



**DEVELOPMENT CONTROL
COMMITTEE**

BURNLEY TOWN HALL

Thursday, 26th April, 2018 at 6.30 pm

SUPPLEMENTARY AGENDA

9) *26th April - Late Correspondence*

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DEVELOPMENT CONTROL COMMITTEE

Thursday 26 April 2018

Late Correspondence/Verbal Reports

AGENDA ITEM 6a

Full Planning Application – APP/2017/0601

Proposed erection of 10 no. bungalows and associated landscaping and parking

Royal Court, Tennyson Street, Briercliffe, Burnley

Late Correspondence - External

Burnley BC (Environmental Health – Contaminated Land Officer)

Based on the submitted reports, Ref: 11-272-R2-RevA contaminants were found on site and therefore remediation was advised. Having assessed the remediation strategy 11-272-r3, I agree with the findings of the author. I would therefore advise that all remediation work is carried out in line with report recommendations and on completion of work a verification report be submitted to the planning officer for approval.

[This can be dealt with via planning condition.]

LCC Lead Local Flood Authority (LLFA)

The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of conditions relating to the following additional final detail being submitted;

- a final surface water drainage scheme, and
- an agreed SuDS Scheme and Maintenance Plan.

[The applicant is discussing this request with the LLFA at present with a view to providing the information prior to the decision being issued]

Neighbour consultation responses

A further letter of correspondence has been received (which has also been sent to members of Committee via email) by an Agent acting on behalf of those neighbours most affected by the scheme.

The letter is considered to cover matters already noted within the Committee Report however the following is a summary of the main considerations of the letter,

1. Comparing topographical survey GA-100-3 included in the Drainage Report page 18 carried out before Royal Court was demolished with the proposed levels on the site reveals that is proposed to substantially alter the levels across the site.
2. The level changes will result in the ground being lifted up by 1.76m at plot 6.
3. This will result in the occupiers of plot 6 having elevated views particularly from the garden area which it is not possible to adequately screen without excessively high fencing. The elevated position of the bungalow and the excessively high and elevated fencing in close proximity to the fronts of 5 and 7 Thursden Ave will have an oppressive and overbearing effect on the outlook from these properties.

4. The elevated position of plot 5 to the rear of 18 and 20 Harrison Street together with boundary fencing in an elevated position will have an oppressive and overbearing effect on the outlook from these properties.

[The above has been considered as part of the assessment of the scheme and the recommendation is based on the scheme presented within the report]

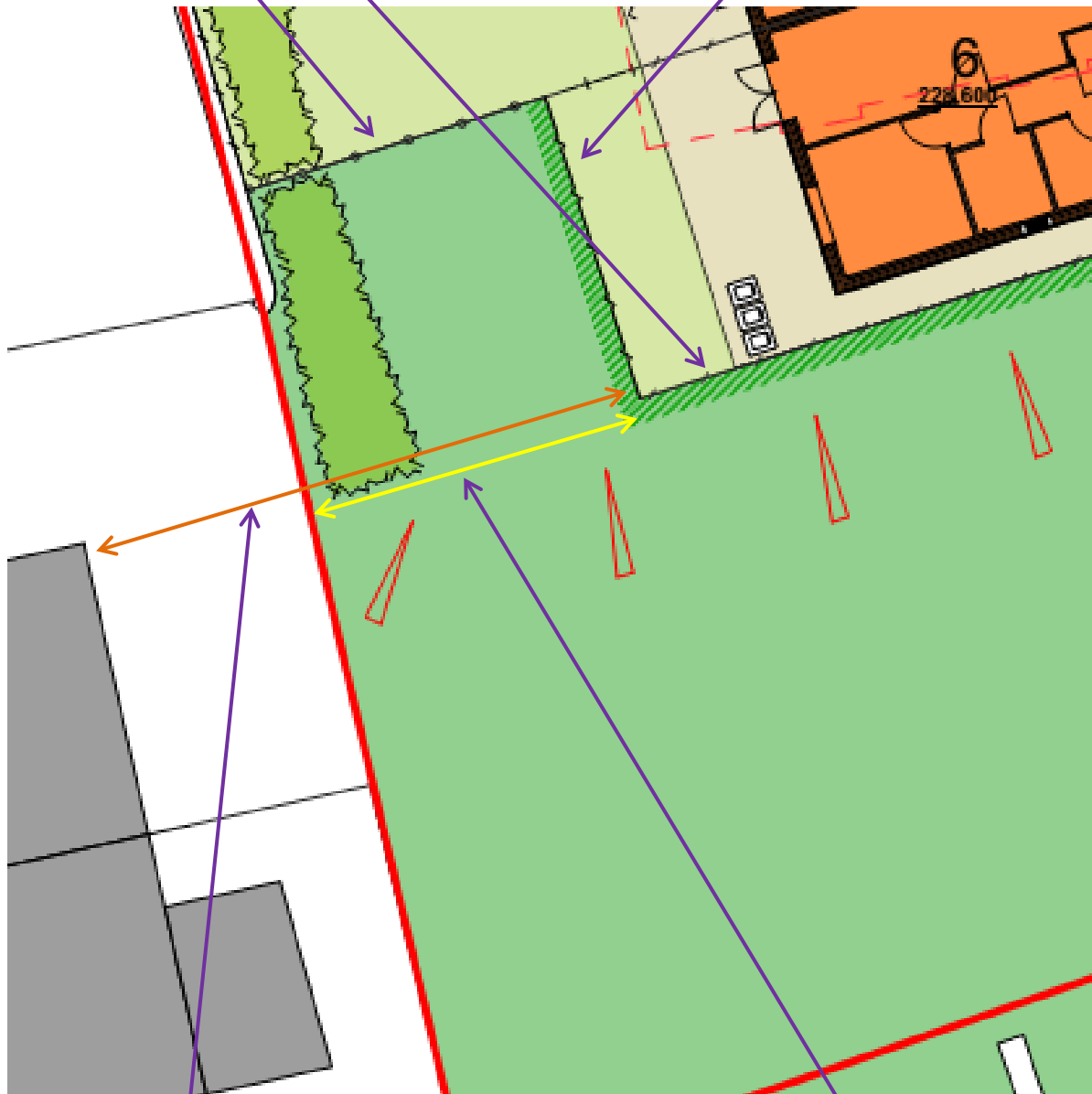
Late Correspondence - Applicant

An updated layout (Ref. No. 2491 – 04H) has been received that alters the position of the boundary fence for Plot 6 as well as heights of fences in this locality (see yellow circle below). Whilst the proposal presented to Members is considered acceptable on its own merits, this amended scheme has been amended following consideration of the usability of the garden as well as the accessibility to the landscaped area to the west of the garden. A smaller garden is now proposed for Plot 6 which enables a more accessible area of landscaping (from a maintenance point of view) between plot 6 and no's 5 & Thursden Avenue.



On balance, whilst the scheme presented in the Agenda Report was considered acceptable on its own merits, the revised scheme (noted above) would offer a modicum of further privacy protection for both occupiers of Plot 6 and those occupiers of 5 7 & Thursden Avenue, albeit possibly more from perception than the fact the garden has shrunk and the fence has moved.

1.8m high close boarded fence 2.1m high close board fence with 0.3m high trellis



14.2m gap between property and garden boundary of plot 6

8.7m gap approx. between garden boundaries

ADDENDUM TO REPORT TO CONSIDER IMPACTS FROM REVISED BOUNDARY POSITION OF PLOT 6

The garden boundary for Plot 6 has been further reduced in length and now sits 8.7m from the boundary of no. 5 Thursden Avenue. A 2.1m high close boarded fence with 300mm trellis remains on this rear boundary, with a 1.8m high close boarded fence (no trellis) also provided to the southern (side) edge of the garden. The southern edge of the garden of Plot 7 is provided with a 1.8m high, close boarded, timber boundary fence.

The proposed levels on site note that that the property on Plot 6 would sit at approx. 228.45m (FFL) Above Sea Level (ASL) with the proposed boundary fence sitting at a level of approx. 227.80m ASL. The garden boundary of no. 5 Thursden Avenue is at approx.

225/224.5m ASL. As viewed from no. 5 Thursden Avenue, the top of the boundary fence will be positioned some 5.7m above the ground level of the garden of no. 5 Thursden Avenue, albeit set some away from the boundary edge.

Having assessed the amended proposal, it is considered that due to

- the re-positioning of the garden boundary for Plot 6 creates a further significant 8.7m+ gap between residential garden areas that will be enhanced by landscape planting, and
- the introduction of a much taller boundary treatment thereby enclosing the rear garden of Plot 6 and also providing a higher level of privacy for the occupiers of the properties on Thursden Avenue,

despite the difference in land levels on site, a further improved level of privacy and outlook is afforded to not only the occupiers of the new property (within the garden and the property itself) but also to the occupiers of the properties on Thursden Avenue.

Change in Recommendation

Recommendation: Minded to approve but that the Head of Housing and Development Control be delegated to determine the application following the completion of further discussions between the Applicant and the Lead Local Flood Authority in respect of drainage conditions, and subject to the following conditions.

Revised List of conditions to replace those set out in the Agenda Report

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: 2491 – 01A, 2491 – 02A, 2491 – 03H, 2491 – 04H, 2491 – 05D, 2491 – 06D, 2491 – 07E, 2491 – 08A, 2491 – 09A, 2491 – 10A, 2491 – 11A, 2491 – 12 and 2491 – 13G.
3. The materials used in the development shall be in accordance with those specified within the approved scheme, to the satisfaction of the local planning authority, unless otherwise agreed in writing with the Local Planning Authority.
4. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.
5. Prior to any earthworks being carried out, a method statement detailing eradication and/or control and/or avoidance measures for wall cotoneaster and monbretia should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.
6. The approved final landscape plan, as outlined on plan drawing number 2491 05D shall be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.
7. The approved 5 Year Landscape Maintenance Plan, as outlined on plan drawing number 2491 06D, shall be carried out as approved.
8. The development shall be carried out in accordance with the approved levels details as outlined on plan reference number 2491 04H.

9. The new estate road/access between the site and Tennyson Street / Jubilee Street shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any built development takes place within the site.
10. No part of the development hereby approved shall be occupied or opened for trading until the site access onto Tennyson Street / Jubilee Street has been constructed and completed in accordance with the approved plans (see condition 2).
11. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
12. No development shall take place until a construction method statement accompanied by an appropriate scaled plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - a. The parking of vehicles of site operatives and visitors
 - b. The loading and unloading of plant and materials
 - c. The storage of plant and materials used in constructing the development
 - d. Details of a scheme specifying the provisions to be made to control noise and dust emanating from the site during construction works
 - e. The erection and maintenance of security hoarding
 - f. HGV delivery times and routeing to / from the site
 - g. Contact details for the site manager
13. No deliveries or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.
14. No combustion of any materials likely to result in smoke or other nuisance by atmospheric pollution shall take place on the site.
15. Electric vehicle charging points within the development will be encouraged. Within the curtilage of properties with on-site parking areas, there shall be installed a minimum of one, three-pin 13-amp electrical sockets in a suitable position to enable the recharging of an electric vehicle using a 3m length cable.
16. The approved fences and railings hereby approved, as per drawing no. 2491-04H, shall be erected and maintained on site prior to the first occupation of any dwellings, and shall thereafter be retained at the height specified in perpetuity. Any replacement fence shall be at the height and design as specified in the Key on the above drawing number.
17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Schedule 2, Part 1, Classes A-F shall take place on the dwelling house(s) hereby approved or within their curtilage.

18. Before the development hereby permitted is first occupied the window(s) in the southern facing elevation(s) of Plots 5 and 6 shall be glazed with obscure glass and fixed with a ventilation stay restricting the opening of the window, the details of which shall be agreed in writing with the LPA prior to their insertion. The windows shall be permanently maintained with obscure glazing at all times thereafter.
19. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.
Those details shall include, as a minimum:
- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters and details of floor levels in AOD;
 - b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development runoff rate which has been calculated at 7 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) Any works required on/off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing drains where relevant);
 - d) Flood water exceedance routes, both on and off site;
 - e) A timetable for implementation, including phasing as applicable;
 - f) Details of water quality controls, where applicable.
 - g) Evidence of agreement with United Utilities for point of discharge of surface water drainage system.
- The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.
20. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
21. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - c) Means of access for maintenance and easements where applicable.
- The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development,

whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

22. Remediation work shall be carried out in accordance with the approved remediation scheme and programme as submitted with the application, namely E3P Report: 11-272-r3 (issued November 2017). Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

Draft 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. In the interests of visual amenity and the character and appearance of the area.
4. In order to satisfy the requirements of the NPPF, the Wildlife and Countryside Act 1981, the Natural Environment and Rural Communities Act 2006, and The Conservation of Habitats and Species Regulations 2010.
5. To ensure proper management of plant species otherwise harmful to the built environment.
6. To ensure that the proposed scheme contributes to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in full and in order to provide suitable mitigation for bird breeding habitats. In accordance with Policies GP3, E3 and E6 of the Burnley Local Plan, Second Review.
7. To ensure the long term landscape management of the site, in accordance with policy GP6 of the Burnley Local Plan, Second Review.
8. In the interests of ensuring the amenity of the occupiers of the adjacent properties is protected and in the interests of visual amenity.
9. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
10. In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
11. To prevent stones and mud being carried onto the public highway to the detriment of road safety.
12. To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours.
13. To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours.

14. In order to not significantly pollute the environment.
15. 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.
16. In the interests of visual amenity and the character and appearance of the area, and to ensure that the amenity of existing occupiers and the amenity of the occupiers of adjacent dwellings is protected to the satisfaction of the Local Planning Authority.
17. In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions, enlargements or any other development within the curtilages.
18. In the interests of residential amenity and privacy.
19. To ensure that the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development.
20. To ensure that the drainage for the proposed development can be adequately maintained. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.
21. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
22. To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecology systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policy GP7 of the Burnley Local Plan Second Review.

AGENDA ITEM 6c

Full Planning Application – APP/2018/0060

Variation of condition 2 of planning permission APP/2016/0528 to enable insertion of internal floors within the approved building

BooHoo.com, Widow Hill Road, Burnley

Revised conditions (agreed with the Applicant) to replace ALL those in the Committee Report

1. The permission shall relate to the development as shown on plan drawing numbers: A0701-P1, A0702-P1, A0703-P1, B0101, B0103, B0110, B0150, B0230, B0501 (x2), B0601-P1, B0602, B0603, L0001-P1, L0101-P1, L0601 and S0001 received 30th November 2016, L0401-T5 received 1st February 2017, proposed automation layout plan drawing numbers 586930/601 – 06, 586930/602 – 06, 586930/603 - 03, 586930/604 - 02, 586930/605 - 03 and 586930/606 – 03 received 7th February 2018, and 070817/001/SJT Rev.A received 25th April 2018.

2. The materials used in the development shall be in accordance with those specified within the approved scheme, to the satisfaction of the local planning authority, unless otherwise agreed in writing with the Local Planning Authority.
3. The approved Construction Method Statement received on the 4th of April 2017 shall be adhered to throughout the construction period.
4. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
5. No demolition or construction work shall take place outside the hours of 8am to 6pm Monday to Friday, 8am to 4pm on Saturday and not at any time on Sundays and Bank Holidays, including all works and ancillary operations in connection with the construction of the development, and the use of any equipment or deliveries to the site. Where permission is sought for works to be carried on outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority. Where practicable, operations which create the most noise shall only occur between the hours of 08.30 and 17.30 Monday to Friday.
6. The cycling and motorbike facilities as set out on plan drawing 17.113-025 Rev. A received on the 25th September 2017 shall be provided before the use of the premises hereby permitted becomes operative.
7. The car park and manoeuvring areas as set out on plan drawing numbers 17.113-025 Rev. A received on the 25th September 2017 and 17.113-026 received on the 31st August 2017 shall be marked out and made available in accordance with the approved plans before the use of the premises hereby permitted becomes operative.
8. The approved Business Travel Plan V2 (dated 28/03/2018 – VN70952) produced by BooHoo.com and Vectos, has been subject to agreement with the planning authority in consultation with the highway authority, and shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 12 months to ensure that the approved Plan is carried out.
9. A minimum of eight, three-pin 13-amp electrical sockets in suitable positions to enable the recharging of an electric vehicle using a 3m length cable, as set out on plan drawing 17.113-025 Rev. A received on the 25th September 2017, shall be installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.
10. Foul and surface water shall be drained on separate systems.
11. All hard and soft landscape works shall be carried out in accordance with the approved details set out on plan reference numbers AFE-10747-01-01, AFE-10747-01-01-A, AFE-10747-01-01, 17.113-027 Rev. A and 070817/001/SJT, the additional information contained within a letter from Nuture Landscapes Ltd and document Q372BAR-BOOHOO PH", received 31st August 2017, and plan reference number 070817/001/SJT Rev.A. The works shall be carried out prior to the first use of any part of the development or in accordance with a programme approved in writing by the local planning authority.

12. The mitigation and recommendations detailed in the submitted Ecological Assessment (TEP, August 2016) and plan reference number 070817/001/SJT Rev. A (from Nurture Landscapes Design and Build) shall be incorporated within the detailed on-site landscaping proposals (as agreed under condition 11), and thereafter carried out in full prior to the first occupation of the development or in accordance with an approved timetable.
13. The external lighting for this site shall be installed in accordance with the approved scheme and programme outlined on plan drawing entitled "BooHoo Phase 2 for WHG Rev. 3, and brochures from Holophane," received on the 31st of August 2017.
14. The development hereby permitted shall not, at any time, be subdivided into a larger number of units.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions, alterations and/or extensions (internal or external and including further installations of mezzanine floors) to any building forming part of the development hereby permitted without express planning permission first being obtained.
16. The development hereby approved shall only be used for a use that falls within a mixed Class B1 (a, b or c) / B8 Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification, and for no other purpose.
17. Within 12 months of the date of this decision a scheme for the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. [This refers to the introduction of bus boxes on Widow Hill Road].
18. The approved scheme referred to in Condition 17 shall be implemented and completed in accordance those approved details within 12 months of the scheme being agreed with the LPA.
19. Prior to their erection on site, full details of the proposed solar panel array to the roof of the building hereby approved shall be submitted to the Local Planning Authority for approval in writing.

Reasons

1. For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.
2. To secure a satisfactory development in materials which are appropriate to the locality, and to enable any necessary flexibility in the choice of materials, in the interests of visual amenity and in accordance with Policy GP1, GP3, EW4 and EW5 of the Burnley Local Plan Second Review.
3. In the interests of protecting the amenity of neighbouring businesses from noise and disturbance, and in order to ensure the construction phase has no significant impact upon highway safety at this location, in accordance with Policy GP1, EW4 and EW5 of the Burnley Local Plan Second Review, and that this Statement was previously agreed under APP/2017/0171.

4. To prevent stones and mud being carried onto the public highway to the detriment of road safety.
5. In the interests of protecting the amenity of neighbouring businesses from noise and disturbance, and in order to ensure the construction phase has no significant impact upon highway safety at this location, in accordance with Policy GP1, GP3, EW4 and EW5 of the Burnley Local Plan Second Review.
6. To allow for the effective use of the parking areas and that this scheme was previously agreed under APP/2017/0430.
7. To allow for the effective use of the parking areas and that this scheme was previously agreed under APP/2017/0430.
8. To promote and provide access to sustainable transport options as it includes details of an assisted cycle purchase / loan scheme and the provision and running of an employee service bus travelling to and from the site (Exact details and service provided).
9. 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 and that this scheme was previously agreed under APP/2017/0430.

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

10. To secure proper drainage and to manage the risk of flooding and pollution.
11. In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings, and in order to ensure that the landscaping works proposed are carried out in full. In accordance with Policies E4, E5 and GP3 of the Burnley Local Plan, and that this scheme was previously agreed under APP/2017/0430.
12. To ensure there is appropriate mitigation against the loss of existing biodiversity and nature habitats and in order to provide a net gain in biodiversity in accordance with the NPPF.
13. To ensure that the visual impact and impact on the amenity of the wider area is acceptable and that the scheme is appropriate in terms of its close proximity to other nearby wildlife habits and buildings. Also in the interests of highway safety, and to safeguard the amenity of adjacent buildings. To conform to Policy GP7 of the Burnley Local Plan, Second Review.
14. In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additional units on the site.
15. In the interests of the amenity of the area and highway safety, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or internal/external alterations.

16. To enable the local planning authority to consider any future change having regard to policy EW4 and GP3 of the Burnley Local Plan, Second Review and any other material considerations.
17. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
18. In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
19. In accordance with Local Plan policy GP8 and to secure a satisfactory development which is appropriate to the locality in the interests of visual amenity.

AGENDA ITEM 6d

Full Planning Application - APP/2017/0610

Proposed 2 storey extension to side and rear (resubmission of APP/2017/0198)

111 Thursby Road Burnley

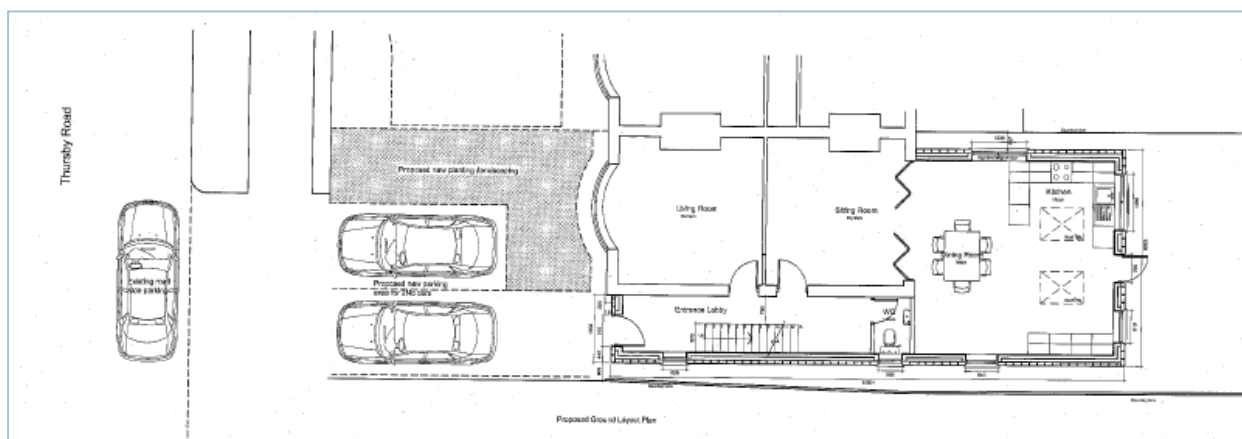
Late Correspondence

Amended Plans

Amended plans have been received which alter the car parking layout at the front of the dwelling to provide for two parking spaces within the curtilage and one on- street space in front of the house.

The Highway Authority is satisfied that this arrangement will provide adequate parking for the dwelling.

The amended plan provides for part of the garden area to remain as a landscaped area.



Amended Site Layout

The discrepancies in the measurements shown on the application plans have now been clarified and the changes do not give rise to further material considerations.

The changes do not overcome the objections received from nearby residents, which remain as set out in the report.

Corrections

Page 71 – the end paragraph should say that it is no. 113 Thursby Road which is the attached semi to the application property. It should say that there is an existing conservatory at the rear of no. 113.

Page 72 – the photograph at the top of the page is no. 113 Thursby Road on the right hand side – the photograph shows the relationship of no. 111 to 113.

Page 72 – the first paragraph should refer to the outlook, privacy and sunlight affecting no. 113 Thursby Road.

Page 72 – the second paragraph should start “No. 109 Thursby Road...”

Page 72 – the photograph at the bottom of this page is taken from the application site towards no. 109.

Change in Recommendation

That the application be approved 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: 173101/A3/1.000, received on 20 December 2018; and, 173101/A3/3.001E, 173101/A3/2.002C, 173101/A3/3.000F, 173101/A3/3.002 and 173101/A3/2.005C, received on 25 April 2018.
3. The car parking provision shown on Drg. No. 173101/A3/2.005C received 25 April 2018 shall be provided as approved before any part of the extension hereby permitted is brought into use.
4. The landscape area shown on Drg. No. 173101/A3/2.005C received 25 April 2018 shall be planted with appropriate species suitable for a residential garden area within the next planting season following substantial completion of the extension and shall thereafter be retained at all times.
5. All windows on the side elevations of the extensions hereby approved (3no. ground floor windows and 1no. first floor window on the west side elevation facing 109 Thursby Road and 1no. high level ground floor window on the east side elevation facing 113 Thursby Road) shall be fitted with permanent obscure glazing before any part of the extensions are first brought into use. The obscure glazing shall thereafter be retained at all times and any replacement glazing shall also be obscure glazed.
6. The materials of construction to be used on the external walls and roof of the development shall match those of the existing dwelling, including the use of matching natural stone to the lower wall of the front elevation as indicated on the approved plans.

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 that adequate parking provision is in place in the interests of highway safety, in accordance with Policy H13 of the Burnley Local Plan and Policy HS5 of the emerging Burnley Local Plan.
4. To ensure a satisfactory appearance in the interests of visual amenity, in accordance with Policy H13 of the Burnley Local Plan and Policy HS5 of the emerging Burnley Local Plan.
5. To protect the amenities of the adjoining residents having regard to Policy H13 of the Burnley Local Plan and Policy HS5 of the emerging Burnley Local Plan.
6. To ensure a satisfactory appearance to the development, in accordance with Policy H13 of the Burnley Local Plan and Policy HS5 of the emerging Burnley Local Plan.