

DEVELOPMENT CONTROL COMMITTEE LATE CORRESPONDENCE

Thursday, 30th May, 2019
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 30th May, 2019 at 6.30 pm

A G E N D A

8. Late Correspondence

3 - 6

MEMBERSHIP OF COMMITTEE

Councillor Cosima Towneley (Chair)
Councillor Gordon Birtwistle (Vice-Chair)
Councillor Afrasiab Anwar
Councillor Frank Cant
Councillor Saeed Chaudhary
Councillor Andy Fewings
Councillor Sue Graham
Councillor John Harbour

Councillor Alan Hosker
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Councillor Marcus Johnstone
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Councillor Neil Mottershead
Councillor Mark Payne
Councillor Asif Raja
Councillor Jeff Sumner

PUBLISHED

Tuesday, 21 May 2019

DEVELOPMENT CONTROL COMMITTEE

Thursday 30th May 2019

Late Correspondence/Verbal Reports

AGENDA ITEM 6a Pages 11-26

APP/2018/0397 - Proposed new petrol filling station, shop and community garden at Former Padiham Primary School, Victoria Road, Padiham

Opening hours:

The applicant has requested one hour later opening on Fridays and Saturdays to reflect later evening weekend trade. Up to 11pm on Fridays and Saturdays only would be reasonable and it is recommended that condition 5 is varied as below.

Alter Condition 5

The approved Petrol Filling Station and ancillary retail shop shall not be open for business apart from between 07:00 and 22:00 hours Monday to Thursday and Sundays, and between 07:00 and 23:00 hours on Fridays and Saturdays.

Reason: As agenda.

Alter Condition 12

No later than six months prior to any part of the development being first open for business, details of the frequency and hours of deliveries and servicing, including details of how these will be managed, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include provision for no deliveries between the hours of 08:00 and 09:00 hours and between 15:00 and 17:30 hours during weekdays or at any time outside of opening times. Deliveries and servicing at the site shall thereafter only take place in accordance with the approved hours and details of management.

Reason: As agenda.

Correction to Condition 15

Replace the words "condition 9" with "condition 14".

The following are additional conditions that are recommended:

New Condition 18

Prior to the commencement of development, including any site clearance works, a scheme of landscaping which shall include details of all existing trees to be retained on the site, and details of new tree and shrub planting and seeding, and hard landscaping works to include paths and benches, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the scheme and its impact on the visual amenities of the site and its surroundings, having regard to the setting of an adjacent

Grade II* listed building, in accordance with Policies SP5 and HE2 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that any works that are necessary can be carried out at the appropriate stage in the development.

New Condition 19

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 use of the approved petrol filling station or its completion, whichever is the sooner; and 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 approval to any variation.

Reason:

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 SP5 and HE2 of Burnley's Local Plan (July 2018).

New Condition 20

No development shall be commenced until a means of protecting the trees within and adjacent to the site, in accordance with BB5837 (2012), including the protection of root structures from injury or damage prior to and during the development works, has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also provide for no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees. The approved scheme of protection shall be implemented in its entirety before any works are carried out, including any site clearance work, and thereafter retained during building operations until the completion of the development.

Reason:

To ensure adequate protection for the long term health of trees that should be retained and protected in the interests of the visual amenities of the site and the setting of the adjacent Grade II* listed building, in accordance with Policies SP5 and HE2 of Burnley's Local Plan (July 2018).

New Condition 21

No part of the development shall be first open for business until cycle parking has been constructed and is available for use in accordance with details as indicated on the approved plans.

Reason:

To encourage the use of cycles as a sustainable means of travel, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

New Condition 22

No part of the site shall be first brought into use until the approved car parking has been constructed, drained, hard surfaced, marked out and is available for use in accordance with the approved plans.

Reason:

To ensure adequate parking provision to cater for the approved development, in

accordance with Policy IC3 of Burnley's Local Plan (July 2018).

AGENDA ITEM 6b

Pages 27-36

APP/2019/0009 - Subdivision of existing site into two curtilages with new dwelling on new plot at 106 Wellfield Drive, Burnley

Additional Report

The drawing (as referred to in the main report) showing details of driver visibility at the access has been received. Also, to ensure that the external materials harmonise/blend with the adjacent buildings full details/samples should be submitted for approval. The following recommendations are, therefore, made regarding conditions:

Substitute condition 2.

The development shall be carried out in accordance with the application drawings, namely: Drawings number: 1810-LP01; 1810-SP01; 1810-SP02; 1810-PL05; 1810-PL01; 1810-PL02; 1810-PL03; 1810-PL04, received 2 January 2019; 1810-LP10 (Site Plan with Visibility Splays) received 29 May 2019.

New condition 6

The visibility of drivers entering Wellfield Drive from the site access shall be provided as follows: From the height of one metre above the driveway level at the access (being 2.4m from the edge of carriageway) clear visibility, without obstruction, shall be maintained across all the land within the site and within the applicant's control, between the sight lines (identified by chain-dotted lines on drawing number 1810 – LP10) and Wellfield Drive.

Reason 6

In the interests of highway safety.

New condition 7

Samples of the external materials of construction shall be submitted to and approved in writing by the Local Planning Authority before their use in construction.

Reason 7

In the interests of visual amenity in accordance with policy SP5 of the Burnley's Local Plan(2018).

AGENDA ITEM 6c

Pages 37-46

APP/2019/0150 – Refurbishment of existing ground floor fish and chip shop unit and first floor residential unit with single storey flat roof extension, together with new shop fronts and roller shutters to both front and side elevations at 113 Lyndhurst Road, Burnley

Amended Plan

An amended plan has been received that replaces the proposed rear first floor horizontal window with a window with a vertical emphasis. It also shows that the proposed roller shutters will be powder coated. These details are satisfactory. Conditions 2 and 3 are amended as follows:

Alter Condition 2

The development hereby permitted shall be carried out in accordance with ht3 following approved plans: drawing nos. 1908-PL01 and 1908-PL02, received on 22 March 2019; amended drawing nos. 1908-LP01 (location plan) and 1908-PL10A, received on 17 May 2019; and, amended drawing no. 1908-PL11B, received on 24 May 2019.

Reason: As agenda.

Alter Condition 3

The roller shutter housing for the approved roller shutters shall be contained internally within the shopfronts and shall have a powder coated finish as indicated on the approved plans.

Reason:
As agenda.