



DEVELOPMENT CONTROL COMMITTEE

**ROOMS 2 & 3, BURNLEY TOWN
HALL**

Thursday, 9th June, 2022 at 6.30 pm

SUPPLEMENTARY AGENDA

9) *Update Report*

3 - 14

PUBLISHED

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DEVELOPMENT CONTROL COMMITTEE

Thursday 9th June 2022

Update Report prior to Committee meeting

AGENDA ITEM 7a

REM/2021/0735 - 1 Magnesium Way, Hapton, Lancashire

Following receipt of late correspondence with the agent, the recommended conditions have been revised as follows:

Condition 2 amended to read:

The development hereby permitted shall not be carried out other than to the approved drawings and specification of works noted thereon except where modified by the conditions of this consent. The approved drawings are:

19.141.001 T (Proposed Site Layout at 1:500 Scale) Received 06.05.22
19.141.01 001 B (Unit A Key Plan at 1:200 Scale) Received 07.12.21
19.141.02 001 B (Unit B Key Plan at 1:200 Scale) Received 07.12.21
19.141.03 001 B (Unit C Key Plan at 1:200 Scale) Received 07.12.21
19.141.01 002 A (Unit A Key Elevations at 1:150 Scale) Received 07.12.21
19.141.02 002 A (Unit B Key Elevations at 1:150 Scale) Received 07.12.21
19.141.03 002 A (Unit C Key Elevations at 1:50 Scale) Received 07.12.21
4768 04 Rev B (Planting Plan at 1:500 Scale) Received 17.05.22
4768 02 Rev A (Site Sections 5 Year Tree Growth at 1:250 Scale) Received 06.05.22
4768 03 Rev A (Site Sections 15 Year Tree Growth at 1:250 Scale) Received 06.05.22
4768 01 Rev A (Landscape Mitigation Plan at 1:500 Scale) Received 06.05.22
00.21299-ACE-00-XX-DR-C-01000 P2 (Drainage Layout) Received 02.02.22

Reason: To ensure that the development hereby approved is carried out in accordance with the submitted plans

Condition 15 amended to read:

Completion of Highway Works

No part of the development hereby approved shall be occupied or opened for trading until all the highway works have been constructed and completed in accordance with a scheme, including the construction of the bus lane and cycle/pedestrian links to Cambridge Drive, that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: 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 in the interest of highway safety in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

Condition 13: Deleted

Condition 14: Deleted

AGENDA ITEM 7b

OUT/2020/0366 – Accrington Road, Burnley

Pages 37-68

Page 56 – Ecology

A revised Biodiversity Net Gain (BNG) Assessment has been submitted. This uses a standardised methodology and baseline values against which to compare a site pre and post development. It calculates that pre-development the site has 29.34 Habitat Units whilst post development this would increase to 34.05 Habitat Units which would be an ecological gain of 4.71 Habitat Units. On an area basis, the assessment indicates that there would be a BNG of 16%. This would be achieved by improving grassland, new broadleaved woodland areas, new native hedges and other tree planting. The submitted assessment demonstrates that there would be a substantial net gain in biodiversity resulting from the development, in which case, the proposal accords with Policy NE1 which requires proposals to seek opportunities to maintain and actively enhance biodiversity in order to provide net gains where possible. The recommended condition on the agenda report (no. 12) has been altered (see below) to require a scheme of ecological enhancements in accordance with the submitted BNG Assessment.

Recommended Conditions

The list of recommended conditions on the agenda has been modified. Condition 12 has been altered (as above); requirements for a noise and dust suppression measures during construction have been included in the requirements for a Construction Management Plan; a lighting strategy for habitat areas and other areas has been put into a single condition; Condition 37 relating to off-site improvements to Public Footpath 12 has been deleted and would instead be part of a s106 Agreement; three conditions have been added: to require a Reserved Matters application for access details to include provision for a pedestrian/cycle link from the proposed diverted route of FP 12 to the east corner of the site boundary; to prevent open storage; and, to control vehicular access to a single point on Accrington Road only. Minor corrections or changes have also been made to various conditions to account for phasing of the development. A full list of the modified list of recommended conditions is provided below:-

1. Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins within any phase in accordance with an approved Phasing Plan and Strategy, and the development shall be carried out as approved.

Reason: The permission is an outline planning permission.

2. Application for approval of any reserved matters shall be made to the Local Planning Authority no later than five years from the date of this permission.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.

3. The development of the first or any phase hereby permitted shall begin not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.

4. No development of any kind, including vegetation clearance, shall be commenced until a Phasing Plan and Strategy to identify the sequence and the spatial phasing of development to include earthworks, ground works, access, infrastructure, landscaping and built development, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved Phasing Plan & Strategy unless any variation to it is otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To assist the phasing of the construction of a major development on a large site and to ensure its effective delivery, in accordance with Policies EMP1/5, SP5 and NE5 of Burnley's Local Plan (July 2018).

5. The development hereby permitted shall be carried out in accordance with the following approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

6. An application for the approval of Reserved Matters shall, in accordance with the approved Phasing Plan and Strategy, be accompanied with details of existing and proposed land levels and cut/fill operations which shall not lead to a bulk import or export of soil/material to or from the site. The development shall thereafter only be carried out in accordance with the approved details.

Reason: To ensure that these details are satisfactory in respect of the visual impact on the landscape and to ensure that all existing soil and material is dealt with effectively on site to avoid unnecessary transportation, in accordance with Policies NE3 and NE5 of Burnley's Local Plan (July 2018).

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any statutory instrument revoking and re-enacting those Orders, the development hereby permitted shall be for employment uses falling within Class E (g)(ii) and/or E (g)(iii) (former Class B1 b&c), and/or Class B2 and/or Class B8 only and shall not be used for any other purposes without the prior written permission of the Local Planning Authority.

Reason: To ensure the satisfactory implementation of the proposal and safeguard employment development and provision, in accordance with Policy EMP1/5 of Burnley's Local Plan (July 2018).

8. Any landscaping scheme submitted for the approval of Reserved Matters shall provide a landscape buffer around the site's perimeter that, notwithstanding detailed specifications and species, is broadly in accordance with that indicated on submitted illustrative Planting Plan, drawing number 4884-01RevF.

Reason: To ensure adequate and appropriate landscaping to mitigate the visual impacts of the development on a prominent site, in accordance with Policies EMP1/5 and NE3 of Burnley's Local Plan (July 2018).

9. All planting, seeding or turfing comprised in the approved details of landscaping to be approved as a Reserved Matter shall be carried out in the first planting and seeding seasons following the first occupation of the approved development within that phase of the development or the completion of the development, 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 and contributes to biodiversity enhancement, in accordance with Policies EMP1/5, SP5, NE1 and NE3 of Burnley's Local Plan (July 2018).

10. Any application for the approval of Reserved Matters shall not exceed the maximum parameters for the building footprint (up to 47,500sqm) and eaves and ridge heights as specified on the submitted Development Parameters Plan, drawing number 014-B, received on 4 May 2022.

Reason: To ensure the satisfactory implementation of the proposal, having regard to the visual prominence and transitional nature of the site between the rural and urban area, in accordance with Policies EMP1/5, SP5 and NE3 of Burnley's Local Plan (July 2018).

11. No development shall take place on any agreed phase until a scheme to deal with contamination on that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall conform to current guidance and best practice as set out in BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations; or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority:
- a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
 - b) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

No unit shall be first occupied within any agreed phase until a Verification report (produced by the suitably qualified person) to evidence that all remediation works, as

applicable, have been carried out in accordance with the approved remedial strategy, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to deal appropriately and safely with the risks posed to the public and future occupiers of the development as a result of previous uses of the site and land in the surrounding area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

12. Prior to the commencement of development on any agreed phase, a scheme of Biodiversity Enhancement Measures for that phase, to achieve a Biodiversity Net Gain (BNG) broadly in accordance with the Biodiversity Offsetting Calculations prepared by Envirotech Consultants (report reference AWG/2827, dated 1st June 2022) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of Biodiversity Enhancement Measures shall be carried out and completed in each agreed phase prior to any unit in that phase being first occupied.

Reason: To protect the integrity of biodiversity at the application site and locality in line with the expectations of the National Planning Policy Framework and in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

13. Prior to the commencement of development on any agreed phase, a Landscape and Ecological Management Plan (LEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall provide details for the following:-
- a) description and evaluation of the features to be managed;
 - b) ecological features and constraints that may influence management;
 - c) aims and objectives of management;
 - d) appropriate management options and prescriptions for management actions;
 - e) a work schedule (including an annual work plan capable of being rolled forward over a five year period);
 - f) details of the body or organisation responsible for implementation of the plan; and,
 - g) on-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan for a period of not less than 25 years will be secured by the developer with the management company or body responsible for its delivery. The Plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented. The approved LEMP shall thereafter be carried out and adhered to at all times.

Reason: To ensure that the planting and biodiversity assets and mitigation measures that are present and deployed on the site are effectively managed to ensure their long term protection and benefits to biodiversity, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

14. Prior to the commencement of development on any agreed phase, a Construction Environment Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority which shall provide details for the following measures:
- i) to identify and provide protection measures for any features of biodiversity value that may be affected by the development;

- ii) measures to control the movement of silt and water quality (including details of cut-off drains and strategic use of silt curtains);
- iii) details of the construction lighting to be designed to avoid light spillage onto trees and areas of habitat.

The agreed measures shall be implemented prior to any site clearance or development being commenced in each agreed phase and retained in their entirety for the duration of the development until its completion.

Reason: To protect wildlife and the biodiversity of the site and its surroundings, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

15. No change to the lining of the culvert from the site northwards shall at any time be made unless details of a bat inspection and the proposed changes have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect bats which are protected species and may potentially occupy the culvert, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

16. No development shall be commenced on any agreed phase until a scheme for the means of protecting the trees and hedges to be retained on or adjacent to that phase, in accordance with BS 5837 (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 or hedges. The approved scheme of protection measures 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/hedges which should be retained in the interests of the visual amenities and biodiversity of the site and its surroundings, in accordance with Policy NE4 of Burnley's Local Plan (July 2018).

17. No vegetation clearance, removal of trees or site works shall take place during the bird nesting season between the 1st March and 31st August inclusive in any year unless a qualified ecologist has inspected the area no more than 24 hours prior to the works/removal and provides written confirmation to the Local Planning Authority that no nests or breeding birds will be affected by the development.

Reason: To ensure that nesting birds which are protected by the Wildlife and Countryside Act 1981 are not harmed by the development, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

18. No development shall be commenced on any agreed phase until an updated inspection for bats by a suitably qualified bat specialist or ecologist of the trees to be removed or affected by the development in that phase has been carried out and submitted to and approved in writing by the Local Planning Authority within a period not exceeding six months prior to the tree works taking place. In the event that the survey finds evidence of bats at the site, no development shall take place until

appropriate advice has been taken and any necessary licence has been obtained or mitigation measures agreed.

Reason: To ensure the appropriate surveys are up to date and reliable, in order to protect bats which are protected species, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

19. Each application for the approval of Reserved Matters shall provide a detailed external lighting plan to identify the following:-
- i) both highways and security lighting that may affect habitat areas, trees and landscaping. This shall include specifications of luminaires and light contour plans and be designed in accordance with the guidance notes of the (01/2021 The Reduction of Obtrusive Light) (Institute of Lighting Professionals, 01/2021) and `Bats and Artificial Lighting in the UK` (Bat Conservation Trust , 08/2018); and,
 - ii) for all remaining areas of the site, a programme for the lighting of the proposed development, to include details of:
 - a) the location, type and intensity of lights;
 - b) the types of masking or baffle at head.
 - c) the type, height and colour of lighting columns;
 - d) the number and size of lighting units per column; and,
 - e) light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on nearby properties.

The development shall thereafter only be carried out in accordance with the approved details of external lighting and shall be retained at all times. No additional external lighting or variance to the approved scheme shall be carried out at any time without the prior written permission of the Local Planning Authority.

Reason: To protect wildlife, including protected species, which is sensitive to lighting; to safeguard the amenities of the occupiers of surrounding residential properties; and to minimise light pollution on a site with rural surroundings, in accordance with Policies NE1, SP5 and NE5 of Burnley's Local Plan (July 2018).

20. Each Reserved Matters application shall be accompanied by a Noise Assessment that shall be carried out in accordance with BS4142 to assess the noise emanating from the use of the development relating to that Reserved Matters application together with cumulative noise from the whole of the development relating to this outline application. The submitted Noise Assessment shall detail any mitigation measures that are required to protect the amenity of occupiers of nearby noise sensitive properties. The approved mitigation measures shall be implemented in full prior to the completion or first use (whichever is the sooner) of the development relating to the Reserved Matters application and shall be retained at all times. The development shall thereafter only be carried out and operated in accordance with the details and recommendations of the approved Noise Assessment.

Reason: To ensure an informed and detailed assessment of the impacts of the development on noise to nearby receptors in order to control and mitigate the effects of the development to safeguard the amenities of nearby residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

21. Noise from the development expressed at a rating level (in accordance with BS4142:2014+A1(2019)) shall not cumulatively exceed the existing background level

by more than 5 dB based on the Existing Background levels identified in the Dragonfly Consulting acoustic report ref: DC2153-R1v4, dated 13 May 2021.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

22. No development, including any site clearance or ground works, shall be commenced on any agreed phase until details of wheel cleaning facilities to be provided during site excavation, preparation and construction for that phase have been submitted to and approved in writing by the Local Planning Authority. The approved wheel cleaning facilities shall thereafter be installed and operational before any development commences and shall be retained in working order throughout all phases of the development. All vehicles leaving the site shall use the wheel cleaning facilities.

Reason: In order to minimise the amount of mud, soil and other materials being deposited on the highway, in the interests of highway safety and visual amenity, in accordance with Policy 1C1 of Burnley's Local Plan (July 2018)

23. Each Reserved Matters application shall be accompanied by an assessment of the impacts of the proposed development on air quality. The assessment shall be based on the details in the Reserved Matters applications and the scope of the assessment shall incorporate (but is not limited to):
- A review of the cumulative impacts of the development on the air baseline air quality identified in submitted Air Quality Assessment reports ref: J0457/1/F1 and J0457/2/F1
 - A detailed assessment of traffic emissions impacts arising from the detailed plans
 - A detailed assessment of the potential industrial impacts from any Class B2 use that may emit key air quality pollutants to atmosphere
 - Identification of mitigation measures.

For the avoidance of doubt, where a Reserved Matters application is made in several tranches, each reserved matters application shall consider the cumulative impact of all air quality emissions identified in previous reserved matters applications. Any mitigation measures within the approved assessment shall be carried out, implemented in full and retained at all times.

Reason: In the interest of residential amenity and to satisfactorily mitigated any impacts of the development on air quality, in air pollution, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

24. Each Reserved Matters application for any phase of the development shall be accompanied by details of Electric Vehicle Charging (EVC) Points to be provided within that phase. The submitted details shall include the specification, number and location of the EVC points. The approved EVC points shall thereafter be fully installed and available for use prior to any unit within that phase being first brought into use and shall be retained at all times thereafter.

Reason: To encourage the use of electric vehicles in order to reduce emissions and tackle climate change, in accordance with Policy IC3 of Burnley's Local Plan (July 2018), the Council's Air Quality Management SPD (December 2020) and the National Planning Policy Framework.

25. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological works. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site, in accordance with Policy HE4 of Burnley's Local Plan (July 2018).

26. An application for the approval of Reserved Matters for any phase of the development shall be accompanied with details of how the BREEAM rating of 'Very Good' will be achieved within that phase. The development of that each phase shall only be carried out in accordance with the approved detailed specifications and measures to achieve the 'Very Good' BREEAM rating and no building shall be first brought into use within any phase until a verification report has been submitted to and approved by the Local Planning Authority to evidence that the required standard has been met.

Reason: To ensure that the scheme achieves a high standard of sustainability, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

27. Prior to the commencement of development, a scheme for the detailed design of the proposed site access and off-site works of highway improvement that shall include improvements to the southern roundabout at Junction 9 of the M65 and bus stops either side of Accrington Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and completed in its entirety in accordance with the approved Phasing Plan & Strategy before any unit in each phase is first occupied.

Reason: To cater for the additional traffic that would be generated by the development and to ensure that satisfactory access is provided to the site and is made safe for all highway users and satisfactory provision is made to encourage use of public transport, having regard to sustainable travel and highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

28. No development shall take place within any approved phase, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
- 24 Hour emergency contact number
 - Details of the parking of vehicles of site operatives and visitors
 - Details of loading and unloading of plant and materials
 - Arrangements for turning of vehicles within the site
 - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures
 - Measures to protect vulnerable road users (pedestrians and cyclists)

- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction
- Measures to control the emission of dust and dirt during construction, including details of the construction methods and equipment to be used
- Measures to control noise emanating from the site during construction
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works
- Construction vehicle routing
- Delivery and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

The measures contained within the approved Construction Management Plan/ Construction Method Statement shall thereafter be carried out in their entirety at all times throughout the construction period until the completion of the development.

Reason: To ensure that the safety and amenities of occupiers of neighbouring properties and users of the local highway are satisfactorily protected, in accordance with Policies NE5 and IC1 of Burnley's Local Plan (July 2018).

29. Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Where permission is sought for works to be carried out outside the hours stated, requests in writing must be made with at least seven days' notice to the Local Planning Authority.

Reason: To safeguard the residential amenities of the local area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

30. Prior to the commencement of built development on any agreed phase, details of the design and implementation of a surface water sustainable drainage scheme for that phase, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and completed in accordance with the approved scheme prior any unit within each phase of the development being first occupied. The approved drainage scheme shall be retained at all times thereafter.

Reason: To ensure the adequate drainage of the site and to reduce the risk of flooding, in accordance with Policies CC4 and CC5 of the Burnley's Local Plan (July 2018).

31. The approved development shall not be first occupied in any approved Phase until a Verification Report and Operation and Maintenance Plan for the approved surface water drainage system for the lifetime of the development within that approved Phase has been submitted to and approved in writing by the Local Planning Authority. The

development shall be completed, retained, maintained and managed at all times in accordance with the approved plan.

Reason: To ensure 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 Policies CC4 and CC5 of the Burnley's Local Plan (July 2018).

32. Prior to the commencement of any development on any agreed phase, details of how surface water and pollution prevention will be managed during the construction process for that phase shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented at all times during the construction of the development until its completion.

Reason: To manage any risks from pollution and flooding arising from construction activities on site, in accordance with Policies NE5 and CC4 of Burnley's Local Plan (July 2018).

33. Foul and surface water shall be drained on separate systems and a scheme for the disposal of foul water shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of built development above ground level. The approved scheme for that phase shall be implemented in full and completed prior to any unit on that phase being first occupied. The foul water drainage scheme shall thereafter be retained at all times in the future.

Reason: To ensure the site can be adequately drained and to prevent pollution of groundwaters, in accordance with Policy NE5 of the Burnley's Local Plan (July 2018).

34. Prior to the commencement of built development above ground level on any agreed phase, details of the boundary treatment to be used on the perimeter of the site on that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide for the retention or alteration of the drystone wall to the site's frontage and the retention or re-provision of hedge boundaries. The boundary treatment shall thereafter be implemented and completed prior to the completion of the development. No other or additional boundary treatment shall be installed or constructed without the prior written approval of the Local Planning Authority.

Reason: To ensure an acceptable appearance to the edge of the development, in the interests of visual amenities, in accordance with Policy SP5 of the Burnley's Local Plan (July 2018).

35. An application for the approval of Reserved Matters relating to access shall provide for a pedestrian/cycle link to connect the proposed diverted route of Public Footpath No.12 to the site's eastern boundary in order to connect to a potential future off-site public right of way in that location. The application shall include details of its siting, width, construction, surfacing materials and timescales for its implementation. The approved pedestrian/cycle link shall thereafter be constructed and made available for use in accordance with the approved details and shall be so retained at all times.

Reason: To facilitate a link to potential footpath/cycle routes in the surrounding area, in order to improve the site's accessibility by means other than a motorised vehicle, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

36. There shall be open storage at any part of the application site.

Reason: To protect the visual amenities of the site and its surroundings, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

37. Vehicular access to the site shall be a single access from Accrington Road only.

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the proposal, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

AGENDA ITEM 7c

FUL/2021/0273 – Land south of Rossendale Road, Burnley
Pages 69-110

Correction

Page 90 - Affordable housing provision

The agenda report refers to the Written Ministerial Statement of 24 May 2021 which sets out amongst other related matters how a 25% proportion of Affordable Housing should be in the form of First Homes. It is acknowledged that the Ministerial Statement is potentially a material consideration which should be taken into account in addition to Policy HS2 of Burnley's Local Plan. The applicant has confirmed that they would be willing to provide either a First Home as one of the proposed four Affordable Homes that would be provided by the development (together with two Shared Ownership and one Affordable Rent), or an alternative of three Shared Ownership and one Affordable Rent. In this case, a higher number of Shared Ownership dwellings as well as an Affordable Rent property would cater for the identified and evidenced need whilst retaining scheme viability. The details would be agreed with the applicant as part of a s106 Agreement.

End of Late Correspondence
8th June 2022