



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 15th July, 2021 at 6.30 pm

PRESENT

MEMBERS

Councillors S Chaudhary (Chair), A Kelly (Vice-Chair), G Birtwistle, F Cant, P Chamberlain, S Cunliffe, S Graham, S Hall, J Harbour, A Hosker, J Inckle, K Ingham, M Ishtiaq, N Mottershead, M Payne and A Royle

OFFICERS

Alec Hickey	– Planning Team Manager
Emma Barker	– Principal Legal Officer - Litigation & Regulation
Imelda Grady	– Democracy Officer

9. Apologies

There were no apologies.

10. Minutes

The Minutes of the last meeting held on 10th June 2021 were approved.

11. Additional Items of Business

There were no additional items of business.

12. Declaration of Interest

Councillor Mark Payne declared an interest (other) in item COU/2021/008 Lowerhouse Cricket Club. He remained in the room, spoke but did not vote on the matter.

13. Exclusion of the Public

There were no items that required the public to be excluded from the meeting.

14. List of Deposited Plans and Applications

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

Mr Ian Swain – FUL/2020/0199 – Land to the north of Hurstwood Village

Mr Timothy Buckel – VAR/2021/0214 – 111 Thursby Road, Burnley

Mr Stan Heaton – COU/2021/008 – Lowerhouse Cricket Club

RESOLVED That the list of deposited plans be dealt with as follows.

15. FUL/2020/0199 - Land to the north of Hurstwood Village, Hurstwood Lane, Hurstwood

Town and Country Planning Act 1990

Proposed Agricultural Building. Land to the North of Hurstwood Village, Hurstwood Lane, Hurstwood, Burnley

Applicant: Mr M Holmes

Agent: Mr Ian Swain

Decision: That planning permission be granted 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 The three swallow/bird nesting boxes and the owl box shall be in situ within 3 months of the building being erected.

Reason: In the interests of increasing biodiversity in the locality and in accordance with policy NE1 of Burnley`s Local Plan July 2018.

4 The landscaping scheme shall be implemented within 3 months of the building being erected, and the trees shall be maintained and replanted within 3 months if they die.

Reason: In the interests of visual amenity, to help screen the building from Hurstwood Lane and in accordance with policy NE3 of Burnley`s Local Plan July 2018.

16. HOU/2021/0065 - Musty Haulgh Barn, Granville Street, Briercliffe

Town and Country Planning Act 1990

**Retention/Construction of dry stone walls and diversion of Public Footpath No. 163.
Musty Haulgh Barn Granville Street Briercliffe**

Applicant: Mr Brent Frankland

Decision; That Planning Permission be granted subject to the following conditions

1 The development, not yet carried out, 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 and dimensions to be used for the approved scheme shall be as stated on the application form and approved drawings 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 Policy SP5 of Burnley's Local Plan (July 2018).

4. One heavy-standard, native tree shall be planted within the curtilage of the dwelling house for each tree that will be removed or lost as part of the approved development. The planting of the replacement trees shall be carried out within the next planting season following the felling of the tree/s and shall thereafter be maintained in accordance with good horticultural practice and replaced within 3 months if they die within three years of their planting. Reason: In order to maintain tree cover in the area having regard to Policy NE4 of Burnley's Local Plan (July 2018)

5. No works to the trees shall be carried out within the bird nesting season from March to August of any year.

Reason: To protect biodiversity having regard to Policy NE1 of Burnley's Local Plan (July 2018).

Approved Plans: Location Plan 1:1250; Site Plan 1:500; Site Plan with wall 1:500; Existing and Proposed Wall details 1:50 all received 22 February 2021.

Article 35 Statement Some negotiation was carried out to advise on the procedure for the diversion of the public footpath, the requirement for the submission of a planning application and a Tree Report. The application as submitted is in accordance with the local plan policies and the National Planning Policy Framework and there was no need for further negotiation with the applicant.

17. VAR/2021/0214- 111 Thursby Road, Burnley

Town and Country Planning Act 1990

**Variation of Condition No 2 pursuant to planning application HOU/2019/0531 to amend the roof design and proposed exterior materials to be used.
111 Thursby Road, Burnley**

Applicant:Mr Umair Khan

Agent: Mr Hamaad Anwar

Decision; That the application be refused.

Reasons;

The proposed alterations would have a detrimental impact on the amenity of the residents of the adjoining property as the changes would result in an overbearing impact contrary to Policy HS5 and SP5 of the Local Plan and the NPPF.

The proposed alteration of the external wall materials to incorporate K rend would undermine the inherent character of the host dwelling and be of detriment to the visual amenities and character of the area, contrary to Policy HS5 and SP5 of the Local Plan and NPPF.

As this decision was contrary to officer recommendation a named vote was taken as follows:

To refuse VAR/2021/0214 – 111 Thursby Road, Burnley

Councillor Gordon Birtwistle	For
Councillor Frank Cant	Against
Councillor Phil Chamberlain	For
Councillor Saeed Chaudhary	Against
Councillor Scott Cunliffe	For
Councillor Sue Graham	Against
Councillor Sarah Hall	Against
Councillor John Harbour	Against
Councillor Alan Hosker	For
Councillor Jackie Inckle	For
Councillor Karen Ingham	For
Councillor Mohammed Ishtiaq	Against
Councillor Anne Kelly	Against
Councillor Neil Mottershead	For
Councillor Mark Payne	For
Councillor Ann Royle	For
Carried	

18. COU/2021/008 - Lowerhouse Cricket Club, Lowerhouse Lane, Burnley

**Town and Country Planning Act 1990
Lowerhouse Cricket Club, Lowerhouse Lane, Burnley, Lancashire, BB12 6LP**

Change of use of detached function room to Hot Food Takeaway (Use Class Sui Generis)

Applicant: Mr Matthew Stansfield

Decision; That the application be delegated to the Head of Housing and Development Control to approve subject to the appropriate conditions.

As this decision was contrary to officer recommendation a named vote was taken as follows:

To approve COU/2021/008 – Lowerhouse Cricket Club

Councillor Gordon Birtwistle	For
Councillor Frank Cant	For
Councillor Phil Chamberlain	For
Councillor Saeed Chaudhary	Against
Councillor Scott Cunliffe	For
Councillor Sue Graham	For
Councillor Sarah Hall	For
Councillor John Harbour	Against
Councillor Alan Hosker	For
Councillor Jackie Inckle	For
Councillor Karen Ingham	For
Councillor Mohammed Ishtiaq	For
Councillor Anne Kelly	For
Councillor Neil Mottershead	For
Councillor Mark Payne	No vote
Councillor Ann Royle	For
Carried	

19. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 24th June to 2nd July 2021.