

DEVELOPMENT CONTROL COMMITTEE

Thursday, 18th October, 2018
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

**Thursday, 18th October, 2018 at 6.30
pm**

8. Late correspondence

3 - 6

MEMBERSHIP OF COMMITTEE

Councillor Arif Khan (Chair)
Councillor Frank Cant (Vice-Chair)
Councillor Afrasiab Anwar
Councillor Gordon Birtwistle
Councillor Margaret Brindle
Councillor Saeed Chaudhary
Councillor Sue Graham
Councillor John Harbour

Councillor Alan Hosker
Councillor Mohammed Ishtiaq
Councillor Marcus Johnstone
Councillor Neil Mottershead
Councillor Mark Payne
Councillor Asif Raja
Councillor Jeff Sumner
Councillor Cosima Towneley

PUBLISHED

Wednesday, 10 October 2018

DEVELOPMENT CONTROL COMMITTEE

Thursday 18 October 2018

Late Correspondence/Verbal Reports

AGENDA ITEM 6a

APP/2018/0385 – Worsthorne Recreation Ground, Lennox Street, Worsthorne

Pages 23-40

Amended Application Description

Proposed improvements to recreation ground including clubhouse, changing facilities, car parking/games area, drainage/pitch improvements, creation of swale, new footpath and outdoor fitness equipment

Late Correspondence

An email was received this morning from Ingham and Yorke who act as appointed Agents on behalf of Sir Simon Towneley, KCVO in respect of his Worsthorne Estate, freehold owner of the Worsthorne Recreation Ground and the greater part of Lennox Street. They have written in reference to this scheme and wish to make clear the Worsthorne Estate's position on this proposal.

The Estate supports the scheme on the basis that the following two criteria are met:

1. The recreation ground remains accessible to multi-users and the broader public community, and
2. All concerns raised by the local residents with regard to this scheme have been reasonably addressed.

Please take note that as freehold owners, any decision made under delegated powers and concerning the site must be subject to the consent of the Worsthorne Estate. The scheme remains subject to contract until terms for a new lease are agreed between the Council and the Worsthorne Estate.

Amended Plans

Amended and additional plans have been received which incorporate the following:-

1. The footpaths have been moved to ensure that a minimum run-out of 3 metres is achieved around all of the pitches.
2. The description of the car park has been amended to make it clear that a car park is being provided for match day parking which also is available for ball games use at all other times.
3. Detailed floor plans of the changing facilities
4. Details of the drainage design

Sport England are unable to respond prior to the committee meeting, in which case the recommendation for Delegation needs to be amended as follows.

Amended Recommendation

Delegate authority to the Head of Housing and Development Control to approve subject to the receipt of no FURTHER objections from Sport England and subject to the following conditions and any other conditions deemed appropriate by Sport England.

Amended Condition 2 to include amended plans

- The development hereby permitted shall be carried out in accordance with the following approved plans: Loc1 (1:3000 location plan), CX1505/WRG2/K,18-036-01A, 18-036-02A, 18-036-03, 18-036-04A and TBP5700 Sheet 1 of 1, received on 7 August 2018; WRG10 (Works to access track), received on 3 October 2018, new plan 18-036-02B (New Cabin Buildings) and amended plan CX1503/L01 Rev. M received 17th October 2018.

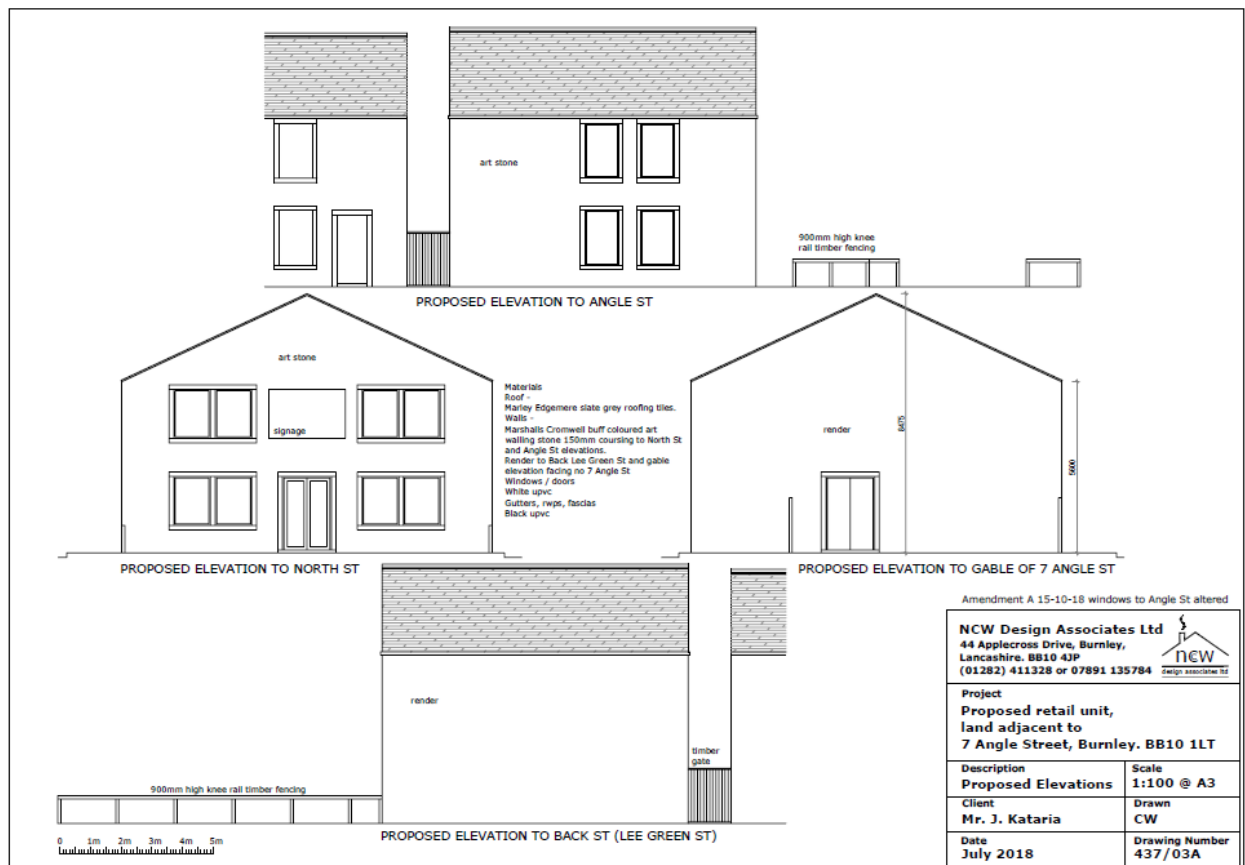
AGENDA ITEM 6b

APP/2018/0358 – Land adjacent Angle Street

Pages 41-50

Amended Plans

Suitable amended plans have been received which include changes to the windows on the Angle Street to reflect the tradition proportions of the adjacent terrace.



Amended condition 9 relating to hours of operation and deliveries

This condition now seeks to limit the deliveries to the unit within opening hours in order to prevent impacts on residential properties outside of these times.

Change to Conditions

Condition 2 has been changed to that set out in the report to reflect new drawing numbers.

Condition 9 has been changed to that set out in the report to restrict deliveries to the time the shop is open.

Change in recommendation

It is recommended that planning permission be granted subject to the following conditions:

Amended 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 Nos. 437/01 and 437/04 received 25 July 2018.
Drawing Nos. 437/02A and 437/03A received 15 October 2018.
3. The parking and manoeuvring area shown on the approved plan, Drawing no. 437/02 received 25 July 2018, shall be surfaced in a porous material and marked out to indicate the proposed disabled parking bay together with a designated pedestrian route from the highway to the front entrance to the building, before the retail unit hereby approved is brought into use.
4. The parking and manoeuvring area shown on the approved plan, Drawing no. 437/02 received 25 July 2018, shall be retained at all times for the parking and loading / unloading of goods. There shall be no storage of goods or equipment on this area.
5. The off-site highway works to provide vehicular access from North Street shall be carried out in full accordance with Section 278 of the Highways Act, in consultation with the Highway Authority, before the retail unit hereby approved is brought into use.
6. No development shall take place including the removal of the existing walls and structures, 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. It shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in the constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities and road sweeping as required
 - vi) Measures to control the emission of dirt and dust during construction
 - vii) Details of working hours
 - ix) Routing of delivery vehicles to/from the site
 - x) Contact details of the site manager
7. There shall be no construction works taking place on the development hereby approved, outside the hours of 0800 hours to 1800 hours Monday to Friday; 0800 hours to 1300 hours on Saturdays and not at any time on Sundays and Bank Holidays.

8. The two landscaped areas indicated on the approved plan, Drawing no. 437/02 received 25 July 2018 shall be provided to the satisfaction of the local planning authority and each area shall contain a tree such as a Japanese Maple, Cherry, Magnolia, or similar suitable for a small garden. The areas shall thereafter be maintained in accordance with good horticultural practice.
9. The retail unit shall not open outside the hours of 0800 to 1900, Monday to Saturday; 1000 to 1600 on Sundays and Bank Holidays and no deliveries shall take place outside these hours.

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 /4/5 In the interests of highway safety to ensure that adequate facilities are available whilst the use is in operation, having regard to Policy IC3 of Burnley's Local Plan July 2018.
6. The construction method statement is required before the development commences to ensure that the site is managed in such a way as to avoid any impacts on highway safety from the start of the works and throughout the period of construction.
7. In the interests of highway safety and residential amenity, to avoid undue disturbance in the surrounding area during the construction period.
8. To compensate for the loss of planting on the site and to ensure the development harmonises with the surrounding area, having regard to Policy NE4 of Burnley's Local Plan July 2018.
9. To avoid disturbance to neighbouring residential properties at unsocial hours having regard to Policy TC6 of Burnley's Local Plan July 2018.