cedar garage doors put in.

A disabled ramp is proposed alongside the front elevation from the pedestrian access at the side of the property from Thanet Lee Close.

The existing driveway will be closed off with shrubs planted and the existing vehicular crossing removed.

The design and materials are considered to be acceptable.

Privacy/outlook

Any new windows created are to be at ground floor level and will not directly face other properties so as to be an issue with regard to privacy and outlook.

Highway issues

Park Road which narrows at the end (cul-de-sac) where there are gates to Towneley Park is an adopted highway.

The proposed new access onto Park Road is classed as permitted development under Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015; the road is not a trunk road or classified road and as such the formation, laying out and construction of an access to a highway is permitted without the need for planning permission (the footway crossing will need to be carried out to LCC Highway Authority specifications).

The Highway Authority suggested that the applicant could make a minor improvement by removing the wooden fence on the top of the wall for a distance of approx. 2m either side of the entrance which would improve the intervisibility between pedestrians and emerging vehicles. Following this the applicant has submitted a revised plan showing the removal of the high level timber panelling for a minimum of 2.5m either side of the drive entrance and an increase in drive area to provide sufficient area for a car to turn within the site, thus ensuring that all cars can exit the site in forward gear.

Conclusion

The proposals are considered to be acceptable and in accordance with the Local Plan policies listed above.

Recommendation:

Grant 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.

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

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

25th January 2018

Housing and Development

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Delegated Decisions from 27/11/17 to 31/12/17

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
Lawful Development Certificate (S192)		
Lawful Development Certificate Granted		
APP/2017/0522	BRONTE HALIFAX ROAD BRIERCLIFFE BURNLEY BB10 3RB	Application for a lawful development certificate that the proposed use of Bronte Farm as a residence for four children with two resident carers would fall within Class C3(b) thereby not involving a change of use from the existing use as a dwelling house.
Express Consent to Display an Advertisement		
Advert Consent Granted		
APP/2017/0465	TESCO SUPERSTORES LTD FINSLEY GATE BURNLEY BB11 2HE	Erection of signage (Internally Illuminated and non-illuminated) relating to new external "TIMPSON" pod within the car park
APP/2017/0538	ATM 107 115 ST JAMESS STREET BURNLEY BB11 1PP	Display of illuminated signage surrounding ATM
APP/2017/0550	6 CURZON STREET BURNLEY BB11 1BB	Application for consent to display advertisements, 5 fascia signs internally illuminated and 2 vertical projecting signs internally illuminated
Insufficient information		
APP/2017/0540	GALA BINGO CENTENARY WAY BURNLEY BB11 2EJ	Display of 4 internally illuminated fascia signs and 1 non-illuminated post mounted sign
Compliance with conditions		
Conditions discharged		
APP/2017/0460	LAND ADJACENT PRINCESS WAY BURNLEY BB12 0EQ	Approval of details reserved by condition 18 of planning permission APP/2017/0226 relating to landscaping
Conditions partially discharged		
APP/2017/0532	LAND ADJACENT TO McDONALDS PRINCESS WAY BURNLEY BB12 0EQ	Approval of details reserved by condition on planning permission APP/2017/0226: Condition 20 (external lighting).

Delegated Decisions from 27/11/17 to 31/12/17

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
APP/2017/0558	LAND ADJACENT PRINCESS WAY BURNLEY	Discharge of condition 11 of planning application APP/2017 0226 relating to the erection of freestanding single storey restaurant with drive-thru, car parking, landscaping and associated works. Installation of 2no. customer order display with associated canopies. Outdoor play space and new retaining wall
APP/2017/0564	Land adjacent PRINCESS WAY BURNLEY BB12 0EQ	Discharge of Condition 9 of planning application APP/2017/0226 relating to the Erection of freestanding single storey restaurant with drive-thru, car parking, landscaping and associated works. Installation of 2no. customer order display with associated canopies. Outdoor play space and new retaining wall

Full Planning Application

Full Planning Permission Granted

APP/2017/0320	6 BARLEY TOP HAMELDON ROAD HAPTON BB11 5QP	Proposed two storey extension to side
APP/2017/0405	UNIT 6 ENTERPRISE WAY BURNLEY BB12 6LT	Proposed use of unit as a Personal Fitness Experience, Rehabilitation, Nutrition and Training Centre (Sui Generis Use)
APP/2017/0464	TESCO EXTRA SUPERSTORES FINSLEY GATE BURNLEY BB11 2HE	Proposed erection of "TIMPSON" pod within car park area of Superstore and 10 new bollards
APP/2017/0475	2 QUARRY BANK STREET BURNLEY BB12 0LF	Erection of a terraced area; store/shed; perimeter railings and landscaped boundary.
APP/2017/0489	HAPTON HALL FARM LYNDALE ROAD HAPTON BB11 5RD	New agricultural building to house livestock
APP/2017/0491	59 IGHTEHILL PARK LANE BURNLEY BB12 0LL	Proposed extensions to side and rear
APP/2017/0497	353 PADIHAM ROAD BURNLEY BB12 6SX	Proposed single storey extension to rear
APP/2017/0504	83 BANK PARADE BURNLEY BB11 1UG	Change of use from HMO to C2 (residential institution)
APP/2017/0507	99 CASTERTON AVENUE BURNLEY BB10 2PB	Proposed single and 2 storey extensions

Delegated Decisions from 27/11/17 to 31/12/17

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
APP/2017/0508	49 CROFT STREET BURNLEY BB11 2EF	Application for variation of condition 1 of planning permission APP/2016/0298 to allow the use of the premises to permanent basis as a private hire booking office.
APP/2017/0509	107 ALBERT STREET BURNLEY BB11 3DE	Proposed conservatory to rear
APP/2017/0512	228 BURNLEY ROAD PADIHAM BB12 8SS	Proposed bedroom/shower room extension and escape platform
APP/2017/0519	BURNLEY GENERAL HOSPITAL CASTERTON AVENUE BURNLEY BB10 2PQ	Proposed new ambulance station
APP/2017/0521	8 KIMBERLEY STREET BRIERCLIFFE BB10 2JN	Proposed kitchen extension
APP/2017/0530	UNIT 83 MARKET PROMENADE MARKET SQUARE BURNLEY	Proposed change of use from A1 (Retail) to mixed use community space (A1, A3 plus D1 uses)
APP/2017/0531	LOWER HOWORTH FOLD HOUSE HOWORTH ROAD BURNLEY BB11 2RE	Proposed 20m x 40m horse riding arena
APP/2017/0535	LAND REAR 69 COG LANE BURNLEY BB11 5BG	Erection of detached garage/store
APP/2017/0537	13 LEAMINGTON AVENUE BURNLEY BB10 3HH	First floor bedroom extension over garage (re-submission of APP/2017/0280)
APP/2017/0539	ST MARYS RC SCHOOL AND NURSERY UNIT HOLCOMBE DRIVE BURNLEY BB10 4BH	New external entrance porch with internal alterations including new windows
APP/2017/0542	361 363 PADIHAM ROAD BURNLEY BB12 6SX	Proposed installation of air conditioning units to rear elevation

Full Planning Permission Refused

APP/2017/0484	HONEYHOLME FARM HONEYHOLME LANE CLIVIGER BURNLEY BB10 4SR	Proposed roof lift and change of use of a detached garage/workshop to form dwelling
APP/2017/0503	57 WINDERMERE AVENUE BURNLEY BB10 2AB	Demolish existing garage, erection of two storey extensions to side and rear elevations with a single storey rear extension and porch to front elevation.
APP/2017/0524	SELLARS FOLD FARM SELLARS FOLD BURNLEY ROAD HAPTON BB11 5QT	Siting of static caravan

Delegated Decisions from 27/11/17 to 31/12/17

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
APP/2017/0545	NEAR CENTENARY COURT/CROFT STREET/GUNSMITH PLACE	Replacement and upgrade of existing public telephone kiosk with kiosk combining public telephone and ATM services

Invalid Application

APP/2017/0523	11 MATLOCK GROVE BURNLEY BB10 3HJ	Proposed extension to rear and side of property
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Full Planning application

Withdrawn

APP/2017/0494	LAND AT MUSTY HAULGH FARM GRANVILLE STREET BRIERCLIFFE BB10 2RA	Development of a 20mw synchronous gas powered standby generation facility
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Listed Building Application

Listed Building Consent Granted

APP/2017/0527	QUEEN STREET MILL QUEEN STREET BRIERCLIFFE BB10 2HX	Proposed repair and maintenance work to Grade I Listed chimney
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Work to trees covered by Tree Preservation Order

Work to TPO trees granted

APP/2017/0506	LAND AT ROSEGROVE UNITY CLUB ROSSENDALE ROAD BURNLEY BB11 5DL	Application to fell 92 trees covered by the Burnley (Holme Lodge, Accrington Road) TPO 1952
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BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
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Part III: Appeal and other decisions
For Information

25th January 2018

Housing and Development

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DEVELOPMENT CONTROL COMMITTEE

Date: 25th January 2017

PART III

Town and Country Planning Act 1990
Appeal by John Baron

**Planning application APP/2017/0231 – 1 The Paddock, Highfield Avenue,
Burnley, BB10 2PS**

The appeal was made against refusal of planning permission for the change of use from a Nursing Home (Use Class C2) to key worker accommodation (sui generis).

The appeal was dealt with under the WRITTEN REPRESENTATIONS procedure and was **DISMISSED**.

Estimated cost of Officer time: £450 (including an estimate of Highway Authority Officer time)

Officer Recommendation – Refused under the Council's Scheme of Delegation.

Relevant Policy

Local Plan Second Review Policies – TM15
National Planning Policy Framework (NPPF)

The Proposal

The appeal related to a detached building, formerly a large dwellinghouse, extended and used as a Care Home in more recent years, with access from Highfield Avenue.

The proposal was to adapt the building to provide high quality accommodation for key medical staff (comprising mainly young doctors/medical students) linked to the nearby Burnley Teaching Hospital. This would include 22 study bedrooms, with en-suite wash/showers/wc.

The proposal was refused on highway grounds, but was considered acceptable in other respects.

Reason for Refusal

The proposal makes inadequate provision for car parking in connection with the proposed use which would lead to additional street parking on Highfield Avenue, which would adversely affect highway safety.

Inspector's Considerations

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.
4. The appeal was dismissed for those reasons.

Background Papers

Planning Application file APP/2017/0231 including written appeal submissions from the Highway Authority.

The above papers are available for inspection from Housing and Development Control, Parker Lane Offices, Burnley, BB11 2DT (Telephone 01282 425011 Extension 3289).

AR
15.1.2018