

# DEVELOPMENT CONTROL COMMITTEE

Thursday, 9th July, 2020  
6.30 pm





# DEVELOPMENT CONTROL COMMITTEE

## REMOTE MEETING - LIVESTREAM ON YOUTUBE

Thursday, 9th July, 2020 at 6.30 pm

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

All meetings are currently being held remotely. Members of the public wishing to address the meeting should submit their request in the usual way, and will then be invited either to join the meeting by video conference or to make a submission in writing which will be shared with the Committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm three days before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at: [Request To Speak form](#). You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

All public meetings are being livestreamed on the Council's [Youtube Channel](#)

### A G E N D A

**1. Apologies**

To receive any apologies for absence.

**2. Minutes**

5 - 14

To approve as a correct record the Minutes of the previous meeting.

**3. Additional Items of Business**

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

**4. Declaration of Interest**

To receive any declarations of interest from Members relating to any item on the agenda in accordance with the provision of the Code of Conduct and/or indicate if S106 of the Local Government Finance Act applies to them.

**5. Exclusion of the Public**

To determine during which items, if any, the public are to be excluded from the meeting.

<b>6. List of Deposited Plans and Applications</b>	15 - 16
To consider reports on planning applications for development permission:	
a) <b>FUL/2020/0147 Land at Vicarage Avenue, Padiham</b>	17 - 42
b) <b>FUL/2020/0015 Elm Street Nursery School, New Hall Street, Burnley</b>	43 - 58
c) <b>HOU/2019/0607 144 Oxford Road, Burnley</b>	59 - 66
d) <b>HOU/2020/0056 26 Prairie Crescent, Burnley</b>	67 - 74
e) <b>HOU/2020/0007 2 Maybury Avenue, Burnley</b>	75 - 80
f) <b>HOU/2020/0195 88 Westbourne Avenue South, Burnley</b>	81 - 86
g) <b>VAR/2020/0071 32 Ighten Road, Burnley</b>	87 - 94
<b>7. Decisions taken under the Scheme of Delegation</b>	95 - 106
To receive for information a list of delegated decisions taken since the last meeting.	
<b>8. Appeals and other decisions</b>	107 - 110

**MEMBERSHIP OF COMMITTEE**

Councillor Frank Cant (Chairman)	Councillor John Harbour
Councillor Mark Payne (Vice-Chair)	Councillor Alan Hosker
Councillor Afrasiab Anwar	Councillor Mohammed Ishtiaq
Councillor Gordon Birtwistle	Councillor Marcus Johnstone
Councillor Saeed Chaudhary	Councillor Anne Kelly
Councillor Ivor Emo	Councillor Lubna Khan
Councillor Sue Graham	Councillor Neil Mottershead
Councillor Sarah Hall	Councillor Jeff Sumner

**PUBLISHED**

Wednesday, 1 July 2020

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## DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Wednesday, 24th June, 2020 at 6.30 pm

This meeting was a remote meeting held under the  
Coronavirus Act 2020.

### PRESENT

### MEMBERS

Councillors F Cant (Chairman), M Payne (Vice-Chair), A Anwar, G Birtwistle, S Chaudhary, I Emo, S Graham, S Hall, J Harbour, A Hosker, M Ishtiaq, A Kelly, N Mottershead and J Sumner

### OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Alec Hickey	– Planning Team Manager
Janet Filbin	– Principal Planner
David Talbot	– Senior Solicitor
Imelda Grady	– Democracy Officer
Alison McEwan	– Democracy Officer

#### 1. Apologies

Apologies for absence were received from Councillor Marcus Johnstone and Councillor Lubna Khan.

#### 2. Minutes

The Minutes of the last meeting held on 14<sup>th</sup> May 2020 were approved as a correct record.

#### 3. List of Deposited Plans and Applications

The following members of the public addressed the Committee under the Right to Speak Policy:

Mr David Waddington – FUL/2020/0028 addressed the Committee and spoke against the application

Mr Nick White – FUL/2020/0028 - the democracy officer read out a letter submitted by Mr White in support of the application

**RESOLVED** That the list of deposited plans be dealt with in the manner shown in these minutes.

**4. FUL/2020/0028 - Land to the North of Higher Saxifield Street, Burnley**

**Town and Country Planning Act  
Erection of 117no. dwellings with associated access roads, open space and landscaping and vehicular access from Standen Hall Drive following the demolition of No. 64 Standen Hall Drive. Proposal affects Public Footpath Nos. 174 and 224, Briercliffe.**

**Land to the North of Higher Saxifield Street Burnley**

Before a decision was taken it was moved and seconded that the meeting move into private session and it was RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972 that the application be transferred into the confidential part of the agenda in order to receive information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**Decision**

**That the Head of Housing and Development Control be delegated to approve the application subject to the applicant entering into a section 106 Agreement relating to education provision, affordable housing and open space improvements and conditions**

**Conditions:**

1. The development must be begun within three years of the date of this decision.

Reason: 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. 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.

3. Prior to the commencement of built development, representative samples and details of the external materials of construction to be used on the walls and roofs 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.

Reason: To ensure a satisfactory appearance to the development, having regard to the character of the local area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

4. Details of surfacing materials to be used on the estate roads, driveways and parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of built development. The development shall thereafter only be carried out in accordance with the approved details.

Reason: To ensure a high quality appearance to the development, in accordance and access/parking facilities, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

5. Prior to the commencement of development, a Phasing Plan and Strategy, which shall set out the phasing of all works on the site and built development and the timing for the establishment of all the open spaces to be provided and the works to re-open a section of culvert within the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved phasing plan and strategy shall thereafter be adhered to unless any variation is otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the site is developed in a satisfactory manner and that facilities are provided at appropriate stages within the course of the whole development, in accordance with Policy HS4 of Burnley's Local Plan (July 2018).

6. No development shall be commenced until a scheme for the means of protecting the trees and hedges to be retained on or adjacent to the site, 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). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.

7. All planting, seeding or turfing comprised in the approved details of landscaping set out on the approved Landscape Layout (drawing number 3311/101RevD) and planting plans on sheets 1-5 (drawing numbers 3311/201RevC, 3311/202RevC, 3311/203RevB, 3311/204RevB and 3311/205RevC) shall be carried out in the first planting and seeding seasons following the first occupation of any of the dwellings

within any 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.

8. All the measures indicated on the approved Habitat Compensation Plan (drawing number AK0/010RevA) shall be carried out in accordance with the Phasing Plan and Strategy as approved by Condition 5 and shall be completed prior to all the dwellings on the site are first occupied. The measures provided in accordance with the approved Habitat Compensation Plan shall be retained in perpetuity.

Reason: To ensure adequate mitigation for the loss of grassland habitat in order to maintain and enhance biodiversity on the site, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

9. Prior to the commencement of built development, details of the management company, its responsibilities and its funding mechanisms for the management and maintenance of all areas of open space within the site excluding private gardens, to cover the lifetime of the development, shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent changes to the management details shall be submitted to the Local Planning Authority prior to the change taking place.

Reason: To ensure that these areas are appropriately managed and maintained, in the interests of the amenities of the site, in accordance with Policy HS4 of Burnley's Local Plan (July 2018).

10. The areas of open space within the site shall at all times, in perpetuity, be managed and maintained in accordance with the details of the approved Landscape Management Plan (reference no. 3311 501 Revision C) and shall not be varied unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that these areas are appropriately managed and maintained, in the interests of the amenities of the site and biodiversity, in accordance with Policies HS4 and NE1 of Burnley's Local Plan (July 2018).

11. No vegetation clearance required to facilitate the scheme shall take place or works take place to any drystone wall, during the bird nesting season between March and July inclusive unless evidence from a qualified ecologist is previously submitted to demonstrate that no nesting birds would be affected by the works and the Local Planning Authority has authorised such works in writing.

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).

12. The new estate road and access between the site and Standen Hall Drive shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place and shall thereafter be constructed to at least base course level within



that each successive phase prior to development being commenced in that phase in accordance with the approved Phasing Plan and Strategy required by Condition 5.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative and within each successive phase of development, in the interest of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

13. Concurrent with the formation of the vehicular access to the site, the existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads.

Reason: To minimise the number of access points and to provide a satisfactory new junction, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

14. Prior to the commencement of development, a scheme for the construction of the site access and associated off-site works of highway improvement which shall include for the upgrading of two bus stops at Briercliffe Road, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access to and from the site to serve the needs of the development, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that the details are satisfactory and can be implemented at the appropriate time and stages of the development in the interests of highway safety.

15. No dwelling shall be first occupied until the approved scheme referred to in condition 12 above has been constructed and completed in accordance with the scheme details.

Reason: To ensure that new occupiers have a safe means of access to and from the site, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

16. 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.

Reason: 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).

17. Prior to any built development, details of the pedestrian/cycle links to be provided between the application site and Saxifield Street, Camp Street and Cuerdale Street shall be submitted to and approved in writing by the Local Planning Authority. The approved pedestrian and cycle links shall thereafter be constructed in accordance with the approved details and be completed and available for use prior to the completion of the development. The approved pedestrian/cycle links shall be retained and remain open and available for use at all times thereafter.

Reason: To ensure the site is accessible within its surroundings, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

18. No built development shall be commenced until the engineering, drainage, street lighting and constructional details of the proposed estate roads have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure these details are adequate to provide satisfactory access and amenity for the occupiers of the development, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).

19. 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.

Reason: To avoid the deposit of mud or debris on the public highway, in order to protect highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

20. 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) wheel washing facilities;
  - vii) details of working hour;
  - viii) contact details for the site manager; and,
  - ix) routing of delivery vehicles to/from the site.

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). 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.

21. Prior to any dwelling being first occupied, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall thereafter be implemented in accordance with the timescales within the approved Travel Plan and shall be audited and updated at intervals of not greater than 18 months. The measures contained with the Travel Plan shall be adhered to at all times.

Reason: To promote and provide access to sustainable travel options, in accordance with Policy IC2 of Burnley's Local Plan (July 2018).

22. 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, applications 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).

23. Electric car charging points using (as a minimum) a three-pin 13-amp electrical socket in a suitable position to enable the recharging of an electric vehicle using a 3m length cable shall be installed in accordance with the approved drawing number AJ14/001RevB prior to each respective dwelling being first occupied.

Reason: 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).

24. Prior to the commencement of the development, a scheme of archaeological trial trenching to investigate the possible early site of Lower Saxifield and the anomalous features identified in the Lidar Survey accompanying the Heritage Impact Assessment, shall be carried out and the results of the work and conclusions drawn from those results shall be submitted to and approved in writing by the Local Planning Authority. In the event that archaeological remains are encountered then a subsequent phase of impact mitigation and a phase of appropriate analysis, reporting and publication shall be developed and a further Written Scheme of Investigation submitted to and agreed with the Local Planning Authority and implemented before development commences. All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor bound by the standards and guidance set out by the Chartered Institute for Archaeologists. The development shall be carried out in accordance with the agreed details.

Reason: To ensure and safeguard the investigation and recording of matters of potential archaeological/historical importance associated with the development, in accordance with Policy HE4 of Burnley's Local Plan (July 2018). The investigation is required prior to the commencement of development to ensure that any archaeological interest can be identified and recorded prior to any work which may remove, harm or destroy any such finds.

25. Prior to the commencement of built development, details of the design and implementation of a surface water sustainable drainage scheme, 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 dwelling 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). The scheme is required prior to the commencement of development to ensure that acceptable works can be agreed before works start and can then be implemented at an appropriate stage in the development.

26. No dwelling shall be first occupied until details of a sustainable drainage management and maintenance plan for the lifetime of the development 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).

27. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, in accordance with Policies CC4, CC5 and NE5 of Burnley's Local Plan (July 2018).

28. Prior to the first occupation of any dwelling, refuse bins and recyclable waste containers for each respective dwelling shall be provided within a concealed area of the curtilage in accordance with details on the Bin Collection & Unadopted Road Plan (drawing number AJ14/006RevA). The refuse and recyclable waste storage provision for each dwelling shall thereafter be retained at all times.

Reason: To ensure adequate storage for refuse and recycling waste is provided away from public views, in the interests of residential amenities, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

29. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015 (as amended), the garages hereby approved (including integral/attached/detached garages) shall remain available at all times for the parking of a motor vehicle and shall not be altered to provide habitable space.

Reason: To ensure that car parking levels for each property are preserved to ensure the continued compliance with the Council's parking standards, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).

30. The proposed boundary treatments as indicated on drawing number AJ14/003RevA shall be carried out and completed within each phase of the development and shall be wholly completed prior to the occupation of any dwelling within the final phase of the development.

Reason: To ensure a satisfactory appearance to the development from within the site and its environs, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

31. The development shall be constructed in accordance with the provisions for adaptable homes as set out on the approved Layout Plan, drawing number AJ14/001RevB).
32. In the event that any previously unidentified or unexpected contamination is found at any time during the development process, development shall cease and this shall be reported in writing immediately to the Local Planning Authority. A full risk assessment, including investigations as necessary, shall be carried out and submitted with a Remediation Scheme and be approved in writing by the Local Planning Authority before development re-commences. The development shall thereafter be carried out in accordance with an approved Remediation Scheme and once completed, a Validation Report shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of any dwellings.

Reason: To ensure that any unexpected contaminants are adequately dealt with, in the interests of public health, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

33. The drystone wall on the northern boundary of the site shall be retained and where necessary, shall be repaired at its current height and appearance prior to the completion of the development.

Reason: To ensure the retention of an historic boundary feature that provides an appropriate edge between the development and the adjoining fields, in accordance with Policies HE3 and SP5 of Burnley's Local Plan (July 2018).

34. The development shall not be carried out otherwise than in accordance with the measures for water and energy efficiency and renewable energy provision contained within the Sustainability Report (document reference AJ14 – Rev A), and shall be completed in their entirety prior to the completion of the development.

Reason: To ensure the development delivers the expected water and energy efficiencies and renewable energy measures and targets to ensure a high standard of sustainability in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

35. Prior to the commencement of development, the applicant shall use best endeavours to carry out and submit to the Local Planning Authority a Conditions Survey of the culverted watercourse in the vicinity of the development site. The scope and methodology of the Conditions Survey shall be previously agreed in writing with the Local Planning Authority.

Reason: To assist in the understanding of the condition and issues that may affect water flow and flooding at the head of the culvert at the rear of Rockwood Close, in the vicinity of the development site, in the interests of reducing the incidence of flooding, in accordance with Policy CC4 of Burnley's Local Plan (July 2018). The condition is required prior to the commencement of development in order that any potential actions arising from the survey can be carried out at the earliest possible stage in the development of the site.

36. Prior to the commencement of any development or site clearance works, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority which shall detail protection measures to avoid pollution of watercourses during site clearance and the construction of the development. The measures contained within the approved Plan shall be implemented in their entirety for the full period of site clearance and construction works until the completion of the development.

Reason: To ensure adequate precautionary and protective measures against the potential for siltation to cause pollution and affect wildlife in downstream watercourses, in accordance with Policy NE1 of Burnley's Local Plan. The Construction Environment Management Plan is required prior to the commencement of development in order to ensure that the measures approved by the Plan can be in place at the appropriate stage of the development to ensure their effectiveness.

BURNLEY BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON  
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for  
Committee consideration

9<sup>th</sup> July 2020

Housing and Development

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# Part One Plan

# Agenda Item 6a

Housing & Development  
Town Hall, Manchester Road

Ref.

**FUL/2020/0147**

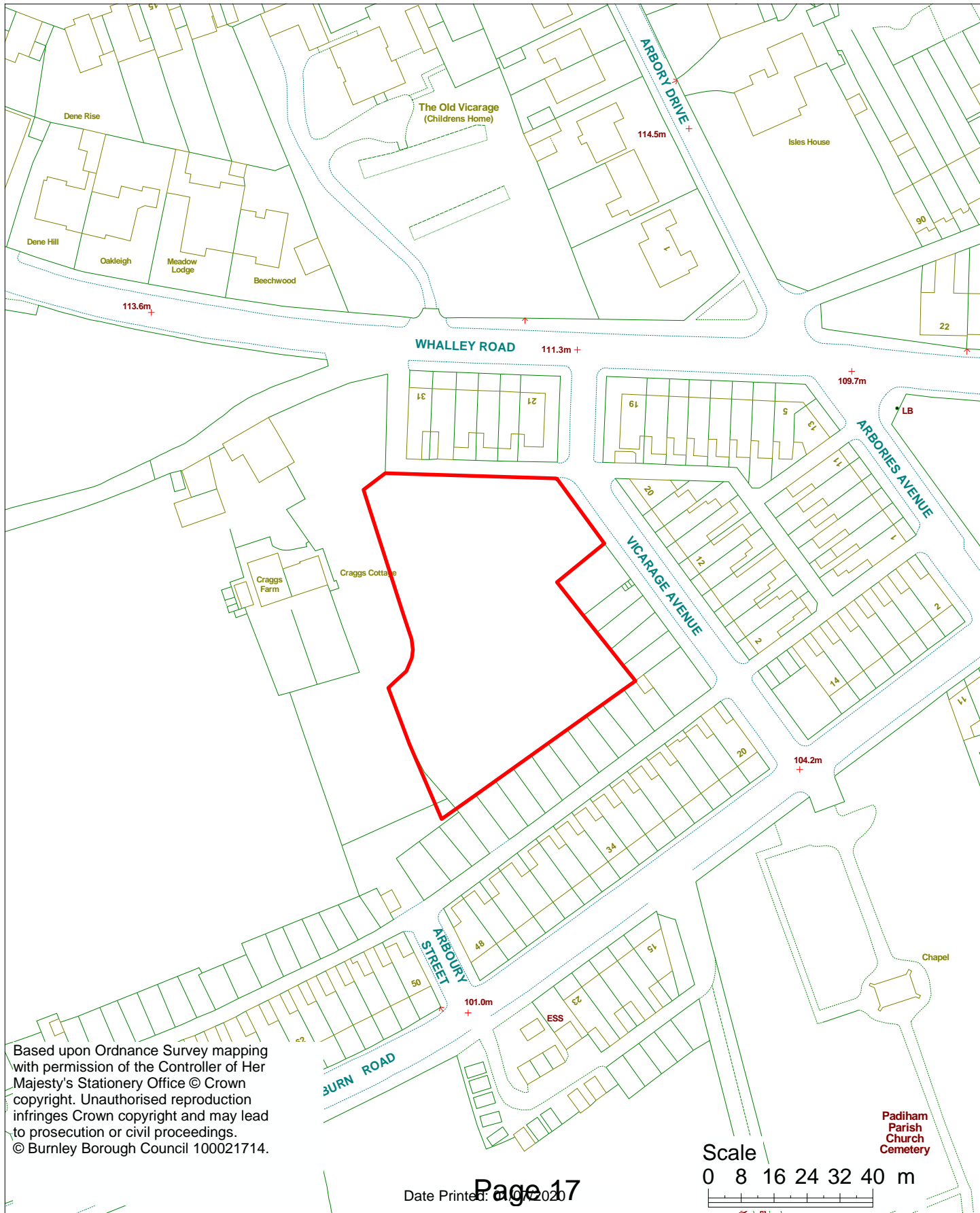
Paul Gatrell Head of Housing and Development

Location:

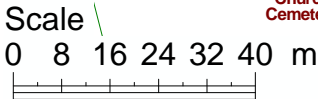


## Land at Vicarage Avenue, Padiham

**1:1250**



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**Application Recommended for Approval      FUL/2020/0147**  
**Hapton With Park**

Town and Country Planning Act 1990

ERECTION OF 6 NO DETACHED BUNGALOWS WITH INTEGRAL GARAGES,  
ACCESS, LANDSCAPING AND ANCILLARY WORKS (resubmission of  
FUL/2019/0628)

Land At Vicarage Avenue Padiham

**Background:**

This application is a resubmission of application FUL/2019/0628 which was refused on the 5<sup>th</sup> March for the following reason:

- 1. The proposed development by virtue of its poor design, layout and failure to respond to the surrounding context, is considered to be detrimental to the character and appearance of the area, contrary to policies SP5 and HS4 of Burnley's adopted Local Plan and the NPPF chapter 12.*
- 2. The proposed development, by virtue of its close relationship with 21-31 Whalley Road would not be able to provide appropriate privacy distances in accordance with policy HS4 of Burnley's adopted Local plan, which would result in a detrimental impact to the privacy and outlook of occupiers.*

The application is a resubmission with various amendments to the scheme, detailed below.

**The site**

The site is located within the defined development boundary as designated in Burnley's adopted Local Plan and has no formal local plan designations. The site is 0.37 hectares and has never been developed so would be considered to be an undeveloped green field site, within the development boundary.

The site has a direct frontage with Vicarage Avenue, but also the rear of properties along Blackburn Road (south) and Whalley Road (north) all frame the site. Craggs Farm and cottage which are grade II listed buildings are located to the west approximately 12m to the common boundary with the proposed application site.

Most of the trees which surrounded the site have been removed to leave the land a visually prominent site. The sites openness also clearly shows the drop in land levels from the north (Whalley Road) to the south (Blackburn Road).

Two residents garden areas share boundaries with the site, a section along Vicarage Avenue which wraps around to the south serving properties along Blackburn Road. The proposals do not affect these garden areas.



**Photo 1** above– view of the site looking south with the rear of properties on Blackburn Rd in distance



**Photo 2** above– view of the site looking west with the residential garden areas belonging to properties along Vicarage Avenue



**Photo 3 above** – view along Vicarage Avenue showing the relationship with bay fronted terrace row



**Photo 4 above** – view taken from the back street of properties along Blackburn Rd.





**Photo 5 above** – view taken looking west towards the grade II listed Craggs Farm



**Photo 6** – rear of properties 21-31 Whalley Rd    **Photo 7** – showing the drop in land levels from north - south

### Proposal

The application seeks consent for the erection of 6 detached bungalows each with 2 bedrooms, lounge/kitchen, private garden space and a detached garage. The dwellings are positioned around a hammer head cul-de sac layout with separate driveways.

The dwellings would have approximate measurements of 12.4m in length and 8.6m in width, 2.4m to the eaves and 4.8m to the ridge. The proposed materials are a mixture of natural slate, natural stone and cream upvc windows. The properties would have a pitched roof with build outs for the porch and the bay elements.

Each dwelling would have useable private garden space to the rear with soft landscaping to the front which will also feature a paved driveway area. Some plots are more generous in size than others, but on the whole an adequate area of private amenity space for each property is provided.

Each property has space to the rear of their garage for the storage of refuse bins which will then be moved to a purpose built communal bin collection at the entrance of the site on collection day. A bin store has been included on updated plans which would be positioned to the west side of the entrance from Vicarage Avenue and will be wooden in construction and be approximately 2m in height and 2m in length and 3m in width.



**Plan Extract:** showing the plot numbers

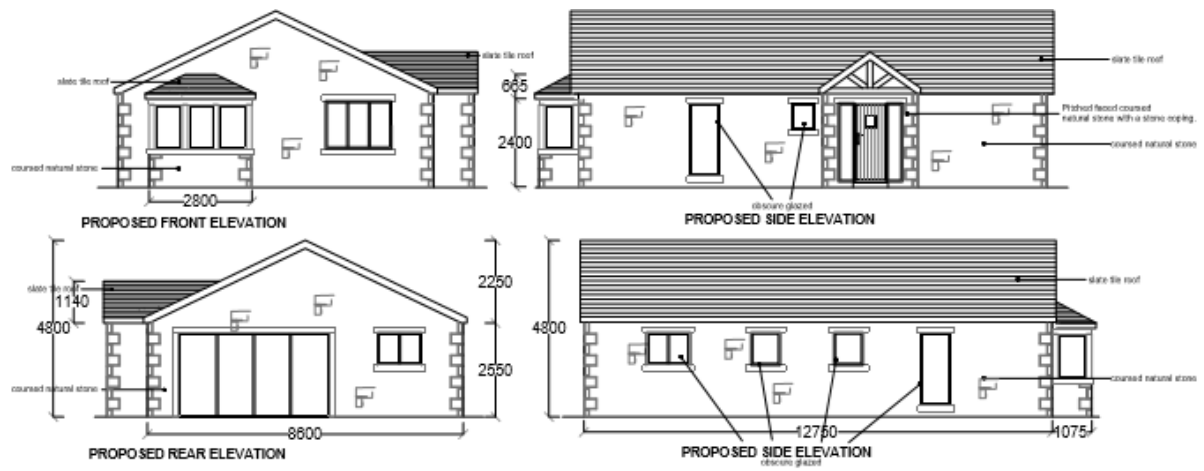
### Boundary treatment

Elevational details of the entrance gates and boundary treatment to the entrance of the development is detailed on plan No. 2. Inward opening gates will be set in approximately 4m from Vicarage Avenue. Two pedestrian gates will be created either side of the gate which will be approximately 1.2m in height, set with a stone boundary wall.

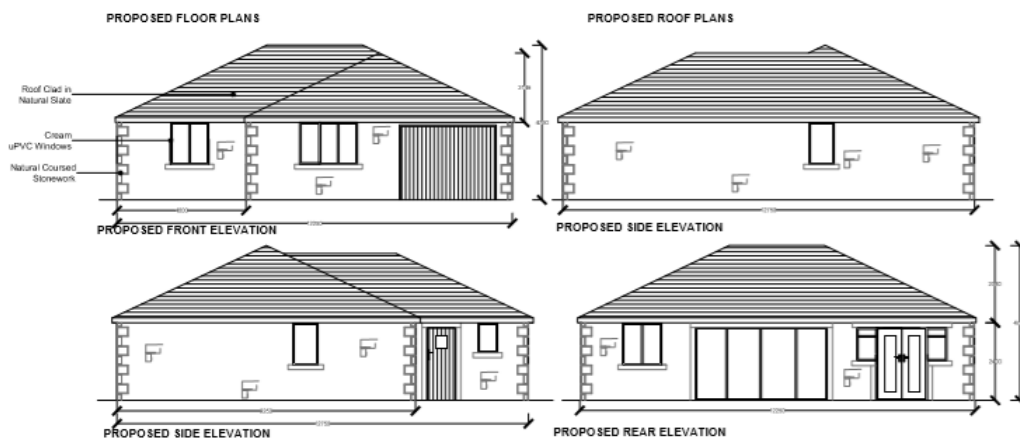
The majority of the sites outer boundary treatment will be 1.8m high timber fencing, which will also be used between properties.



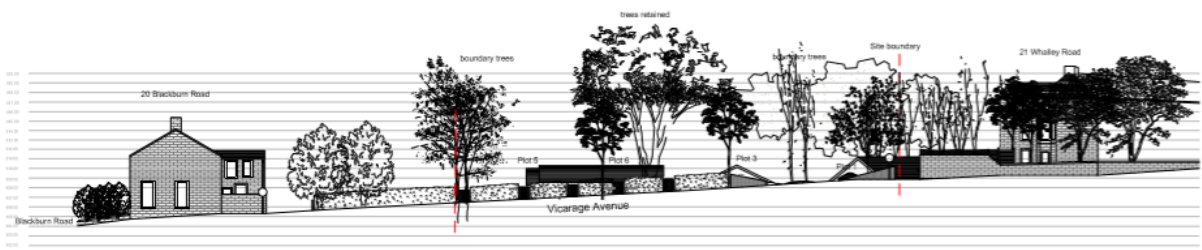
## Proposed elevations



## Previously refused scheme (APP/2019/0147)



## Proposed Street View



Proposed streetview from Vicarge Avenue

## **Relevant Policies**

### **Burnley Local Plan**

SP1 – Achieving Sustainable Development  
SP4 – Development Strategy  
SP5 – Development Quality and Sustainability  
HS4 – Housing development  
IC3 – Car parking standards  
HE2 – Designated Heritage Assets

National Planning Policy Framework 2019

### **Site History:**

**APP/2019/0628** – erection of 6 dwellings with gardens and parking Refused 5/3/20

**APP/2008/0577** – erection of a 60 bedroom nursing home with adjacent extra care housing. Refused 17/7/08 – Appeal Dismissed APP/Z2315/A/08/2091136 12/6/09

### **Consultation Responses:**

**Environmental Health** – no objection subject to the following conditions;

hours of construction, noise and dust mitigation, burning of waste materials and electric charging points

**Health and Safety Executive** – do not advise against on safety grounds against the granting of planning permission in this case.

**LCC Highways** – *With respect to the proposed application we would not wish to raise an objection to the development. However, there are a number of concerns regarding the access to the site and the volume of fill required to raise the ground level from the datum points shown on the site plan to the finished floor levels.*

*The concern regarding the difference in height between the existing level across the site shown by the datum points on the plan and the proposed levels of the dwellings and the amount of fill that will be required For example, plot 1 has a F.F.L. of 108.50m with datum's of 107.54 and 106.95 shown beneath the dwelling this could require in excess of 80m<sup>3</sup> of fill to raise up the ground level. Given a cubic metre of crushed stone weighs in excess of 2 tonnes, this would require a considerable number of HGV journeys to provide sufficient fill to raise level the of the site. The control of these HGV traffic movements will need to be accounted for during the construction phase of the development. The access across the existing footway will need to be reinforced prior to the any large deliveries being made, in order to protect the footway, any pedestrians and any services beneath it.*

*The new access will need to be constructed by way of a section 278 agreement under the highways act. This will also need to include an assessment of the location of the traffic signs supporting the one way street and the street lighting.*

## **Greater Manchester Ecology –**

*I found the site has been largely disturbed with tracking of vehicles across the grassland and removal of the boundary vegetation.*

*As such it is not now apparent what biodiversity value it may have held. However, it is my opinion, from what I could observe, that the site did not support a habitat of biodiversity value (Habitat of Principal Importance NERC [Natural Environment and Rural Communities 2006]) or either protected species or those of Principal Importance.*

*Therefore it would be considered to be unreasonable to anticipate any submission of an ecological assessment during or post determination of the proposal.*

*However, the NPPF guides decision takers to enhance biodiversity and it is strongly recommended that any planting required to the curtilage of the properties/development is of locally native species in character to the nearby countryside. This can be achieved via a landscape condition attached to any permission if granted.*

*I previously commented on application FUL/2019/0628, since which time an Arboricultural Impact Assessment (AIA) has been submitted (Bowland tree Consultancy, February 2020).*

*My views on not needing any biodiversity surveys are still the same as those previously provided, as is the need for a landscape scheme which demonstrates biodiversity enhancement suitable to the local character of the area.*

Informative on bats and birds recommended.

**United Utilities –**no objection subject to conditions

## **Conservation comments BBC –**

*The significance of the listed buildings has been assessed and the impact of the proposal has been examined. The conclusion being that with regards to the duty placed upon the Local Planning Authority by the Planning (Listed Buildings and Conservation Areas) Act 1990 it is considered the proposed development will preserve the listed building including its setting, with 'preservation' in the context of the NPPF and Policy HE2 meaning doing no harm to the significance as opposed to keeping it utterly unchanged.*

*The heritage statement finds that no harm to the setting of the listed buildings would arise from the development, because they already have an established suburban rather than rural location, and because the proposal incorporates sufficient physical separation and distinctiveness of design, for the listed buildings to continue to be experienced as a historic farmstead.*

*To elaborate on the findings of the heritage assessment, which I am in agreement with, the significance of the heritage assets largely relates to aesthetic and evidential*

values reflecting local building traditions (historic fabric, materials and architectural features) and farming practices in the late-18th to mid-19th centuries and much less in relation to landscape/rural setting which was much altered in the late 19th and early 20th centuries with the encroachment of middle class terraced housing.

*Though there is a visual relationship between the application site and the farmstead, it is not considered that the application site contributes to the significance of the heritage assets including its setting which was much altered in the late 19th and early 20th centuries with the encroachment of middle class terraced housing. Thus the contribution of setting to the significance of the heritage assets is limited to its immediate (and most sensitive) environment and this would not be changed by the proposed development. Neither would the proposed development change the ability to understand and appreciate the heritage assets, their context or setting*

*The heritage statement takes the view that the proposed low rise small scale development would form a physically separate and distinct, cohesive entity which could not be confused visually with the historic buildings. The historic farmstead would therefore continue to maintain its existing identity, and its setting would not be impinged upon.*

*I would concur with this view, that the magnitude of impact on setting is considered to have little effect on the significance of the heritage asset and no real change in our ability to understand and appreciate the asset. It is considered that there is no harm to significance arising.*

## **Publicity**

### **Padiham Town Council**

*Padiham Town Council response to consultation on planning application FUL/2019/0628 At a meeting of the Council held on 20th January at Padiham Town Hall the decision was taken to object to the Vicarage Ave application and respectfully request the Borough Authority refuse planning permission on the following grounds:*

*1) The area of land in question was not included for development in the recently confirmed local Burnley Town Plan. Despite extensive consultation with residents, confirmation by Burnley Borough Council and confirmation of the plan by the Inspectorate (who incidentally rejected the proposal to extend the Shuttleworth Meade Industrial Estate which is only a few hundred yards away). This site had an application rejected in 2009 and an appeal turned down and was taken out of the Town plan for development in the consultation stages. How can Burnley planning officers consult residents, confirm with the Inspector and then consider giving contradictory permission to build?*

*2) Padiham has more than sufficient provision of new and already planned housing stock without resorting to sites such as this. Perseverance Mill site, Station Road site (first and second phases), the Wire St./Baxi site and the site behind Acregate offer over 400 properties to the area. There is more than adequate provision already.*

*3) The Town Plan refers to the benefit of “natural and semi-natural areas” to the Borough. This site enjoyed remarkable habitat with bats, owls and a natural wetland and was often visited by deer. Unfortunately all this has been bulldozed in an attempt*

*to expunge the environment as a planning issue however given time to recover it can still return to the "natural or semi-natural" asset that it once was.*

*4) The access and egress to the proposed site only adds to an already problematical situation by reducing the on road parking opportunities on Vicarage Road and surrounding streets but importantly adds extra pressure on the Vicarage Road/ Whalley Road entry which is one of the most hazardous traffic spots in Padiham.*

*5) Other important questions hang over this site, not within our capabilities to investigate but never the less require consideration. The listed building status of the Craggs Farm building, the underground mine structure in the area and the potential flood impact to properties on Blackburn Road made uncertain by trees already removed and potential development impact. Padiham Town Council object to planning application FUL/2019/0628 and hope the recommendation will be for refusal.*

### **Padiham Community Action**

*We can only reiterate the points we made to counteract the original proposal. The resubmission by the developer is a cosmetic makeover of the original plan . No attempt has been made to address resident ,or council concerns . "In recent years the site has already been refused twice for development. It was rejected at the first stage of the latest local plan on the grounds that there was already sufficient housing planned in the area. The designated site was rich in wildlife and natural vegetation. This was bulldozed without any prior notification to local residents or the council.*

*A large number of trees were removed from the perimeter. The proposed site is within yards of a listed building at Craggs Farm. Was a comprehensive mining survey undertaken? Should this site be lost for the building of a few houses? We are concerned that the loss of green- field land could lead to a continuum of the threat to build on the green belt land on Blackburn Road.*

*This site is of strategic importance in maintaining the green belt. The green belt boundary should be altered to include this land." Further to this we find nothing to indicate that there has been a substantive attempt by the developer to ameliate the council's reasons for refusal of the original application. The amended proposal is still detrimental to the character and appearance of the area. In addition to this there is still lack of appropriate privacy distances to housing on Whalley Rd.*

### **Ward Councillor Objections**

#### **One**

*I write to register my objections to the above planning resubmission. Historically planning permission has previously been refused on this site in 2008 and a similar application to this (for 6 dwellings) was refused in March 2020. My objections are based on the following planning considerations:*

*a) The Burnley Town Plan refers to the benefit of "natural and semi-natural areas" to the Borough. Since the developer destroyed the natural wetland area with bulldozers nature has compensated for their environmental vandalism and many birds and animals have returned to this area including the bat population which we feared had been lost forever.*

- b) *The submitted plans cannot show safe access to the development due to the steep gradient of the access road. There has been no adjustment to the March 2020 application and is clearly contrary to policy IC1 section c of the Burnley Local Plan.*
- c) *The area of land in question was not included for development when the Burnley Plan was consulted on with residents, confirmed with the Borough Council and confirmed after close examination by the Planning Inspectorate. Padiham has more than sufficient provision for new housing encompassed within the plan (well over 400 properties on various sites many of which are under delivery). What would a development such as this say about the credibility of the consultation and the residents' confidence in the Burnley Town Plan. The whole planning exercise would be rendered pointless.*
- d) *The poor design of the proposed development does not improve the character or quality of this area in any way. The chaotic lay out would have a detrimental visual impact for residents of Blackburn Road, Whalley Road and Vicarage Avenue with dwellings pushed to the boundaries of the site. The application would harm the character and appearance of the area contrary to policy HS4 and SP5, section 2 points a, e and f of the Burnley Local Plan.*
- e) *On the northern section of the site (Whalley Road) the application would be detrimental to the residential amenity of both the existing residents and any future occupiers of proposed dwellings. The Whalley Road windows and balconies would clearly overlook the private amenity space of the proposed dwellings. ( contrary to policy SP5 section2 points g and h and policy HS4 section 3c of The Burnley Plan).*
- f) *In the application Craggs Farmhouse would lose its rural isolation and the setting of the listed buildings would suffer considerable detrimental impact contrary to policy HE2 of The Burnley Local Plan and paragraph 195 of the National Planning Policy Framework.*

*I object strongly to the above application against the background that it fails to address the issues raised by the previous refused application. To quote the previous reasons given for refusal : "The proposed development, by virtue of its poor design, layout and failure to respond to the surrounding context, is considered to be detrimental to the character and appearance of the area, contrary to policies SP5 and HS4 of Burnley Adopted Local Plan and the NPPF chapter 12". This resubmitted application does not satisfactorily address the reasons given for refusal and therefore I wish to formally register my objection.*

## **Two**

*The re submission does not adequately address the objections raised, in particular the proposal is still out of keeping with existing properties, it would still negatively impact the listed Huntroyde Gate house.*

*Further the only exit to the site off Vicarage Avenue is already hazardous Vicarage Avenue being a one way street, this would be exacerbated by adding more houses.*

## **Neighbour Objections**

A total of 46 neighbour responses objections in have been received with a separate letter from a planning consultant on behalf of residents. The comments can be summarised as follows:

- the new plans fail to address all issues raised in previously raised

- The revised plans are still not in keeping with the surrounding area & are still of poor design which means they don't fit within the Burnley local plan.
- Since the land was cleared of all wildlife and stripped of its identity, the area has started to repair itself and bats have been seen which shows that wildlife is starting to create habitation again in this area.
- Layout does not respond to the surrounding context
- the bungalows are within very close proximity to surrounding houses and this will result in a loss of privacy for local residents.
- Lack of heritage statement in addressing Craggs Farmhouse
- Overlooking issues onto properties to the rear of Whalley Road
- The site would benefit from additional visitor car parking
- Highway safety concerns and build up of emissions
- No mention of the site in the local plan, no need for new housing on this site
- Issues of overlooking
- Valued amenity space where children play
- Access into the site and site levels have not been addressed, LCC has expressed concerns about the need to fill the site to get to correct levels
- The design of the homes are not in keeping with the surrounding mainly Victorian houses
- The loss of the trees and shrubs on the site has been detrimental to the wildlife in the area and the land should be left as a community garden
- There would be a reduction in the availability of on street parking for residents on Vicarage Avenue given that the proposed access will take away current space which residents on Vicarage Avenue use
- Impact on the setting of the listed buildings at Craggs Farm
- Valuable piece of green infrastructure
- The area is prone to flooding
- Potentially difficult for HGV's especially refuse wagons to access the site
- The design does not meet local plan standards and do not maintain local identity
- The site is an identified at risk from coal and possible subsidence.
- Wildlife, flora and fauna that existed on the site has been lost
- The site would increase, noise, disturbance, and pollution
- The loss of this visual amenity will affect health, social and cultural wellbeing and will affect our Local Community
- The only means of exit is by the junction on Whalley Road which is a dangerous junction
- A TPO has been placed on 3 trees close to Craggs Farm
- Previous site has been taken out of the Local Plan "other sites were preferred to the loss of this attractive open space in an area of high density housing" (Reference: Burnley SHLAA: Site Information form, ref HEL/028).
- Erosion of the green belt

Letters of support – 1

- Good use of land and will tidy up an otherwise untidy site

## **Planning and Environmental Considerations:**

### **Main issues**

The main issues in the consideration of this application are;

- The principle of development
- design and appearance
- the impact of the development on residential amenity
- traffic/parking
- impact on heritage asset
- other considerations

### **The principle of development**

Paragraph 59 of the Framework states, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF.

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

The site was considered as a housing allocation prior to the adoption of the Local Plan in 2018, however the site didn't come forward. Whilst the site was considered developable for 10 dwellings, other sites were preferred. Notes on the SHLAA form highlight possible highways issues but state that Vicarage Avenue could be made suitable in highways terms.

The site is considered to be in a sustainable location and in principle the development of a residential development would be appropriate subject to the proposals meeting all other relevant policies.

### **Design and Appearance**

Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF states that *'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions....'*



The surrounding properties which form the context to the site are predominantly terraced properties with a traditional and characteristic grid iron pattern. Properties immediately to the north along Whalley are terraced and on the opposite side of the road are larger, detached villa properties set within larger plots. Vicarage Avenue to the east is an attractive bay fronted terrace, to the south the rear of terraced properties along Blackburn Road are visible and sit approximately 26m to the rear boundary of plots 4,5 and 6.

Whilst the proposed dwellings will be set back from Vicarage Avenue by approximately 26m, the site is open and visible and will have a visual impact on the street scene. An additional has been submitted with this application to show the street scene (see above in this report), and due to the change in levels across the site, the overall ridge height of the properties will only be partially visible and for the most part the development when viewed from ground level on Vicarage Avenue will not be considered a significant impact on the street scene.

The design of the dwellings has been altered in this resubmission with the introduction of a bay windows to the front elevation together with a porch to add some interest to the front elevation. The integral garages have also been removed to take off some of the mass of the previous footprint, the resultant detached garages add some further interest to the overall layout and have created more gaps within the development especially to the northern boundary with the rear of properties along Whalley Road.

The overall layout has altered which has resulted in units 1 and 2 moving away from the northern boundary it shares with the rear of properties along Whalley Road. Previously a distance of 3m was achieved from the rear boundary with the back street. The separation distances are now approximately 27m from the side elevation of plot 2 with the rear elevation of properties along Whalley Road and plot 1, being set back approximately 15m from the front elevation to rear elevation of properties along Whalley Road. The introduction of detached garages has also created a staggering of the built form.

### Housing Mix

Whilst the proposed bungalows are not a common house type within the context of the site, the Council recognises there is a need to expand the choice of house types and bungalows offer this. Policy HS3 refers to the housing mix on a development of over 10 units or over 0.4ha. This site falls short of this being 0.37 ha, but as a guide, the policy asks for a range of house types, across a site with 20% being bungalows. This site is clearly all bungalows and the resultant density of the site is 16dph which falls well short of the minimum of 25pdh which is set out in HS3, part 2). The context to the site is key and should the density be higher will a greater built form, then this would have a detrimental impact on the residential amenity of the surrounding properties.

The improvements in the design and changes to the layout has improved this resubmission. It is recognised that the resultant layout is not typical of the area but this is an opportunity to provide an alternative type of property within the area. The introduction of bungalows on the site enables the site to be developed in a lower density manner which recognises that the site is on the edge of the development boundary. It is considered that the design and layout of the development meets policies SP5 and HS4 of the adopted Local Plan.

## **Residential Amenity**

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking.

The site has development on all sides, with the least built up area being to the west to Craggs Farmhouse and cottage. When looking at privacy distances, plots 1 and 6 would be positioned closest to Vicarage Avenue to the east, an approximate distance of 26m to the front elevations. This would be considered to be acceptable in terms of privacy distances and would meet policy HS4.

To the north are the rear of properties along Whalley Road. Plots 1 and 2 would share a common boundary with the back street. Some properties along Whalley Road have raised balconies and all have some form of useable amenity space. Given the higher level these properties sit at, the potential for overlooking is greater. Concern was raised with APP/2019/0628 with the orientation of plots 1 and 2 and the relationship with 31 and 29 Whalley Road.

Plot 1 has now been re-oriented so the front elevation is facing the rear of properties along Whalley Road. The distance is approximately 15m and aside from the front door, all the windows on the elevation will be obscure glazing.

Due to the alteration in layout, plot 2 now sits approximately 27m away from the rear elevation of No. 31 Whalley Road. This would be considered to be acceptable in terms of privacy distances and would meet policy HS4.

To the west, plot 2 will stand approximately 18m to the boundary with a side elevation of Craggs Cottage. The side elevation of plot 2 consists of windows which will all be obscure glazing. There is no concern with this elevation and amenity of Craggs Cottage

Plots 4,5 and 6 will sit approximately 24m away from the rear elevations of properties along Blackburn Road. The space between the properties also includes an area of garden space which is approximately 10m in length which helps provide a buffer between the proposed development. The distances would meet policy HS4 of the adopted Local Plan.

As established above, the site has an open aspect to the surrounding properties. It is considered that the alterations made to the layout and orientation of properties now satisfies the policy set out in HS4.

## **Traffic and Parking**

Paragraph 32 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only

be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

LCC highways have provided comments on the application and do not object to the principle of development. The submitted plans show incurtilage parking space for 2 vehicles which would meet the parking standard requirements.

Additional information was submitted during the course of the application on site levels and in particular the gradient of the access and the finished level of this to make it useable. Whilst LCC highways have expressed concerns over the logistics of getting larger construction vehicles to the site, this is something which will be covered as part of a condition for a construction management plan and should not be reason to refuse the application.

### On street parking

It is noted that comments have been raised from residents living within the area regarding the lack of space of visitor parking on the site. A section of 20m of road on Vicarage Avenue will be required for the creation of the new junction. Both sides of Vicarage Avenue appear to be used during the day. There is no requirement to provide visitor parking for a residential development, when following the car parking standards (Appendix 9 of the adopted Local Plan). The proposed development will not prevent those who currently park on Vicarage Avenue to continue to do so.

### **Impact on Heritage Assets**

Craggs Farmhouse lies to the west of the application site, it should be noted that the proposed development boundary does not go all the way to the boundary with the farm. The farmhouse dates from about 1840 and is grade II listed together with an associated barn and stables.

In accordance with para 193 of the NPPF:

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

The application has been supported with a Heritage Statement, which was requested part way through the consideration of the application as the Council wanted to ensure that the relationship with the proposals and the collection of listed buildings.

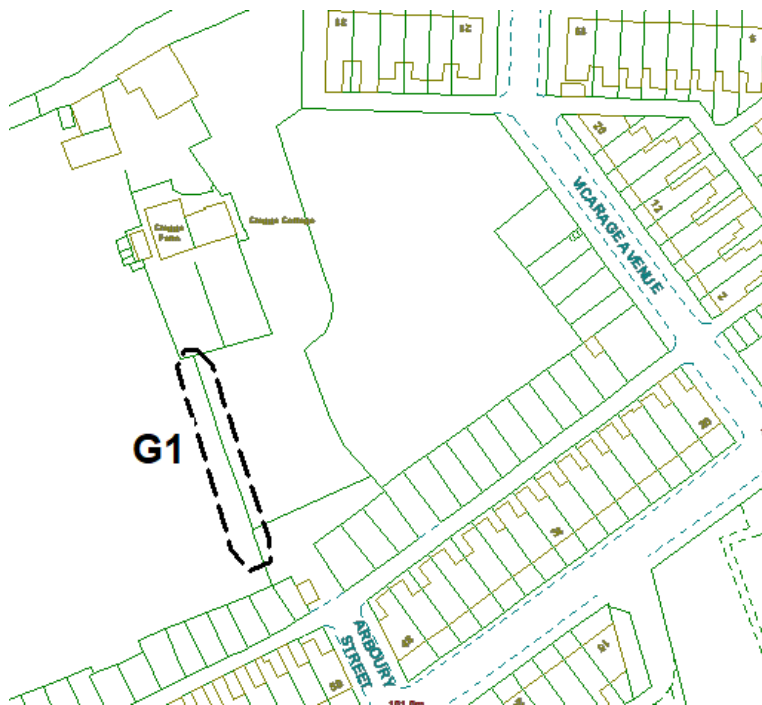
The statement conclude that; *‘In summary, this statement finds that no harm to the settings of the listed buildings would arise from the development, because they already have an established suburban rather than rural location, and because the proposal incorporates sufficient physical separation and distinctiveness of design, for the listed buildings to continue to be experienced as a historic farmstead.’*

*The statement was shared with the Council’s Conservation Officer whom concluded’ I would concur with this view, that the magnitude of impact on setting is considered to*

*have little effect on the significance of the heritage asset and no real change in our ability to understand and appreciate the asset. It is considered that there is no harm to significance arising’.*

## **Trees and Ecology**

It is evident that the site was cleared of shrubs and trees prior to the application submitted. The Council subsequently issued an emergency TPO on three Ash trees which are positioned south of Craggs Farm. It should be noted that the position of the trees are located outside the red edge boundary of the application site.



There are no further designations on the site, and whilst it is recognised the space does hold some amenity value for the properties which surround it, there are no formal designation for the space to be protected. Photos have been submitted as part of the application showing a deer on the site and also images of Japanese Knotweed, which in further inspection were not on the site area.

Greater Manchester Ecology Unit were consulted as part of the application and in summary stated that the site did not support a habitat of biodiversity value or protected species. The ecologist did not consider that an assessment would be necessary and suggested a condition on landscaping.

### Response to the neighbour objections

#### The appropriate use of the site

Many of the objections have stated that the site is Green Belt and is not allocated in the Local Plan and therefore should not come forward.

To clarify, the site is not designated Green Belt land. The site can be described as a 'green field' site which has not been previously developed. The site is also located within the defined development boundary and development within the development

boundary is acceptable in principle in line with policy SP4 of the adopted Local Plan, subject to meeting all other relevant policies.

### Highways

Whilst the site would present new development, the on site level of parking is in accordance with Appendix 9 of the Local Plan.

Furthermore LCC highways have been consulted on the application and have asked for amendments which the agent has provided. The proposed development would meet the local and national planning policies and subject to conditions, the development is acceptable on highways grounds.

### Flood risk and drainage

The site does not lie in a designated flood zone in accordance with the Environment Agency. United Utilities have been consulted as part of the application and have not made any objections subject to conditions.

The proposed layout includes large areas of soft landscaping which would help with natural drainage. Drainage issues could be dealt with under appropriate planning conditions.

Recommendation That the application is approved subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

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

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 1/4/20 and shall not be varied without the prior written approval of the Local Planning authority

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

### Highways

4. Prior to the commencement of development taking place, full engineering, drainage, and constructional details of the access have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: - In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development

5. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 4 has been constructed and completed in accordance with the scheme details.

Reasons: 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.

6. The new access and access way in the site the site and shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reasons: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

7. The access road for the approved development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up before any development takes place within the site and shall be further extend before any development commences fronting the new access road.

Reasons: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

8. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block paviments, or other approved materials.

Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

9. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the back edge of the footway. The gates shall open away from the highway.

Reasons: To permit vehicles to pull clear of the footway when entering and exiting the site and to ensure the swing of the gates do not affect the availability for a car to wait off road.

10. All gates and associated mechanisms to be located outside the adopted highway and the gates to have physical restraints to prevent the gates from opening towards the adopted highway.

Reasons to ensure the adopted highway is not obstructed by the gates or are a hazard to other road users.

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.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

12. Prior to the commencement of development taking place, including any works of demolition, a construction method statement shall be 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 constructing the development
- iv) The erection and maintenance of security hoarding
- v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

13. The development shall not be occupied until the car parking areas to serve the development have been laid out and hard surfaced in accordance with approved drawings and made available for use and retained as such thereafter.

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

14. An electric vehicle charging to serve the dwellings shall be installed prior to first occupation.

Reason: In accordance with policy IC3 of Burnley's adopted Local Plan.

15. 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 1700 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, applications in writing must be made with at least seven days' notice to the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan.

#### Drainage

16. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water; (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

17. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

### Environmental Health

18. Prior to development commencing on site a scheme for noise mitigation and dust suppression shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken wholly in accordance with the approved scheme.

Reason: In order to mitigate any adverse impact on the environment and protect residential amenity

19. There shall be no burning of waste or other materials within the curtilage of the premises.

Reason: In the interest of residential amenity and to prevent air pollution,

20. In the event that any evidence of potential contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to mitigate any adverse impact on the environment and protect residential amenity



## Other

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification):
  - (i) no external alterations, including roof alterations, or extensions shall be carried out to the building
  - (ii) no garages or outbuildings shall be erected within the curtilage of the building;unless planning permission for such development has been granted by the Local Planning Authority.

Reason: Reason: To enable the local planning authority to consider future development having regard to policies SP5 and HS5 of Burnley's adopted Local Plan.

## Informatives

1. The applicant should be aware of the legislation (Habitats Regulations 2017 and Wildlife & Countryside Act 1981) and that bats and their roosts even when unoccupied are protected at all times, even where works is the result of an otherwise lawful activity (eg planning permission). If bats are found or suspected, then works should cease until advice has been sought and implemented from a suitably qualified individual.
2. The applicant should be aware of the legislation (Wildlife & Countryside Act) and that all birds are protected whilst nesting and the avoidance of vegetation clearance during the bird breeding season (March August inclusive) unless it can be demonstrated that there is no bird nesting activity present.

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Housing & Development  
Town Hall, Manchester Road

Ref.

**FUL/2020/0015**

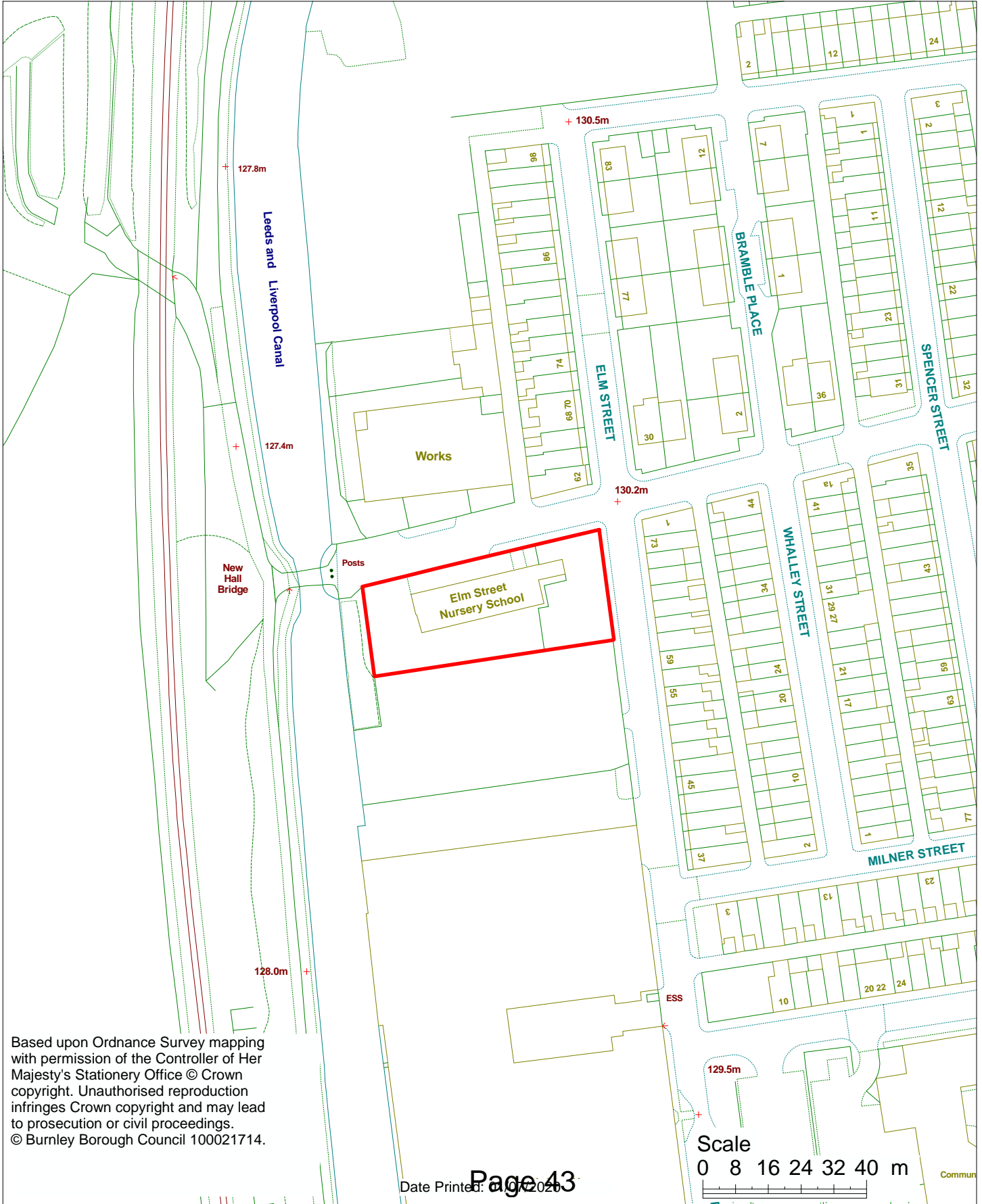
Paul Gattrell Head of Housing and Development

Location:



## Elm Street Nursery School, New Hall Street, Burnley

1:1250



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## **Application Recommended for Approve with Conditions FUL/2020/0015 Daneshouse With Stoneyholme**

Town and Country Planning Act 1990

Demolition of existing nursery building to make way for a purpose built warehouse building housing 7 individual units for B1/B2/B8 with associated on-site parking provision for 17 cars

Elm Street Nursery School New Hall Street Burnley Lancashire

### **Background:**

The application site is situated off New Hall Street on the corner of Elm Street within the defined settlement boundary as designated in Burnley's adopted Local Plan. There are no other identified local plan constraints to the site, although the site is adjacent to but not within a Biological Heritage Site (policy NE1) and also adjacent to but not within an area of Protected Open Space (policy NE2).

The site currently consists of a single storey children's nursery (footprint 92.2sqm) with an existing vehicular access point from New Hall Street. The site is enclosed by a 2.5m high mesh fence and has an approximate site area of 1,433sqm and has little change in gradient across the site.

The surrounding context to the site is very mixed in nature. To the north are existing workshop units which have direct access from New Hall Street. The gable of No. 62 Elm Street faces the site, approximately 11m from the boundary fence of the site. To the east is a traditional terraced row along Elm Street, approximately 10m from the boundary of the site to the front elevation of the row. To the south is a car park associated with Northbridge commercial premises further to the south. The Leeds and Liverpool Canal lies to the east of the site approximately 6m away, the gap consists of a landscape strip including some mature and semi mature trees. Access can be gained from New Hall Street to the canal tow path.



**Photo 1** Corner of the site taken from the Canal



**Photo 2:** New Hall Street commercial premises on the left of the photo, existing nurse site located to the right of the photo



**Photo 3:** gable of No. 62 Elm St to the right



**Photo 4** frontage along Elm St to the east



**Photo 5:** [www.google.co.uk](http://www.google.co.uk) showing the junction of Elm Street and New Hall Street

## Proposal

The application seeks consent for the erection of 7, B1/B2/B8 uses with access from New Hall St. The units would be arranged in a parallel block alongside New Hall St,

and will be pushed right upto the southern boundary with the existing car park which serves Northbridge business centre.

The application has been supported with the following documents:

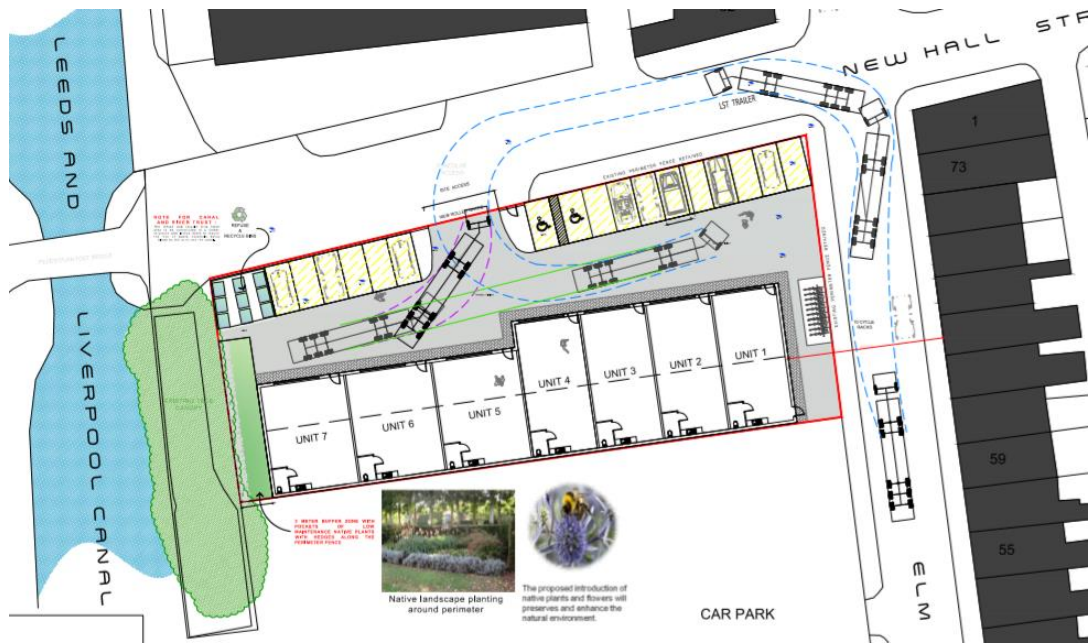
Coal Mining Risk Assessment and Mining Report  
Design and Access Statement  
Demolition Method Statement  
Planning Statement  
Noise Assessment

The scheme has altered twice since the original submission with an overall reduction in the number of units from 9 units to 7. Amended plans were received on the 16<sup>th</sup> March, with consultees and neighbours given an additional 14 days in which to make comment. Further amendments were received on the 7<sup>th</sup> June 2020 showing a reduced drop in the eaves and ridge height of the proposed units and change in use of materials to include a stone plinth to the units.

The amended scheme consists of the following; the units will measure 50m in length, 13m in width and 6.7m to the ridge (the existing nursery ridge height is 3.7m). Proposed materials will be a Kingspan wall panels (dark grey), double glazed windows and doors and grey kingspan roofing panels and a stone plint around the north and eastern elevation which are visible. Each unit will have its own up and over roller shutter door together a pedestrian doorway and higher level window openings to the southern elevation.

A total of 17 car parking spaces will be provided for the site including 2 accessible spaces. A bike stand for 10 bikes will also be provided along the eastern boundary of the site. An area for refuse and recycling will be situated at the north western corner of the site. A landscape strip upto 3m will be created to the western boundary with low maintenance native plants. The existing perimeter fence will remain. Proposed operation hours are 9am – 6pm Monday – Saturday.





**Extract Plan 1:** not to scale, taken from revised site layout plan received 3/4/20



**Extract plan:** Proposed elevation received 7/6/20

### Burnley Local Plan

- SP1 – Achieving Sustainable Development
- SP3 – Employment Land Requirement 2012 - 2032
- SP4 – Development Strategy
- SP5 – Development Quality and Sustainability
- EMP3 - Supporting Employment Development
- IC3 – Car parking standards

National Planning Policy Framework 2019



## **Site History:**

PRE/2019/0415 – Pre application for creation of commercial units

APP/2009/0526 - Proposed change of use of former nurse's into office space and extension plus alteration to car park Approved with conditions 16/10/09

NOT/2004/0123 - Erection of 2.4m high security for 3D security fencing to the school site  
Granted 26/2/04

## **Consultation Responses:**

**Lancashire Fire & Rescue** – a range of comments relating to building regulations which would need addressing

**Health and Safety Executive** – HSE does not advise on safety grounds against the granting of planning permission.

**Environmental Health** - no objection subject to conditions

I do not consider that the proposed development is unsuitable in terms of noise impact. However, I would ask that if the development is granted planning permission, each of the undernoted conditions are made

**Environmental Health:** Contamination standard conditions

## **LCC Highways - no objection**

There is still some concern regarding this site with respect to the access, however following the reduction in the number of units and the increase in the availability of, off street parking earlier concerns regarding this matter have been resolved.

It is noted from the swept path produced for a refuse collection vehicle that it relies on there being no parked vehicles on New Hall Street at and opposite the gable of 62 Elm Street. In order to facilitate the collection of the refuse from the site and other deliveries from large vehicles we would look for the implementation of some a traffic Regulation Order to provide a Single Yellow Line at the gable of 62 Elm Street and a Double Yellow Line adjacent to the new units, there are approximately 15m and 30m in length respectively. The footway adjacent to the new units will also need to be extended to meet the gated access to the site. It is expected that the above will form part of the expected Section 278 agreement.

**Lancashire Fire Service** – no objection several suggestions which relate to building regulations

## **United Utilities**

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority.

## Canal & Rivers Trust

Works in proximity to the canal could also expose the water to pollutants from dust exposure or the unintentional runoff of silty waters. In line with the aims of paragraph 170 (part e) of the NPPF we advise that measures should be adopted to prevent the exposure of the water environment to such pollutants.

To address the above concerns, we request a construction method statement should be provided to outline the proposed works to ensure that the works will not result in an increased risk towards land instability or pollution towards the canal. This could be reserved through the use of an appropriately worded condition.

## Coal Authority

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of the conditions to secure the above**. *This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.*

**Publicity** - There have been 2 rounds of consultation of this application, 30<sup>th</sup> Jan – 20<sup>th</sup> Feb (31 letters received) and after submitted plans were received on the amended plans a further 14 days of consultation ran from the 17<sup>th</sup> March until the 31<sup>st</sup> March (10 letters) The following comments on a summary of the objections which have been raised, full details of the comments are contained within the application:

The majority of the objections from local residents was in relation to parking and highway safety of the site.

- Parking is already limited, the development will put further constraints on the surrounding area
- Concern over the use of HGV's and the safety of residents with in the area
- Conflict with the site and the use for pedestrians to access the Leeds and Liverpool Canal
- Dangerous for children who play in the area
- Narrow streets will not be suitable for HGV's
- Loss of resident parking
- Lighting of the building at night and impact for surrounding residents
- Concerns over comments from the Coal Authority

## **Councillor comments – 1 letter of support**

It will complement the North Bridge Business Centre and will provide further opportunities for businesses to develop or relocate

## **Planning and Environmental Considerations:**

### **The principle of development**

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF. Furthermore, Policy EMP3 of the Local Plan supports the expansion and upgrading of businesses where they do not have an unacceptable negative impact on surrounding uses, residential amenity or the environment, or have an unacceptable impact on the townscape.

### **Main issues**

The main issues in the consideration of this application are;

- design and appearance
- the impact of the development on residential amenity
- traffic/parking

### Design and Appearance

Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The context to the site is mixed in nature with residential properties and business premises. The existing nursery building has a low profile and with the boundary treatment including low level shrubs and trees the building does not have a major impact on the street scene.

The proposed units will have a larger footprint to the existing building and the roofline will be higher so there will be more of visible impact from the street scene. During the consideration of the application, the scale and appearance of the proposed building has altered with an overall reduction in the number of units, the height (reduction in 2m across the site) and a more complimentary use of materials.

The alterations to the scheme have improved the proposals. Whilst the building will have a presence when viewed along Elm St and New Hall Street, given the area already has a mix of uses with a variation in design and scale, then it is not considered that the proposals are inappropriate in terms of design and appearance. The latest amendments show a stone plinth around the visible east and north elevations which assists in complimenting the surrounding use of stone in the residential properties.

The proposed new building is not considered to cause any harm, and as such will be in accordance with policy SP5 and NE5 of the adopted Local Plan.

## Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking.

The eastern elevation will be positioned approximately 15m from the front elevation of properties along Elm Street. The initial scheme showed a shorter distance of 13m with the location of refuse and recycling facing the residential properties. This has also been altered so with refuse now being located to the north west corner of the site away from any residential properties.

From the front elevation of the units (northern elevation), a separation distance of 24m is achieved with the gable elevation of No. 62 Elm Street. There are a series of windows on the gable elevation, but this is not the principle elevation and given the distance it is not considered there to be any issues of loss of light or over looking.

Conditions have been placed on the application to safeguard the amenity of the surrounding residents including hours of operation (including deliveries and use of machinery), external lighting scheme and noise level restrictions.

On balance it is considered that there will be no detrimental impact on the amenity of surrounding residents and appropriate conditions have been attached to ensure that the operations are controlled.

## Traffic and Parking

Paragraph 32 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

LCC highways have provided comments on the application and do not object to the principle of development. The submitted plans show incurtilage parking space for 17 vehicles, together with secure and accessible refuse collection storage.

There are a range of highways conditions which have been placed in order to ensure that the site does not have any significant impact on the surrounding area. A condition on the implementation of a TRA (Traffic Regulation Order) has been attached which will be subject to its own consultation with LCC. It is recognised that currently there are no restrictions for on street parking, and although I have no evidence, at peak times on street parking may be difficult. The scheme puts forward 17 incurtilage parking spaces and promotes sustainable travel with the provision of secure cycle storage.

The Council are guided by LCC highways comments, and with this application they do not object to the principle of development subject to appropriate conditions which are attached.

## Conclusion

The site is within a mixed use area with existing commercial premises adjacent. The concerns from the surrounding residential properties with regards to highways are valid, but LCC highways have recommended appropriate conditions. Whilst there may be some impacts from the development, it is not considered that these impacts will have a significant impact on the surrounding area.

On balance the application is recommending for approval subject to the following conditions:

## **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

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

3. All materials to be used in the approved scheme shall be as stated on the application form and amended drawings received 7/6/20 and shall not be varied without the prior written approval of the Local Planning authority

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

## **Coal Mining**

4. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason: The undertaking of intrusive site investigation is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.

5. Where the findings of the intrusive site investigations (required by condition 5 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason: The undertaking of intrusive site investigation is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.

6. Following implementation and completion of the approved remediation scheme (required by condition 6 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Reason: The undertaking of intrusive site investigation is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.

### **Highways**

7. The development shall not be occupied until the car parking areas to serve the development have been laid out and hard surfaced in accordance with approved drawings and made available for use and retained as such thereafter.

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

8. 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.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

9. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning

Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

Reasons: 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 and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users, in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

10. 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 1700 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, applications in writing must be made with at least seven days' notice to the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan.

11. Prior to development taking place, including any works of demolition, a construction method statement shall be 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 constructing the development
  - iv) The erection and maintenance of security hoarding
  - v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

### **Drainage**

12. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with policy CC5 of Burnley's adopted Local Plan.

13. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water; (ii) A restricted rate of discharge of surface

water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policy CC5 of Burnley's adopted Local Plan.

### **Environmental Health**

14. All external plant and machinery at the development hereby permitted shall be designed so that the rating levels for cumulative noise shall not exceed the existing background noise level (LA90) when measured as an LAeq,15min in any one third octave band at the external façade of the nearest noise-sensitive premises, as assessed in accordance with British Standard 4142 (2014), or any subsequent replacement national standards. Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority.

Reason: To ensure there is no adverse effect on the health and quality of life of the occupiers of noise-sensitive premises and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with policies policy NE5 and SP5 of Burnley's adopted Local Plan.

15. No development shall start until a scheme and programme for the lighting of the external area has been submitted to, and approved in writing by, the Local Planning Authority. The scheme and programme shall include details of:
- a) Location, type and intensity of lights.
  - b) Types of masking or baffle at head.
  - c) Type, height and colour of lighting columns.
  - d) Number and size of lighting units per column.
  - e) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on nearby properties.

The lighting shall only be provided in accordance with the approved scheme and programme.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners in accordance with policy NE5 of Burnley's adopted Local Plan.

16. The refuse and recycling store as shown on plan 20 – P 02 rev shall be provided before the start of the use and thereafter permanently retained.



Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality and to ensure compliance with policy SP5 of Burnley's adopted Local Plan.

17. No process shall be carried on, including the sounding of horns and vehicle repairs, which creates a nuisance to nearby residents as a result of noise, vibration, smell, fumes or smoke.

Reason: To safeguard the amenities of the nearby residential area, in accordance with policy NE5 of Burnley's adopted Local Plan

18. No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times; 8am - 5pm Monday to Friday and 8am – 1pm Saturdays none at any time on Sundays, Bank or Public Holidays

Reason: To satisfactorily protect the residential amenities of nearby occupiers in accordance with policy NE5 of Burnley's adopted Local Plan

19. Before the development hereby approved is brought into operation, a noise control scheme shall be submitted to and approved in writing by the Local Planning Authority and thereafter the noise control scheme shall be fully implemented in accordance with the approved scheme at all times.

Reason: In the interests of the amenity of nearby occupiers in accordance with policy NE5 of Burnley's adopted Local Plan

20. Audible alarms to any commercial vehicle associated with the development hereby approved, including forklift trucks, shall not be used at any time.

Reason: In the interests of residential amenity in accordance with policy SP5 of the adopted Local Plan.

### **Contamination**

21. The development shall not begin until:

a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;

b. An investigation has been carried out in accordance with the approved strategy;

c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. 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.

Reason: 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 NE5 of Burnley's adopted Local Plan

22. No development shall take place unless a Construction Method Statement outlining the construction of foundations and landscaping works in proximity to the Leeds & Liverpool Canal have been submitted to and approved in writing by the Local Planning Authority. The details shall:

- Include the design, depth and means of construction of the foundations of the proposed development together with any other proposed earth moving and excavation works required in connection with the development;

Indicate the location of plant, equipment and stockpiles on site; and

- Include details of any protective fencing, including measures to limit the runoff of silty water from the site, to be erected to safeguard the waterway infrastructure during construction;

- Include details of dust suppression measures to be used during the demolition and construction phases of the development

The development shall thereafter be carried out in strict accordance with the agreed details”

Reason: In the interests of safeguarding land stability adjacent to the canal and the water quality of the canal in accordance with the aims of paragraphs 178, 180 and 170 (part e) of the National Planning Policy Framework.

Housing & Development  
Town Hall, Manchester Road

Ref.

## HOU/2019/0607

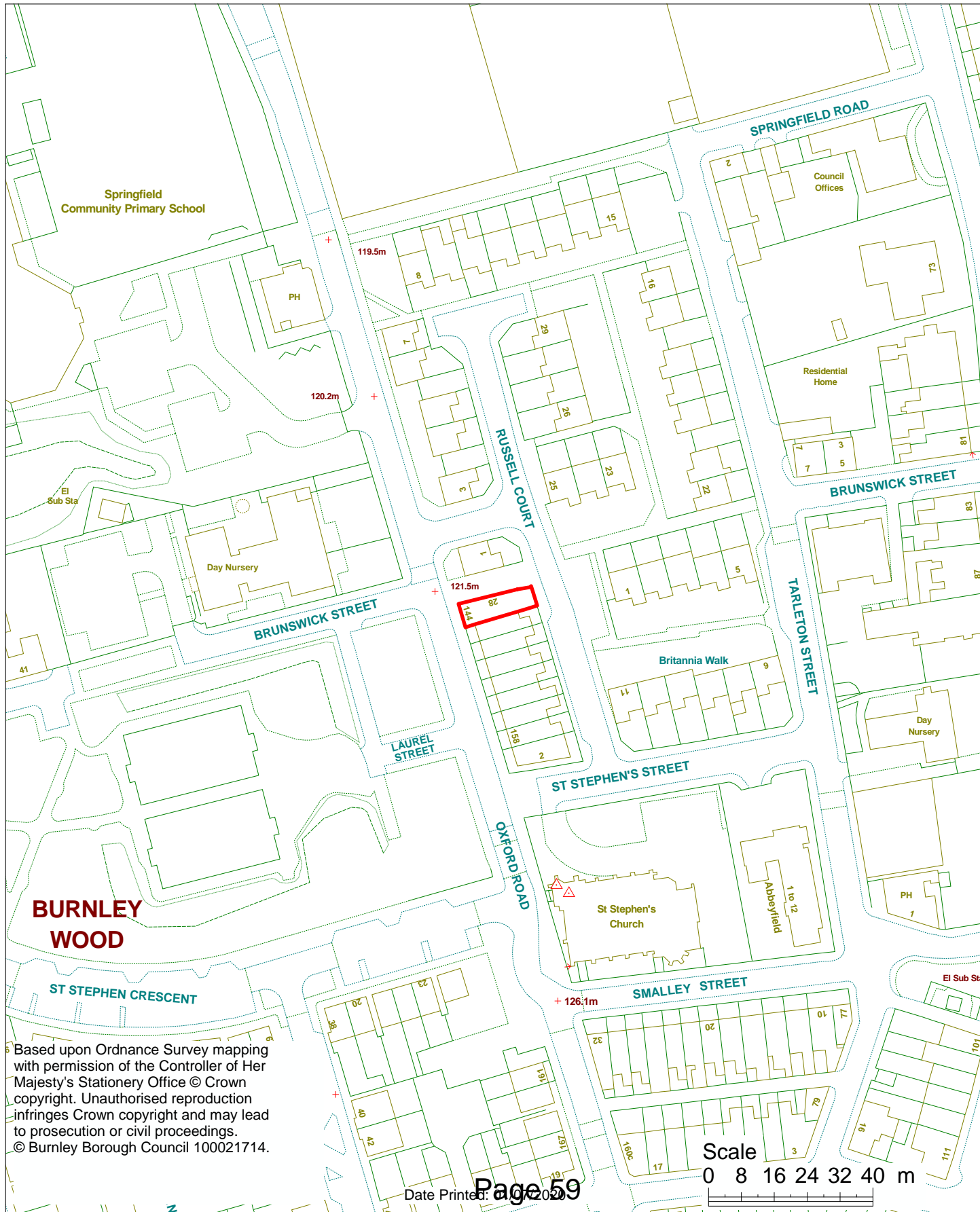
Paul Gatrell Head of Housing and Development

Location:



### 144 Oxford Road, Burnley

1:1250



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**Application Recommended for REFUSAL  
Rosehill With Burnley Wood**

**HOU/2019/0607**

Town and Country Planning Act 1990  
Retrospective dormer to side elevation  
144 Oxford Road, Burnley

**Background:**

The site is located within the defined development boundary as designated in Burnley's Local Plan.



The application site is located at the end of the terrace and forms a natural stone build with slate roof tiles. Surrounding properties (Oxford Rd, Russell Court and Tareleton Street) are of different house types which include vertical slate tile frontages, that represent large dormer loft roof designs.

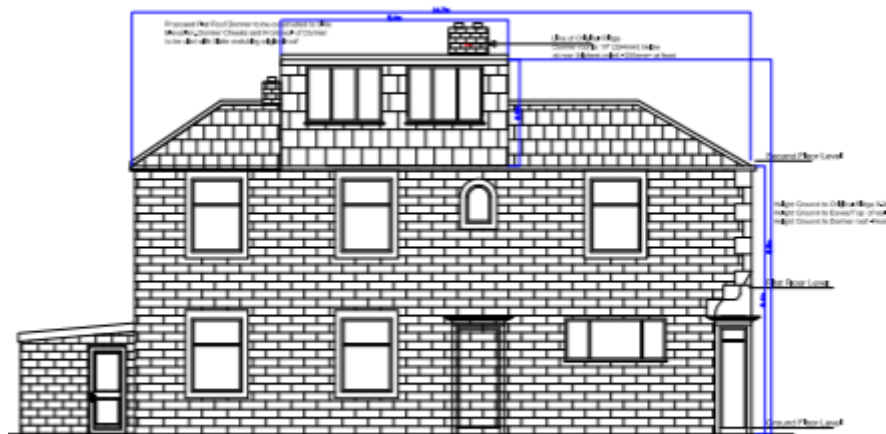
The previous agent representing the applicant was contacted by an Officer from the Planning Department in 2019 and advised the proposed scheme required planning permission.

This application states that in September 2019 works had begun in creating a dormer and the Planning Department advised planning consent was not required for a side dormer as it was classed as permitted development.

There has been no formal pre-app to suggest what advice was given. The proposed dormer is unauthorised at this stage.

**Proposal**

The application seeks retrospective consent for the side dormer extension which measures 5.4m in length and 2.5m in height. The converted roof space will provide a study area in order to improve accommodation on the ground floor.



Side Elevation

**Proposed**



Side Elevation

**Original**

**Relevant Policies:**

Burnley's Local Plan 2018

- HS4 – Housing Development
- HS5 – House Extensions and Alterations
- HE1 – Identifying and Protecting Burnley's Historic Environment
- HE2 – Designated Heritage Assets: Listed Buildings; Conservation Areas; and Registered Parks and Gardens
- SP5 – Development Quality and Sustainability

NPPF 2019

**Site History:**

No relevant history

**Consultation Response:**

An objection has been received in regard to the development being constructed without Planning Permission and Building Regulations Approval.

## **Planning and Environmental Considerations:**

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

### **Main issues**

- Impact on the character of the Conservation Area including design and appearance
- Impact on residential amenity

#### Design and Appearance

Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

#### Impact on the character of the Conservation Area and Design

With regards to the properties on Russel Court/Oxford Road, these properties sit outside the conservation area and their negative impact on the setting of Oxford Road does not justify further erosion of the quality of the streetscene. The application property forms part of a terrace of buildings and relates to the C19 townscape of the conservation area and the appropriateness of the design should be considered in this respect.

The application site lies within a conservation area and accordingly should be accompanied with a heritage assessment. The property also lies within the setting of St Stephen's Church, a grade II Listed Building and as such any changes that would be viewed within its context should be treated with an enhanced degree of sensitivity. The property is located within the Burnley Wood Conservation Area and accordingly special regard is to be paid to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which confers upon the local planning authority a duty, amongst others, to "have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area." Preservation in this context means protecting the character and appearance (significance) from harm as opposed to keeping it utterly unchanged and considerable weight should be given to any harm found to arise.

In assessing the impact of the proposal on the conservation area consideration must be given to the contribution that the site makes to the character and appearance (significance) of the conservation area. There is no published conservation area appraisal for Burnley Wood Conservation Area though the Burnley Wood Heritage Appraisal provides a sufficiently detailed character analysis that has been relied upon in the assessment of applications within the conservation area. Para 3.5.1 of the appraisal identifies the continuity of form and materials used in terrace blocks as contributing to the quality of the townscape. The notable qualities of the terraces are

their simple building forms sharing common roof lines, repetition of openings and universal use of the local sandstone and welsh slate.

This property forms an end terrace to Nos. 146-158 Oxford Road and No. 2 St Stephen's Street and is characterised by its projection beyond the frontage of the of the terrace, its corner entrance and hipped roof. It is noted that the terrace retains its original roof form and shape, albeit it with the loss of some chimney stacks and pots. In this context the form of the roof is a component part of the historic form of the terrace and one which adds to its positive contribution to the character and appearance of the conservation area.

The dormer appears to be relatively large when taking account of the proportions and the amount of original roof form it would replace. It would significantly disrupt the original roof form of the host building; compromise the integrity of the roofscape of the terrace as a whole; and would appear as a prominent and bulky addition to the roof which is considered an overbearing in scale and unbalanced in appearance. The dormer would have a reasonable degree of visibility from within the surrounding townscape (and certain parts of the conservation area) given the prominence of the host building within the terrace block and would draw the eye and appear as a prominently located and incongruous feature. It would not be sympathetic or subordinate to the roofscape of the terrace and would be highly visible within the surrounding townscape, particularly within views south towards the listed St Stephen's Church which it is read against.

The proposal would fail to preserve or enhance the character or appearance of the Conservation Area. It would have a negative effect on the original roof form of the terrace which is identified as a positive feature within the Conservation Area (Burnley Wood Heritage Appraisal), adding to its character and appearance. In relation to the level of harm, this is 'less than substantial harm' as set out in the NPPF and HE2. Considerable weight should be attached to this harm in determining the application. In accordance with NPPF para 196, Policy HE2(2) states that where proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. There is nothing within the submission which would amount to a public benefit arising from the proposal.

#### Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including reasoning of overlooking. The scheme would not be detrimental to the amenity of neighbouring residents in terms of overlooking, loss of privacy or overshadowing and as such complies with policy HS4 part 3

#### Conclusion

For the reasons set out above it is considered that the applicant has not demonstrated public benefits to outweigh the less than substantial harm and as such has failed to provide a clear and convincing justification for the harm to the significance of the



conservation area. The proposal is therefore contrary to Local Plan Policies HE1 and HE2, the NPPF and the relevant statutory duty. The proposal would also conflict with Policy HS5 which requires proposals to be subordinate to and respect the architectural characteristics, scale and detailing of the host building and its setting.

**Recommendation: REFUSAL**

***The proposed dormer is an unduly incongruous feature within the roofscape, which unbalances the overall appearance of the terrace of houses which it forms a part of, and the wider street scene. The proposal is therefore contrary to Local Plan Policies HE1 and HE2, the NPPF and the relevant statutory duty. The proposal would also conflict with Policy HS5 which requires proposals to be subordinate to and respect the architectural characteristics, scale and detailing of the host building and its setting.***

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Housing & Development  
Town Hall, Manchester Road

Ref.

## HOU/2020/0056

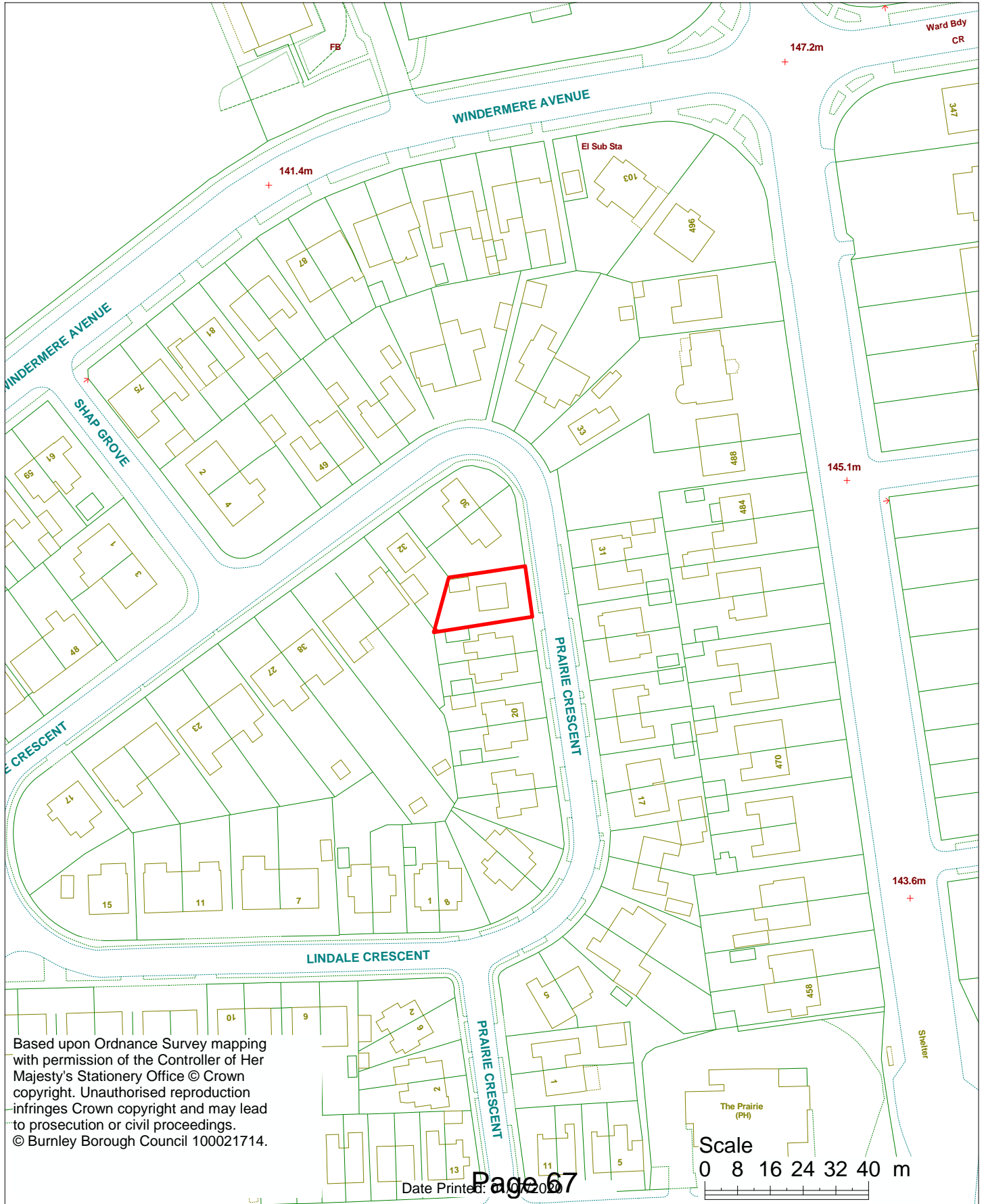
Paul Gatrell Head of Housing and Development

Location:



## 26 Prairie Crescent, Burnley

1:1250



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Town and Country Planning Act 1990  
Retrospective application to extend front porch and alterations to rear following  
Planning Approval Ref: APP/2019/0036.  
26 Prairie Crescent, Burnley

**Background:**

A previous application for the erection of a single-storey extension to the side and rear including a front porch was approved in May 2019; this retrospective application is for a larger porch than approved with a side window and an additional two small windows in the rear elevation.

An objection has been received.

**Relevant Policies:**

Burnley's Local Plan July 2018

HS5 – House Extensions and Alterations  
SP1 – Achieving Sustainable Development  
SP4 – Development Strategy  
SP5 – Development Quality and Sustainability  
IC3 – Car Parking Standards

**Site History:**

APP/2019/0008 – Proposed single-storey extension to side and rear including front porch – c/c

**Consultation Responses:**

*Neighbouring resident* – Objects strongly for the following reasons: They have built the front porch to almost reach the front pavement. If finished it will spoil the looks of the Crescent and open the floodgates to more unsightly forward extensions. There are other houses with extensions with a front porch, but they are tastefully done and with a much smaller extension to the front. This one looks like a shed in the front garden.

*Highway Authority* – Have no objections to the proposals subject to a condition in respect of the parking area being appropriately paved.

**Planning and Environmental Considerations:**

The property is a detached dwelling located within a predominantly residential area on Prairie Crescent. Consent was granted to erect a single-storey extension to the side and rear, together with a front porch in May 2019. The extension has been built with a larger porch with additional side window (although the window is shown on the plan it is has not been built with a side window) and two additional windows in the rear elevation.

The main considerations are design/materials, privacy/outlook and highway issues.

The porch extends out by an additional 0.7m (extended out from front elevation by 1.55m, now extends out by 2.25m) and is shown on the submitted plan as having a window in the side elevation.

The extension has not yet been fully completed (see photos below).



***front of 26 Prairie Crescent***



***porch extension***





***rear extension***

With regard to the two additional narrow `windows in the rear elevation they will not affect privacy for adjacent properties; there are bi-fold doors in the rear elevation which were approved as part of the original application, the property at the rear is at an angle to the application property and privacy was not considered to be an issue.

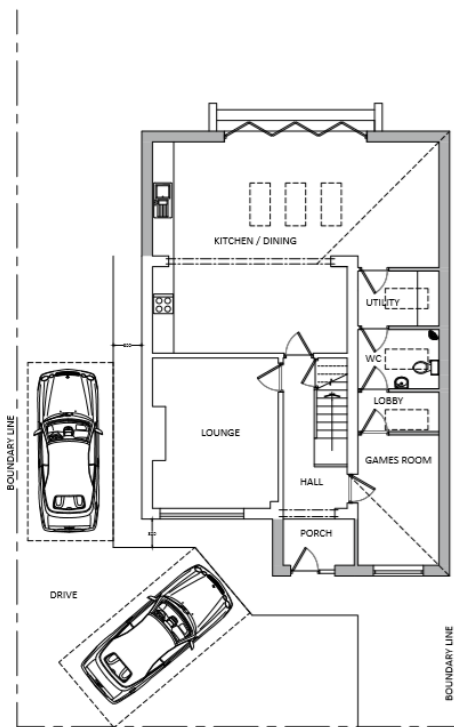
With regard to the extended porch, the porch is extended out forward towards the footway but not sideways. 28 Prairie Crescent is set at an angle to no 26 and the porch extension faces the garage to no28, outlook is therefore not considered to be an issue for no 28. In respect of no. 24 Prairie Crescent, the porch is further away on the frontage of 26 and outlook is not affected for no 24. A porch is not classed as a habitable room therefore privacy is not considered to be an issue in any case as the side window does not affect neighbouring properties.

Privacy and outlook are not an issue for neighbouring properties.

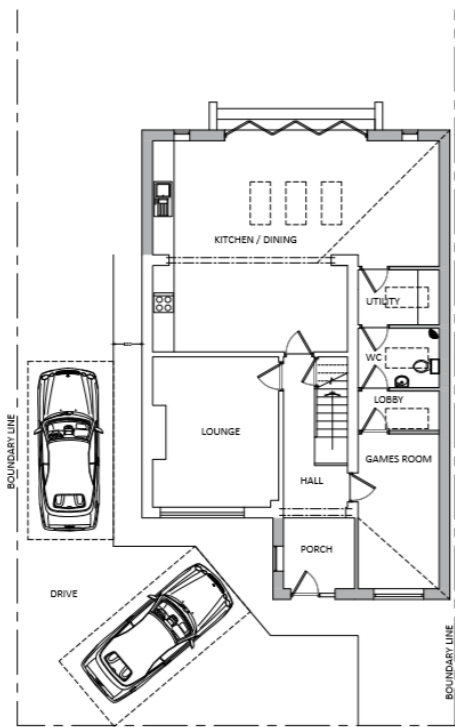
The design is considered to be acceptable, the extension to the porch continues the line of the existing hipped roof of the porch. The proposed elevation material for the extension to the porch is K-render (Ivory).

Although the larger porch is more prominent in the street scene it is not considered to be significantly detrimental to warrant a refusal.

With regard to highway issues, two off road parking spaces have been provided; the Highway Authority have no objections to the changes.

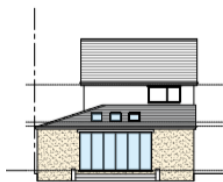


EXISTING GROUND FLOOR PLAN.  
SCALE 1:50

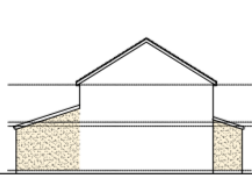


PROPOSED GROUND FLOOR PLAN.  
SCALE 1:50

***existing (as approved) and proposed floor plans***



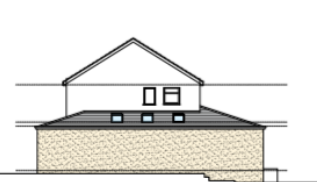
EXISTING REAR ELEVATION.  
SCALE 1:100



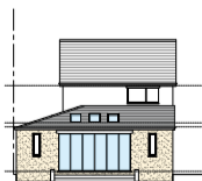
EXISTING SIDE ELEVATION A.  
SCALE 1:100



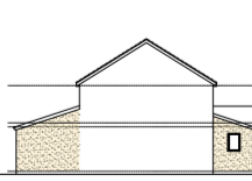
EXISTING FRONT ELEVATION.  
SCALE 1:100



EXISTING SIDE ELEVATION B.  
SCALE 1:100



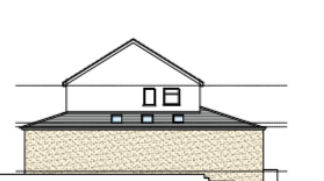
PROPOSED REAR ELEVATION.  
SCALE 1:100



PROPOSED SIDE ELEVATION A.  
SCALE 1:100



PROPOSED FRONT ELEVATION.  
SCALE 1:100



PROPOSED SIDE ELEVATION B.  
SCALE 1:100

***existing (as approved) and proposed elevations***

**Conclusion**

The additional windows in the rear elevation do not raise any additional issues. The enlarged porch is not significant enough to warrant a refusal. The changes are considered to be in line with the relevant Local Plan policies listed above.



## **Recommendation**

That the application is granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos.01B, 02A, 03 and 04 received 1<sup>st</sup> July 2020.

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

2. Before the access is used for vehicular purposes, the parking area shall be appropriately paved in tarmacadam, concrete, block paviments, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with policy IC3 of Burnley's Local Plan 2018.

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# Part One Plan

Housing & Development  
Town Hall, Manchester Road

# Agenda Item 6e

Ref.

## HOU/2020/0007

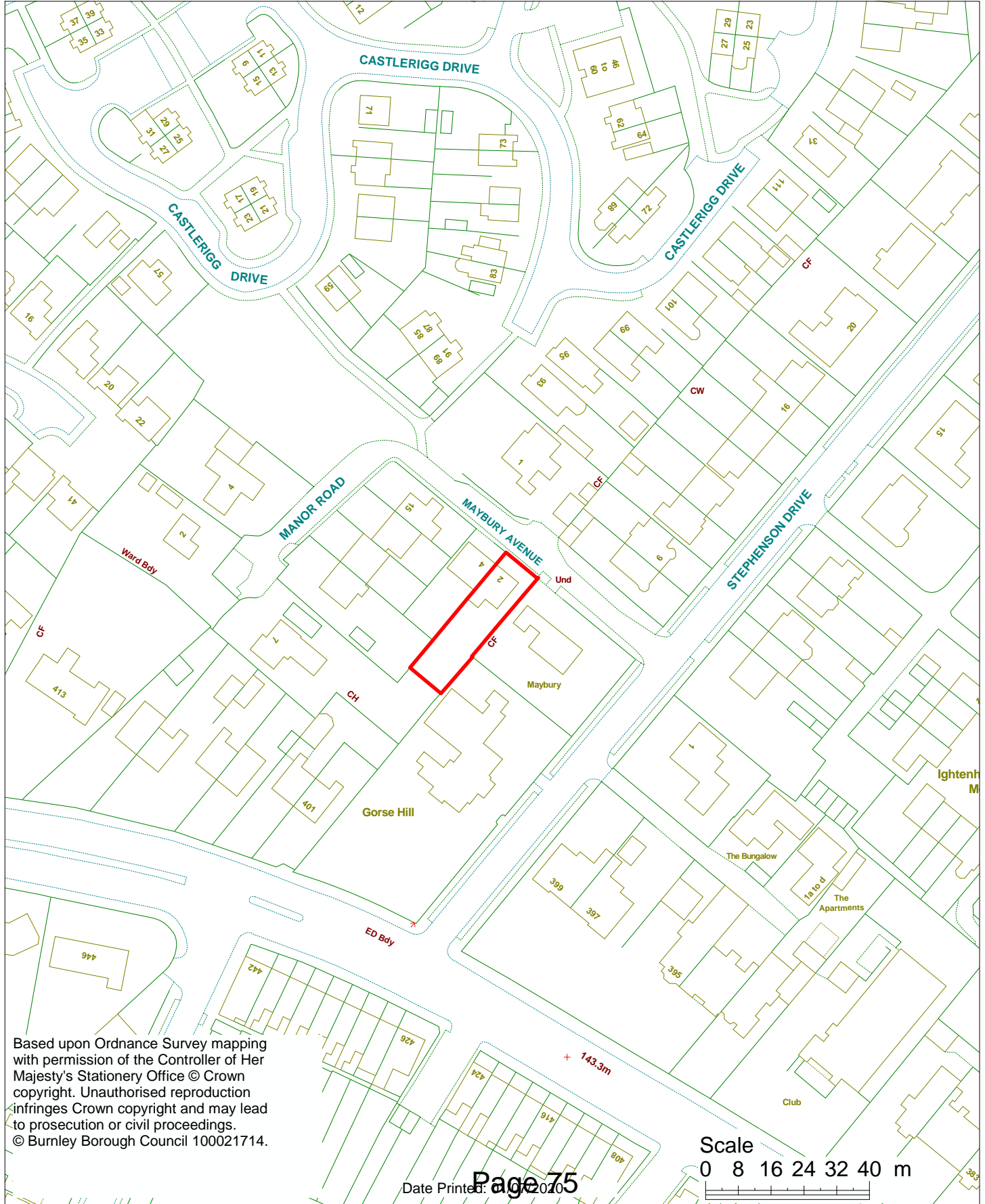
Paul Gatrell Head of Housing and Development

Location:



## 2 Maybury Avenue, Burnley

1:1250



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## Application Recommended for Approval

Ightenhill with Whittlefield Ward

HOU/2020/0007

Town and Country Planning Act 1990

Proposed first floor extension to side and loft conversion

2 Maybury Avenue, Burnley

### Background:

The application site is a semi-detached dwelling along a privately maintained road. To the south east is No. 1 Maybury Avenue with a garage to its side boundary facing onto the application site. The site shares a similar front building line to No.4



### Proposal

The application seeks consent for an extension above the existing ground floor w.c./store/kitchen to enlarge the existing bedrooms and create internal access for a loft conversion. The extension will continue the ridge line of the existing property at 7.5m and maintain the same eaves height at 5.1m. The extension will be 1.5m from the existing side elevation and the footprint of the dwelling will not alter but the volume will increase.

The length of the extension will be 8.2m and no windows will be placed in any elevation. Two velux roof lights would be installed to the roof for the 4<sup>th</sup> bedroom.

Proposed materials will be to match those of the existing, red brick, render and concrete roof tiles.

An objection has been received.

## **Relevant Policies:**

### National Planning Policy Framework 2019

#### Burnley's Local Plan 2018

HS4 – Housing Developments

HS5 – House Extensions and Alterations

SP4 – Development Strategy

SP5 – Development Quality and Sustainability

IC3 – Car Parking Standards

**Site History:** None

## **Consultation Responses:**

### **LCC Highways**

The proposal is for a first-floor side extension and loft conversion that will see an increase to the existing number of bedrooms from three to four. However, Maybury Avenue is a privately maintained road which would support the required parking provision and as such the proposal will not raise any highway concerns

### **Neighbours comments**

The neighbouring property at No.4 Maybury Avenue was granted a 1<sup>st</sup> floor extension above the existing garage in 2016. The proposal was required to be set back by 1m for the extension to be subservient. The neighbour states that this application is not set back by 1m and should replicate the same design.

*The extension at no.4 Maybury Avenue has a total width of 4.5m approximately and the extension for this application has a total width of 1.5m. There is a clear difference in design and bulk between the two extensions and this proposal is acceptable without being set back due to its overall scale and design.*

## **Planning and Environmental Considerations:**

### **The principle of development**

#### Burnley's Local Plan (2018)

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale. The Council's main policy in relation to extensions to houses/dwellings is outlined in HS5 'House Extension and Alterations'.

### **Main issues**

- Impact on the character of the area including design and appearance
- Impact on amenity of neighbours

#### Design and Appearance

Paragraph 124 of the NPPF states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good

design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

#### *Impact on the character of the area*

- The 1<sup>st</sup> floor extension will be visible from the street scene, however the design and use of materials back helps to integrate it well with the dwelling and it is not considered to have a detrimental impact on the overall street scene
- The extension does increase the over bulk of the property, but the extension is considered to be proportionate to the existing dwelling and there is a similar house type adjoining the application property with a larger extension and set back by 1m
- The proposal matches elements of the host dwelling by virtue of its pitched roof style and proposed use of matching materials
- The development would be in keeping with the neighbouring character, it would improve the overall appearance of the dwelling and is considered acceptable in accordance with Policies HS5 and SP5

#### Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including reasoning of overlooking.

#### *Impact on the amenity of neighbours*

- The scheme includes no windows on the side elevation which looks onto No. 1 Maybury Avenue. The proposed side extension will not alter the existing building footprint although the volume will increase.
- To the rear is Manor Road and the properties are over 20m+ away which is sufficient enough distance in terms of privacy and overlooking.
- This scheme would not be detrimental to the amenity of neighbouring residents in terms of overlooking, loss of privacy or overshadowing and as such complies with policy HS4 part 3

#### Conclusion

It is considered that the proposed development, by reason of its scale and design would not harm the appearance or character of the dwelling and the locality. Furthermore, the proposed development does not detrimentally impact on the provision of amenity space or parking provisions. It is therefore considered that the proposed development is considered acceptable and is compliant with local plan policies.

**Recommendation:** Approve subject to conditions

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

**Reason:** In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the approved plans listed on this notice below.

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

- 3 The materials to be used in the new development shall be carried out in accordance with the drawing listed below. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

**Reason:** To ensure the satisfactory visual appearance of the new development.



Housing & Development  
Town Hall, Manchester Road

Ref.

## HOU/2020/0195

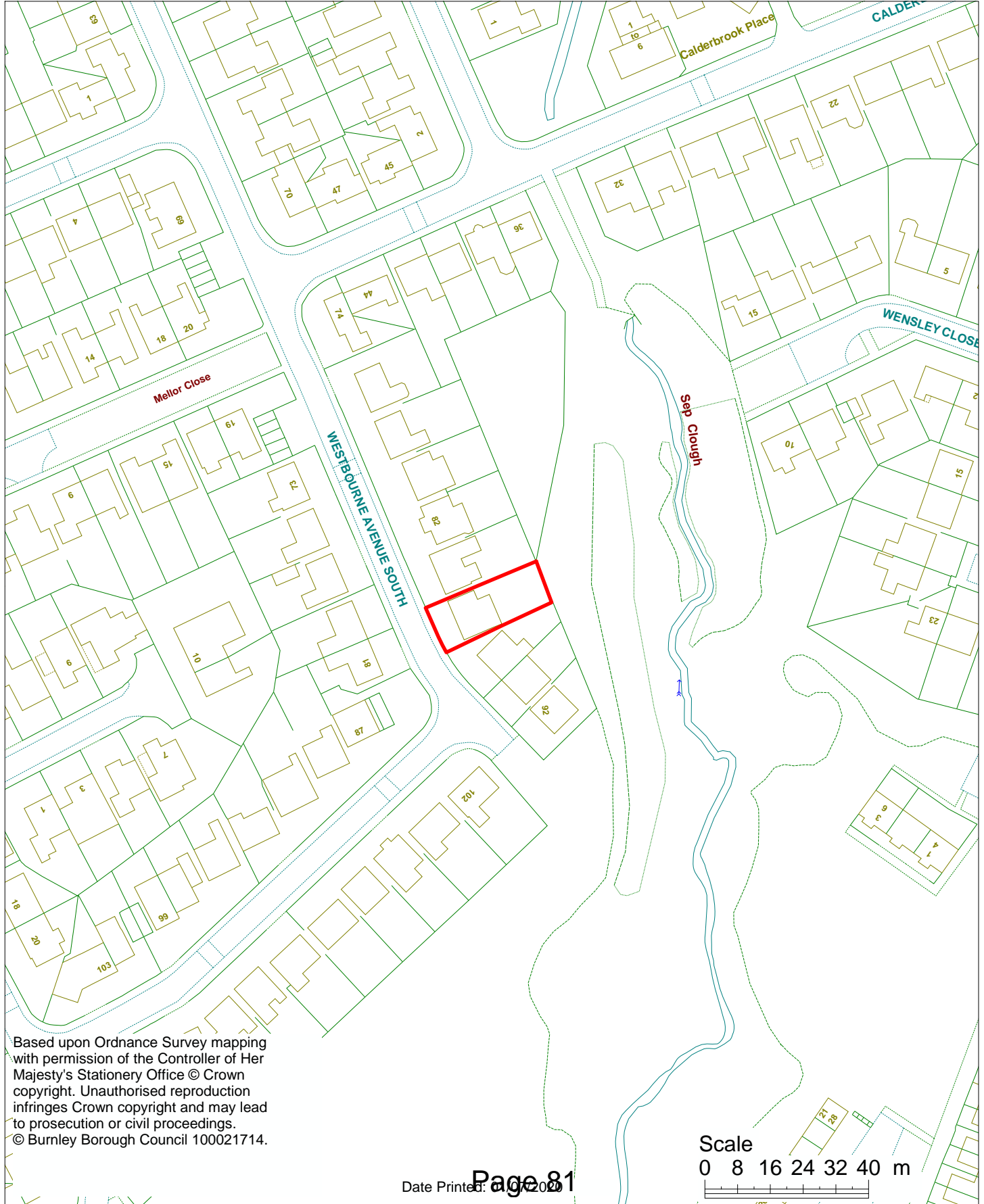
Paul Gattrell Head of Housing and Development

Location:



## 86 Westbourne Avenue South, Burnley

1:1250



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**Application Recommended for Approval**  
Coal Clough With Deerplay

**HOU/2020/0195**

Town and Country Planning Act 1990

Proposed demolition of existing garage/utility room, erection of a new extension to form a store, shower room/utility room to the side of the existing dwelling and erection of conservatory to the rear of the property

86 Westbourne Avenue South, Burnley, Lancashire BB11 4QZ

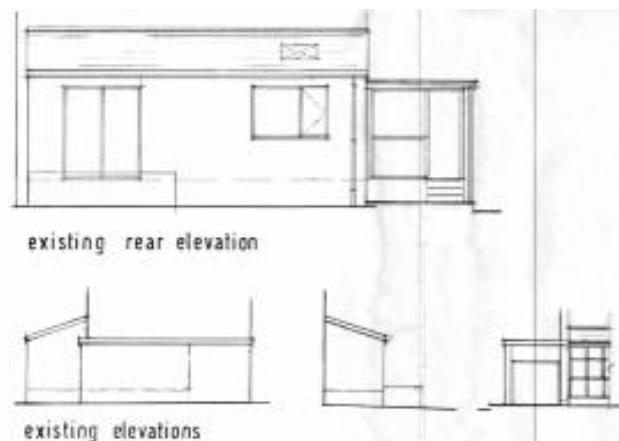
**Background:**

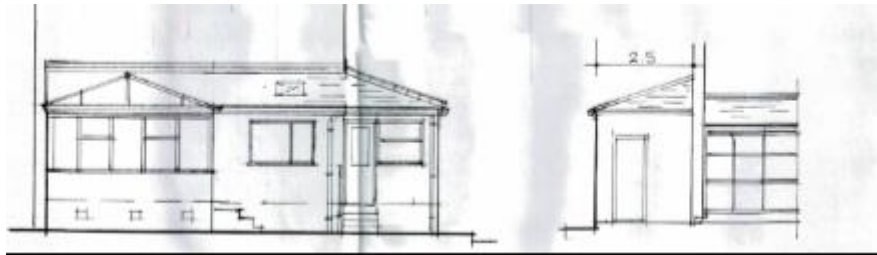
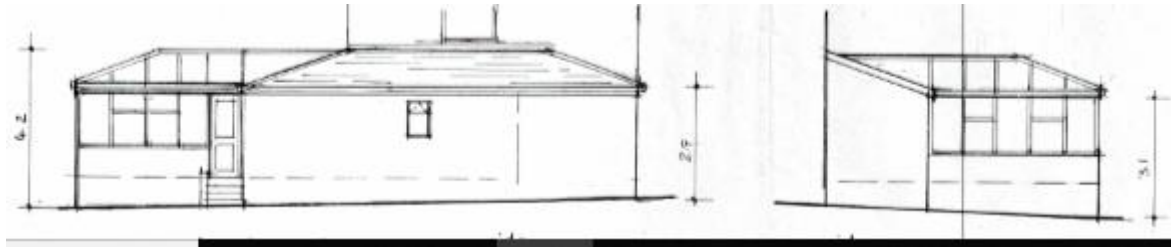
The application is referred to Committee because the applicant is an officer of the Council.

The property is a large detached dwelling within a residential estate which can be accessed via Manchester Road or Cog Lane, Burnley.



The application is to replace the existing garage and utility room with a single storey extension to accommodate a store, shower room and utility. The new development will now extend to the rear boundary but will not be any closer to the neighbouring boundary at 84 Westbourne Avenue South. The single storey extension will have a lean-to roof with a height to eaves of 2.9m and to ridge 4m. The length of the extension is 9.8m and the width is 2.5m. The applicant also intends to erect a conservatory to the rear of the dwelling which is 4.3m in width, 4.5m in length with a height to eaves of 3.1m and ridge 4.2m.





Proposed Elevations

**Relevant Policies:**

Burnley Local Plan (Adopted July 2018)

HS5 - House extensions and Alterations  
SP5 – Development Quality and Sustainability

**Article 35 Statement**

The application as submitted was in accordance with the local plan policies and the National Planning Policy Framework and there was no need for any negotiation with the applicant.

**Site History:**

None

**Consultation Responses:**

*Highway Authority* - No objections

**Publicity:**

*No comments received*

**Planning and Environmental Considerations:**

There is no objection in principle to the improvement of the existing dwelling within a residential area. The main considerations in determining this application relate to the impact that the proposed extension would have on the character and appearance of the existing property, the surrounding area and the impact on the amenities of the neighbouring property.

**Policy HS5:**

*Alterations and extensions, including roof extensions and the erection of buildings and structures within the curtilage of dwellings, should be high quality in their construction and design in accordance with Policy SP5.*

The principle of altering and extending the property to provide additional accommodation is considered to be in compliance with Policy HS5.

*The Council will permit extensions and modifications to existing residential properties where:*

- (a) The extension is subordinate to the existing building, to allow the form of the original building to be clearly understood;*
- (b) The design respects the architectural characteristics, scale and detailing of the host building and its setting. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. This would not preclude proposals that are innovative or contemporary where these are of an exceptional design quality;*

In respect of a) and b), the proposal would be subordinate in size and design with the existing dwelling and would be constructed in matching materials. The walls will be brick with matching concrete inter-locking roof tiles and white UPVC windows to match the existing. The proposed extension is single storey to the side elevation of the dwelling and the width, depth and height is relative in size and is considered to be appropriate and does not detract from the overall appearance of the dwelling from front, side and rear elevations. The proposed conservatory extension is at the rear and would be constructed in matching facing brick with a polycarbonate sheeting roof and UPVC framing. As the width, depth and height are relative to the existing dwelling, it is considered to be appropriate and does not detract from the appearance of the rear elevation of the property.

- (c) The proposal will not have an detrimental impact on the amenity reasonably expected to be enjoyed by the occupants of neighbouring properties through overlooking, lack of privacy or reduction of outlook or daylight, using the distances set out in Policy HS4 3)c);*

The proposed extension to be constructed to the side of the dwelling does not affect the neighbouring property at 84 Westbourne Avenue South by way of sunlight/daylight or privacy. There is only a small shower room window in the new extension which can be conditioned to be obscurely glazed and no windows in the side elevation of No.84. Highway sightlines are also not affected. The conservatory at the rear would not affect sunlight/daylight or privacy of the neighbouring property at 88 Westbourne Avenue South as the land levels are slightly lower and there is adequate screening on the boundary by way of fencing and tree/hedging foliage on the existing boundary.

*(d) The proposal does not lead to an unacceptable loss of parking, both in curtilage or on street and does create a danger to pedestrians, cyclist or vehicles;*

The proposal would not affect existing parking arrangements or lead to further demand for more spaces.

*and*

*(e) The proposal does not lead to an unacceptable loss of useable private amenity space.*

The proposal would not lead to a loss of private amenity space for the dwelling as there still remains ample rear garden once the extension has been constructed

In conclusion, the proposed development is suitably designed to match the existing dwelling and would not affect the amenities of the occupiers of the neighbouring property. The proposal is therefore acceptable.

### **Recommendation:**

That planning permission be granted 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: Existing and Proposed Plans, Location and Site Plan received 14<sup>th</sup> May, 2020.
3. The window in the side extension for the shower room shall be glazed in obscure glazing at a minimum Level 4 obscurity rating. Any replacement windows thereafter shall also be glazed with obscure glazing with a minimum Level 4 obscurity rating.

### **Reasons**

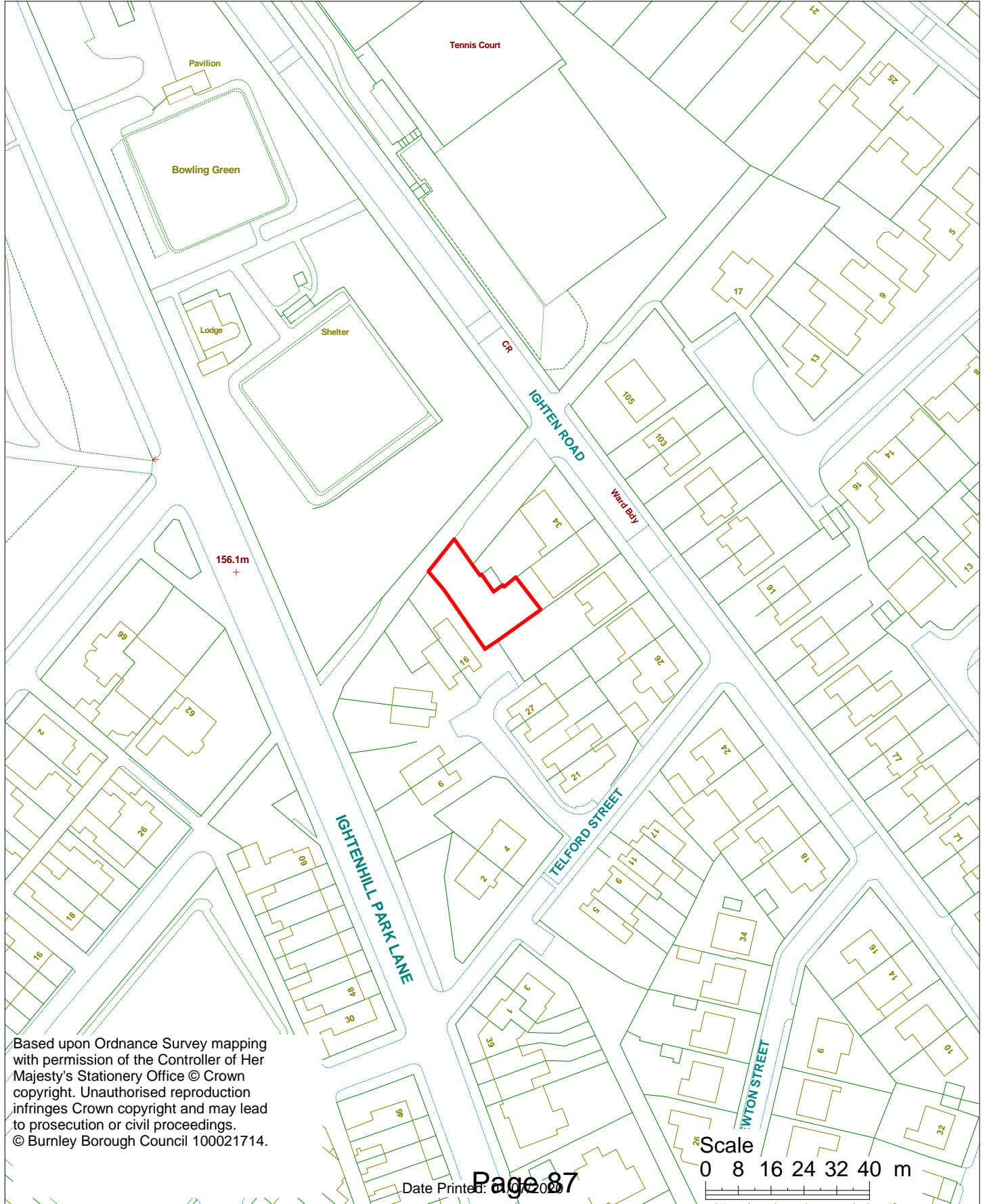
1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To protect the privacy of the occupiers of the neighbouring dwelling, in accordance with Policy HS5 of Burnley's Local Plan (July 2018).

Location:



## 32 Ighten Road, Burnley

1:1250



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Town and Country Planning Act 1990

Variation of Condition 2 (approved plans-window openings and height); Condition 3 (glazing) and Condition 4 (landscaping) of planning application ref: APP/2018/0126 and NMA/2019/0201

32 Ighten Road, Burnley, Lancashire BB12 0HP

**Background:**

The site relates to an area of land to the rear of 32/34 Ighten Road, Burnley which is in the ownership of the applicant who resides at 32 Ighten Road, Burnley. The site can be accessed along an unmade highway from either Ighten Road or Ightenhill Park Lane, Burnley.

Planning permission was granted in June 2018 for a 3 storey 4-bed dwelling in the rear garden of 32 Ighten Road, Burnley (APP/2018/0126). A further Non-Material Amendment application was submitted due to the change of development from a 3-storey 4-bed detached dwelling to a 2-storey 4-bed detached dwelling (NMA/2019/0201), this was approved in May, 2019.



**Proposal:**

The application seeks to vary Conditions 2, 3 and 4 on previously approved planning application APP/2018/0126. The conditions relate to the overall height of the dwelling, change in window openings/glazing of windows and landscaping.

**Condition 2** (approved plans – overall height of dwelling and location of window openings), the wording of the condition is as follows:

*The development hereby permitted shall be carried out in accordance with the following approved plans and any subsequent amended plan as may be agreed: Drawing No. 01A (location and site plan); 02A (site plan); 03A (ground floor layout); 04A (first floor layout); 05A (basement layout); 07A (general section); and 8A (site section) received 11 April 2018. Drawing No. 06B (Proposed elevations) received 4 June 2018.*

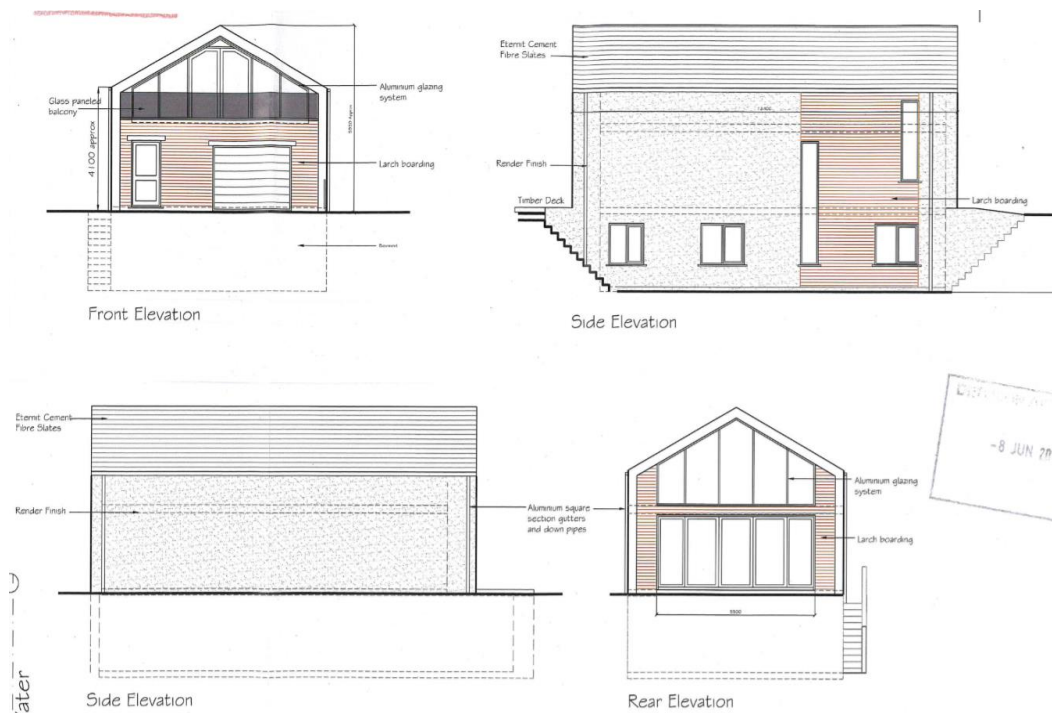
*Reason: To ensure the development is implemented in accordance with the approved plan and to avoid ambiguity.*

**Condition 3** (glazing of windows), the wording of the condition is as follows:

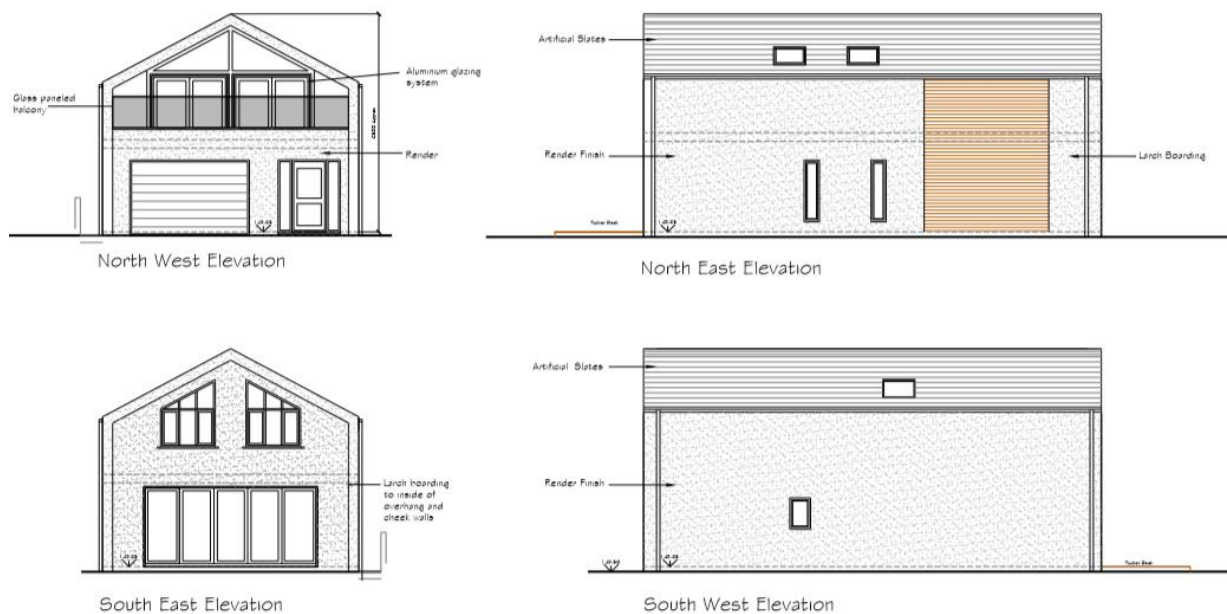
*The windows on the ground and first floor level of side gable elevation of proposed dwelling shall be obscurely glazed. The windows shall thereafter remain obscurely glazed to the satisfaction of the local planning authority.*

*Reason: In order to protect the residential amenities of the occupiers of the neighbouring property, in particular No. 34 Ighten Road, Burnley.*

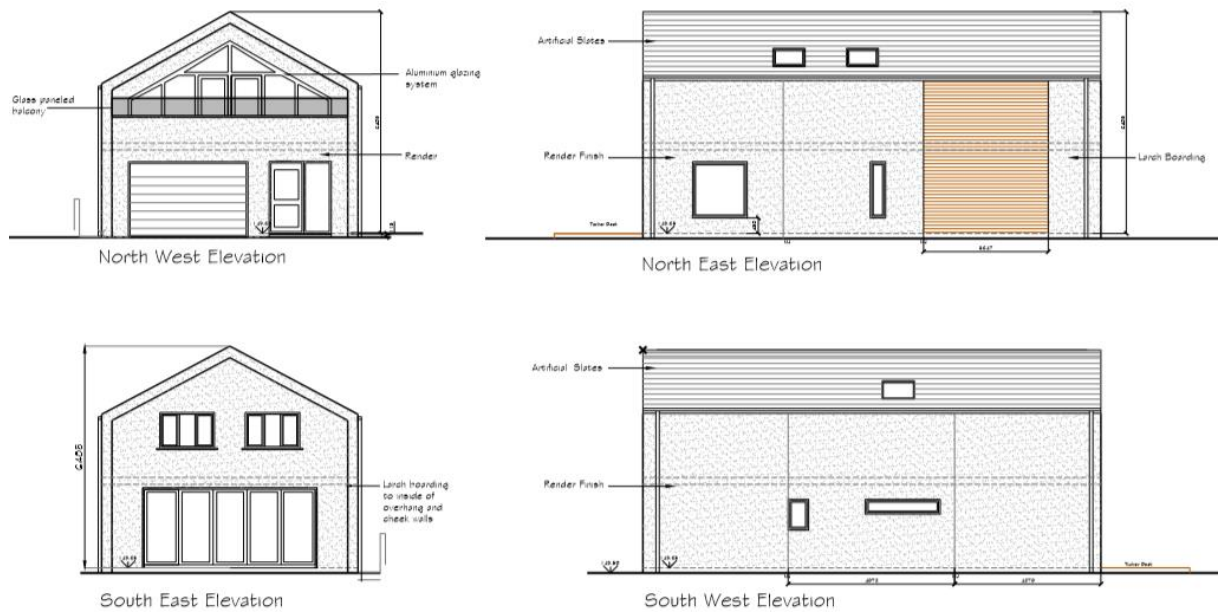
**Drawing 06B – Previously approved height/elevations plan under APP/2018/0126**



**Drawing 06C – Elevations approved under Non-material amendment NMA/2019/0201**



**Drawing 06A – This Variation Application seeks to replace the previously approved height and elevations with the following plan**



The main alterations to the dwelling are the change in the overall height of the dwelling and the re-configuration of the window openings to the North East and South West Elevations to allow more natural light into the dwelling.

The detached dwelling was first approved in June 2018 as a 3 storey 4 bed detached dwelling with the lower floor set into the land forming a basement level. It was intended to be of modern design and provide four bedrooms in the basement area, a garage, kitchen/dining room on the ground floor and a lounge on the first floor, which would be set into the building to provide access to a covered balcony off the lounge.

A Non-Material Amendment application was submitted in April 2019 to allow the change from a 3-storey dwelling to a 2-storey dwelling with the overall ridge height remaining the same. There were also changes to the external appearance of the detached dwelling by inserting two ground floor window openings and two velux windows on the North East elevation and one window opening on ground floor level and one velux window on the South West elevation. This application was approved in May 2019 but still required the windows on the side gable elevation to be of obscure glazing.

The variation of conditions application seeks to amend the overall height by 105mm (10.5cm). This minor change is not considered to be detrimental to the amenity of the adjoining properties (16 Telford Street and 34 Ighten Road).

The gable of No.16 Telford Street faces the site and there is a non-habitable landing window in the gable which faces the rear corner of the roof of the dwelling. The minimal increase in height of 105mm will have limited impact on the amenities of the occupants, particularly considering the difference in levels between the properties.

The increase in height in relation to the property at 34 Ighten Road, is also considered to be minimal and not be detrimental to the amenity of the property.

The application also seeks to retain the changes to the size/location of a window on the North East elevation and the insertion of an extra high-level window in the South West elevation of the dwelling to allow for a little more natural light into the dwelling. In relation to the insertion of the extra window this is not considered to cause harm to the neighbouring property (16 Telford St) as it is not visible due to the difference in land levels as it faces out onto the boundary wall. The change in size and location of the window on the N/E elevation is not considered to cause any additional visual or detrimental harm to the resident(s) at No.34 Ighten Rd by way of lack of privacy or overlooking as its repositioning now overlooks 32 Ighten Rd which is within the ownership of the applicant.

The applicant also requests the removal of the condition relating to obscure glazing. By removing this condition, which was initially required for the privacy of the property at 34 Ighten Road due to property being at a lower level, the applicant can overcome this by way of installing a 1.8m high timber boarded fence along the whole boundary, which is included in this application. This can be conditioned to be retained at all times.

**Condition 4** (landscaping), the wording of the condition is as follows:

*A scheme for the hard and soft landscaping of the site shall be submitted to the local planning authority before the dwelling hereby approved is first occupied.*

*The scheme as may be approved shall be implemented no later than within the first planting season following the occupation of the dwelling.*

*Reason: In order to ensure that the landscaping of the site enhances to site and the surrounding area in the interests of visual amenity.*

The landscaping scheme submitted allows for low-level planting beds at the front of the dwelling at either side of a permeable tarmac driveway with steps leading to the front of the dwelling. To the sides and rear, this will include gravel stones, a paved area and further planting beds. The erection of a 1.8m high timber boarded fence along the South West boundary of the site (bounding 32/34 Ighten Rd) provides privacy for these properties and this will be conditioned to be retained at all times.

#### **Relevant Policies:**

##### Burnley Local Plan

SP4 - Development Strategy  
SP5 - Development Quality and Sustainability  
HS4 - Housing Developments  
HS5 – House Extensions and Alterations

## Site History:

APP/2017/0593 - Erection of 4 bedroom dwelling in rear garden - Withdrawn

APP/2018/0126 - Erection of 4 bedroom dwelling in rear garden (re-submission of APP/2017/0593) – Approved

NMA/2019/0201 – Non-material amendment - Proposed erection of 4 bedroom dwelling in rear garden of 32 Ighten Rd, Burnley (APP/2018/0126) – Approved

## Consultation Responses:

Two letters from neighbouring residents – object to the application on the following grounds

- Concerns over increase in height before roof installed  
*The increase in height of 105mm is not considerable to cause any further detrimental harm*
- Loss of sunlight to landing window and to rear garden/kitchen and conservatory  
*The minimal increase would not cause any additional harm*
- Velux window on S/W elevation  
*This was previously approved under the NMA (NMA/2019/0201)*
- Ground movement where pre-fabricated wall was erected  
*This is not a planning issue and is controlled under building regulations*
- Lack of natural screening/soft landscaping minimal  
*Several trees have previously been removed from the land prior to development. These were not covered by any tree preservation orders. The applicant intends to plant bedding areas around the site and install privacy fencing*
- Change of window locations  
*The change on windows does not materially affect the neighbouring properties*
- Access to garage due to slop/ground levels  
*This has now been incorporated in the landscaping scheme drawing to show how access is to be obtained*

## Planning and Environmental Considerations:

The principle of the development has already been established by the approval APP/2018/0126 which allowed initially for a 3 storey, 4 bed detached dwelling. The main considerations for the application concern the minimal increase in height, the windows/glazing and the compliance to carry out a landscaping scheme within the site. These have been assessed and I do not consider there to be a material impact on the neighbouring properties by these minor changes.

**Recommendation: Approve subject to the following conditions**

**Conditions**

1. The development shall be carried out in accordance with the application drawings, namely: AHA/118/16/BH 01A (Location and Site Plan); AHA/118/16/BH 02A (Landscape Plan), AHA/118/16/BH 02B (Site Plan), AHA/118/16/BH 03A (Proposed Ground Floor), AHA/118/16/BH 04 (Proposed First Floor), AHA/118/16/BH 06A (Proposed Elevations) and AHA/118/16/BH 09A (Site Section) received 23<sup>rd</sup> April, 2020

Reason: To ensure that the development remains in accordance with the development plan.

2. The 1.8m high fencing indicated on the landscape drawing AHA/118/16/BH 02A shall be retained at all times. Any replacement fencing thereafter shall be at a minimum of 1.8m in height and no more than 2m in height unless a further planning permission has been sought and granted.

Reason: To protect the privacy of the occupiers of the neighbouring properties, namely 32 and 34 Ighten Road, Burnley in accordance with Policy HS5 of the Burnley Local Plan 2018.



BURNLEY BOROUGH COUNCIL  
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Part II: Decisions taken under the scheme of delegation.  
**For Information**

9<sup>th</sup> July 2020

Housing and Development

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## List of Delegated Decisions

Application Number	Applicant	Location	Proposal	Decision	Decision Date
APP/2018/0598	Mr Peter Alcock	Land At Former Baxi Heating UK Ltd Wyre Street Padiham Lancashire BB12 8DJ	Outline application for erection of up to 40 dwellings including details of access (all other matters reserved for future approval)	Approve with Conditions	18th May 2020
CND/2019/0291	Mr Stephen Ingham	REAR OF 542 Brunshaw Road Burnley Lancashire BB10 4HP	Discharge of conditions 3 ( relating to materials) and 5 ( relating to landscaping) of planning permission APP/2018/0306 for new bungalow in garden.	Approve with Conditions	9th June 2020
FUL/2019/0477	Mr _ Mrs Eccles	Saville Green Farm Gorple Road Worsthorne-with-hurstwood Lancashire BB10 3NW	Proposed demolition of existing annexe to erect 4 No holiday cottages	Refuse	23rd June 2020
NMA/2019/0528	Chris Astley	Land between Kiddrow Lane and Scott Street, Burnley	Increase of 16 more render fronted elevations across site. Plots 11, 18, 23, 26, 27, 137, 156, 175, 182, 202, 210, 213, 219, 224, 225 & 241 revised to render on residential development (Non-material minor amendment to APP/2018/0003)	Non-Material Minor Amendment Granted	8th June 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
FUL/2019/0573	Ms Gill Fox	1 Queen Street Padiham Lancashire BB12 8JW	Proposed change of use of land to residential curtilage and erection of summer house	Refuse	27th May 2020
CND/2019/0598	Mr McPherson	22A Hammerton Street Burnley Lancashire BB11 1NA	Approval of details reserved by Condition on Planning Permission APP/2017/0470: Condition 15 (Construction method statement and proposed site plan with temporary skip and materials storage locations.	Conditions discharged	20th May 2020
HOU/2019/0570	Mrs ASHSAQUE	86 Abel Street Burnley Lancashire BB10 1QD	Proposed single storey rear extension and dormer to rear.	Approve with Conditions	20th May 2020
FUL/2019/0608	Stockwell	6 Hereford Avenue Burnley Lancashire BB12 6DA	Proposed erection of self contained granny annex in rear garden	Refuse	13th May 2020
LCC/2019/0622		Hapton Valley Transfer Station Hapton Valley Estate Accrington Road Hapton	Change of use of end of life vehicle building to use for the drying and pelletising of waste solid recovered fuel (SRF), construction of 2x20m high flues, construction of underground ducting to transfer warm air from boiler to the pelletising building, and the storage of baled SRF in the Northern yard. (Application: LCC/2019/0069)	Observations	20th May 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
HOU/2019/0636	Miss Saffron Barker	9 Derwent Avenue Burnley Lancashire BB10 1HZ	Proposed bedroom and wet room extension	Approve with Conditions	15th June 2020
HOU/2019/0638	Mr Simon Clarkson	25 Mosedale Drive Burnley Ightenhill Lancashire BB12 8UJ	Proposed bedroom extension over existing garage and single storey rear extension and garage conversion	Approve with Conditions	6th May 2020
HOU/2020/0005	Mrs Rita Hilary	58 Wordsworth Street Burnley Lancashire BB12 6QE	Proposed wet room extension	Approve with Conditions	13th May 2020
FUL/2020/0025	Mr Bernard Brown	Opposite 81 Red Lees Road Cliviger Burnley BB10 4HZ	Erection of wooden gate	Approve with Conditions	1st June 2020
CND/2020/0048	Mr Billy Hasler-Cregg	Royal Court Tennyson Street Briercliffe Lancashire BB10 2JD	Approval of details reserved by condition on planning permission APP/2017/0601: Condition 18 (obscurity glazing to plots 5 and 6)	Conditions discharged	20th May 2020
FUL/2020/0012	Mr Gary Kirby	29 Bentham Avenue Burnley Lancashire BB10 1XZ	Division of existing bungalow in to two separate dwellings along with garage conversion and link extension	Application Withdrawn	20th May 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
HOU/2020/0039	Ms ANNA JAMESON	1 Marlon Crescent Burnley Lancashire BB11 5AZ	ERECTION OF SINGLE STOREY REAR AND SINGLE STOREY SIDE EXTENSIONS	Approve with Conditions	12th June 2020
FUL/2020/0019	Mr John Shorrocks	Dyneley Farm Dyneley Lane Cliviger Lancashire BB11 3RE	Proposed erection of building to cover existing muck midden	Approve with Conditions	6th May 2020
FUL/2019/0631	Mr Clive Carruthers	Claremont Street Burnley BB12 0HG	Application for the erection of 10no retirement bungalows within a gated development	Refuse	6th May 2020
VAR/2020/0074	Mr PAUL DEW	Land South Of Old Hall Farm Oswald Street Burnley Burnley BB12 0BX	Removal of condition 14 of planning permission APP/2017/0472	Refuse	15th June 2020
HOU/2019/0600	Mr Mark Foley	Cemetery Lodge House Cemetery Lane Burnley Lancashire BB11 5QB	Kitchen and garage extension with balcony over kitchen	Refuse	29th June 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
VAR/2020/0087	Hambledon Wind Ltd	Land To The South And South East Of Hameldon Hill Wind Farm On Land To The South Of New Barn Farm Burnley Billington Rd, Hapton BB11 5QQ	Vary conditions 17 and 18 (radar mitigation schemes) of planning permission APP/2016/0263 for 3 wind turbines	Approve with Conditions	23rd June 2020
COU/2020/0060	Mr Shahzar Khan	19 Croft Street Burnley Lancashire BB11 2ED	Change of use from A1 retail to A5 Hot Food Takeaway	Approve with Conditions	23rd June 2020
CND/2020/0106	Mr David Longworth	Land At Cog Lane Burnley	Application for discharge of Conditions 3 (materials); 5 (landscaping); 9 (noise assessment); 11 (drainage) of planning permission APP/2017/0597, relating to the erection of 3no. dormer bungalows	Conditions discharged	19th June 2020
FUL/2020/0065	Mr S Collier	Land South Of Arctic House Howard Street Burnley Lancashire BB11 4PJ	Demolition of lock up colony garages/workshop and erection of single storey commercial building for storage and distribution (B8)	Approve with Conditions	12th June 2020
FUL/2020/0082	Mr KEEN	Victoria Works Accrington Road Burnley Lancashire	ERECTION OF 7 INDUSTRIAL UNITS (B2)	Approve with Conditions	20th May 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
FUL/2020/0116	Mr Anthony Gerson	22 Bulcock Street Burnley Lancashire BB10 1UB	Conversion of existing terraced house into 2 independent dwellings	Approve with Conditions	6th May 2020
PAH/2020/0102	Mr Darren Nutter	20 Lindisfarne Close Burnley Lancashire BB12 0TX	Proposed single storey side and rear extension to extend 3.5m externally, height of the extension to eaves is 2.520m and maximum overall height 2.520m	Refuse	27th May 2020
COU/2020/0118	Mr R Wrigley	80 Manchester Road Burnley Lancashire BB11 1QZ	Change of use of former printing works to student accommodation.	Approve with Conditions	22nd May 2020
FUL/2020/0134	Mr Turner	Chorley Nissan Jubilee Garage Westgate Burnley Lancashire BB11 1RY	Proposed alteration of existing parts storage area to create additional Car showroom space. These alterations will include for additional external glazing and external redecorations.	Approve with Conditions	6th May 2020
TPO/2020/0135	Mr Stephen Carr	40 Valley Gardens Hapton Lancashire BB11 5QE	Application for the proposed 10% thinning to 2no. Ash Covered by the Treet Preservation Order (Valley Gardens, Hapton) 1988	Approve with Conditions	19th June 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
HOU/2020/0125	Mrs Sharon Livesey	101 Morse Street Burnley Lancashire BB10 4LS	SINGLE STOREY EXTENSION TO THE REAR OF THE PROPERTY	Approve with Conditions	12th June 2020
CND/2020/0138	Mr R Pheasey	88-90 St Jamess Street Burnley Lancashire BB11 1NJ	Discharge of condition 4 (joinery details) of planning permission FUL/2019/0538 relating to a replacement shop front	Conditions discharged	14th May 2020
LBC/2020/0141	MR BILLY KELLY	18 St Jamess Street Burnley Lancashire BB11 1NG	Installation of new fixed glassrack over existing bar in Grade II listed building	Approve with Conditions	17th June 2020
HOU/2020/0144	Mr & Mrs Nathan Cowgill	65 Cumbrian Way Burnley Ightenhill Lancashire BB12 8UN	New first floor extension to side and single storey extension to rear	Approve with Conditions	16th June 2020
HOU/2020/0155	Mrs Rachel Duxbury	406 Rossendale Road Burnley Habergham Eaves Lancashire BB11 5HN	Proposed Single Storey Side Extension	Approve with Conditions	8th June 2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
VAR/2020/0121	Mr Brahma	303 Colne Road Burnley Lancashire BB10 1EJ	Variation of condition 5 ( Site Investigation) of planning application APP/2018/0187	Approve with Conditions	27th May 2020
PAH/2020/0088	Mr Phil Patton	22 Townfield Avenue Worsthorne-with-hurstwood Lancashire BB10 3JG	Proposed conservatory brick built to match, white PVCU, extension to extend 3.7m externally beyond the rear wall, height of the extension to eaves is 2.25m and maximum height 3.3m	Prior Approval Granted	27th May 2020
CND/2020/0161	Mr Scott Richardson	Land Adjacent Graham & Brown Factory Shop Shuttleworth Mead Business Park Mead Way Burnley Padiham BB12 7NG	Discharge of condition 5 (contamination investigation) of applicaiton FUL/2020/0027	Conditions discharged	6th May 2020
TIC/2020/0170	Mr Michael Smith	31 Church Square Worsthorne-with-hurstwood Lancashire BB10 3NH	Application to fell one Ash tree within Worsthorne Conservation Area	No Objection	8th June 2020
TIC/2020/0132	Mr Tournai Barry	Plane Tree Hill Marsden Road Burnley Lancashire BB10 2DD	Application to fell one Ash Tree within Jib Hill Conservation Area	No Objection	8th June 2020



<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CEA/2020/0164	Sarah Morley	The Range Calder Vale Road Burnley BB11 1BT	Certificate of Lawfulness (section 192) for proposed use of up to 250sqm of floorspace within DIY retail unit/garden centre for the sale of food and drink for consumption off the premises	Lawful Dev Cert issued	26th June 2020
CND/2020/0177	Mr Simon Goff	Worsthorne Recreation Ground Lennox Street Burnley Lancashire	Discharge of conditions 3, 8, 10 , 15 and 16 of planning permission APP/2018/0385 for improvements to recreation ground	Conditions discharged	19th June 2020
CEA/2020/0184	Mrs Mandy Burney-Cumming	The Vicarage Fern Road Burnley Lancashire BB11 4NN	Demolition and replacement of existing single storey rear extension, including knocking through from existing kitchen.	Lawful Dev Cert issued	17th June 2020
PAH/2020/0179	Mr M Irfan	34 Cardinal Street Burnley Lancashire BB10 1RY	Single storey rear extension to extend 4.6m externally beyond the rear wall, height of the extension to eaves is 2.5m and maximum overall height 3.78m	Prior Approval Granted	18th June 2020
PAG/2020/0178	Mr Braithwaite	Walton Copy Farm Burnley Road Cliviger Lancashire BB10 4TA	Erection of proposed detached steel portal frame agricultural building.	Prior Approval refused	22nd June 2020

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BURNLEY BOROUGH COUNCIL  
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Part III: Appeal and other decisions  
**For Information**

9<sup>th</sup> July 2020

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## APPEALS

COMMITTEE DATE: 9th July 2020

APP Ref	Location	Proposal	P I Decision
APP/2018/0577	Lane House Farm, Burnley Road, Cliviger, Burnley BB10 4SU	Erection of building to provide two holiday cottages, access, parking and ancillary works	Dismissed
APP/2018/0599	Land to the rear of 74-104 Gannow Lane, Burnley, Lancashire BB12 6QD	Erection of 5 no. light industrial units (Class B1(c))	Dismissed
HOU/2019/0430	3 Lansdowne Close, Burnley, Lancashire, BB11 2JP	Retrospective application for conservatory porch to rear of dwelling	Dismissed
APP/2019/0019	24 Pennine Grove, Padiham, Lancashire BB12 9AB	Two storey extension to the side of the bungalow	Allowed
FUL/2019/0191	14 Higham Road, Padiham BB12 9AP	Detached house with new access from Pennine Grove	Dismissed

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