

DEVELOPMENT CONTROL COMMITTEE

Thursday, 14th February, 2019
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 14th February, 2019 at 6.30
pm

Late correspondence

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, 6 February 2019

DEVELOPMENT CONTROL COMMITTEE

Thursday 14 February 2019

Late Correspondence/Verbal Reports

AGENDA ITEM 6a

APP/2018/0446 – Land at Grove Lane and High Street, Padiham

Pages 19-28

Conditions

The application is recommended for approval subject to the following 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: 5668-003, received on 14 September 2018; Loc1 (1:1250 location plan) and 5668-004B, received on 19 November 2018; 5668-007D, 5668-002E, 5668-005E and 5668-006C, received on 5 December 2018.
3. Prior to construction work commencing on the approved dwellings, details and representative samples of the external materials of construction to be used on the walls and 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.
4. 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;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) measures to control noise during construction;
 - vii) wheel washing facilities;
 - viii) details of working hours;
 - ix) details of phasing of the development and timescales for completion of stages of the development;
 - x) routing of delivery vehicles to/from the site; and,
 - xi) contact details for the site manager.
5. No construction of the approved dwellings shall be commenced until a scheme of off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide for any necessary alterations to the highway resulting from the proposal including

changes to street lighting. No dwelling shall be first occupied until the approved scheme has been carried out and completed in accordance with the approved details.

6. Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:-
 - a) A desktop study 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 shall be produced.
 - b) If necessary following the recommendations of a) above, a site investigation designed for the site using the information obtained from (a) above; and,
 - c) a site investigation and associated risk assessment; and,
 - d) a Method Statement and remediation strategy, based on the Information obtained from c) above.

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 which shall be agreed in writing by the Local Planning Authority.

7. Prior to the commencement of development, a scheme of intrusive site investigations to assess the ground conditions and the potential risks posed to the development by past coal mining activity together with report findings and recommendations for remedial works shall be submitted to and approved in writing by the Local Planning Authority. The remedial works contained within the approved scheme shall thereafter be implemented in their entirety and completed prior to any dwelling being first occupied.
8. Prior to the construction of any dwellings, a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and details of new planting to include native tree, shrub and hedge planting and provision of nest boxes adequate to provide mitigation for loss of the existing semi-natural habitats on the site, shall be submitted to and approved in writing by the Local Planning Authority.
9. 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 first occupation of any of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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 approval to any variation.
10. No works to trees or shrubs shall be carried out 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 Local Planning Authority.

11. No works to trees or shrubs shall be carried out 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 Local Planning Authority.
12. Prior to any earthworks taking place, a method statement detailing eradication and/or control and/or avoidance measures for japanese knotweed should be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall thereafter be implemented and adhered to in full throughout the course of the development.
13. Prior to the commencement of development, details of a surface water drainage scheme, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and completed prior to any part of the development being first brought into use. The approved drainage scheme shall thereafter be retained in perpetuity.
14. No dwelling shall be first occupied until details of a management and maintenance plan for the sustainable drainage system required by condition 13 which shall cover the lifetime of the development, has been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage system shall thereafter be managed and maintained in accordance with the approved details in perpetuity.
15. No dwelling shall be first occupied unless and until its associated car parking has been constructed, drained, surfaced and is available for use in accordance with the approved plans. The car parking spaces associated with each dwelling shall thereafter be retained for the purposes of car parking at all times in the future.
16. No dwelling shall be first occupied until it has been provided with an electric car charging point which uses a three-pin 13-amp electrical socket in a suitable position to enable the recharging of an electric vehicle using a 3m length cable.
17. During the site works and 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 other than between 08:00 and 18:00 hours Monday to Friday and between 08:00 and 13:00 hours on Saturdays.
18. No dwelling hereby approved shall be first occupied until their associated screened refuse and recycling storage facilities have been constructed, completed and are available for use in accordance with the approved plans. The approved refuse and recycling storage facility shall thereafter be retained and remain available at all times for use by the approved dwellings.
19. Prior to the commencement of the construction of any dwelling, a scheme of boundary treatment which shall include design and material specifications, shall be submitted to and approved in writing by the Local Planning Authority. The

approved boundary treatment shall thereafter be carried out and completed prior to the first occupation of any dwelling to which that part of the approved boundary treatment relates and shall be retained at all times thereafter.

20. No shed as indicated on the approved plans shall be erected until detailed dimensioned plans and construction details have been first submitted to and approved in writing by the Local Planning Authority. Each shed shall thereafter only be erected in accordance with the approved details.
21. No dwelling shall be first occupied until its associated stepped access to the rear elevations has been constructed, completed and is available for use.

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 a satisfactory appearance to the development, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
4. To ensure that the safety and amenities of residents in the surrounding area are satisfactorily protected and disturbance is minimised, in accordance with Policies NE5 and IC1 of Burnley's Local Plan (July 2018). The Construction Management Plan is required prior to the commencement of development to ensure that the measures contained therein can be carried out at the appropriate phases of the construction period.
5. To ensure the minor changes to the highway that are necessitated by the development are agreed and carried out in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
6. To ensure the site is made suitable for residential use, in accordance with Policy NE5 of the Burnley's Local Plan (July 2018). The investigation and report is required prior to the commencement of development to ensure that measures that are necessary to make the development acceptable can be carried out at an appropriate stage in the development.
7. To ensure adequate precautions are carried out to take account of the ground conditions and past mining operations on the site, in accordance with the Policy NE5 and the National Planning Policy Framework. The intrusive investigations and remedial work details are required prior to the commencement of development to ensure that the appropriate precautions, including any mitigation measures, can be carried out at the appropriate stage in the development of the site, in the interests of public safety.
8. In the interests of the visual amenities and the ecology of the site, to ensure adequate mitigation for the loss of semi-natural habitat, in accordance with Policies HS4, SP5 and NE1 of Burnley's Local Plan (July 2018).

9. To ensure the satisfactory implementation of the approved landscaping scheme, to ensure a satisfactory appearance to the development and the effective mitigation against the loss of habitat for birds and wildlife, in accordance with Policies HS4, SP5 and NE1 of Burnley's Local Plan (July 2018).
10. To ensure adequate safeguards and protection for bird nests which are protected under the Wildlife and Countryside Act 1981 and in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
11. To ensure adequate safeguards and protection for bird nests which are protected under the Wildlife and Countryside Act 1981 and in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
12. In order to prevent the spread of an invasive species, in accordance with the Wildlife and Countryside Act 1981 and Policy NE1 of Burnley's Local Plan (July 2018).
13. To ensure the adequate drainage of the site and to reduce the risk of flooding, in accordance with Policy CC4 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that the measures identified in the scheme can be carried out at the appropriate stage of construction.
14. To ensure that adequate and appropriate funding, responsibility and maintenance mechanisms are in place for the lifetime of the development, in order to ensure the appropriate drainage of the site and to reduce the risk of flooding, in accordance with Policy CC4 of Burnley's Local Plan (July 2018).
15. To ensure adequate off-street parking, in the interests of highway safety and amenity, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
16. To encourage the use of electric vehicles in order to reduce emissions and protect the local air quality in accordance with Policy IC3 of Burnley's Local Plan (July 2018), the National Planning Policy Framework and the Burnley Green Infrastructure Strategy 2013-2031.
17. To protect the amenities of local residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).
18. To ensure adequate refuse and recycling storage for the approved dwellings in order to cater for the needs of the development and to protect the visual amenities of the area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
19. To ensure a satisfactory edge to the development and a satisfactory appearance within the street scene, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
20. No details of the sheds have been provided with the application and are necessary to ensure a satisfactory appearance, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

21. To ensure adequate access from the rear gardens of the approved dwellings, to ensure adequate accessibility, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
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