

# DEVELOPMENT CONTROL COMMITTEE

Thursday, 12th August, 2021  
6.30 pm





# DEVELOPMENT CONTROL COMMITTEE

## COUNCIL CHAMBER, BURNLEY TOWN HALL

Thursday, 12th August, 2021 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.

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.

Due to Public Health guidance re social distancing there is limited space for members of the public to observe the meeting. Priority will be given to those who have registered to speak on an application. If you wish to attend the meeting we advise that you contact [democracy@burnley.gov.uk](mailto:democracy@burnley.gov.uk) in advance of the meeting.

### 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.

**6. List of Deposited Plans and Applications**

15 - 16

To consider reports on planning applications for development permission:

a)	<b>HOU/2021/0313 - 52 Simpson Street Hapton</b>	17 - 24
b)	<b>FUL/2020/0540 - Lower Ridge (Former Care Home for Elderly) Belvedere Road Burnley</b>	25 - 36
c)	<b>COU/2021/0277 - Reel Cinema, Manchester Road, Burnley</b>	37 - 66
<b>7.</b>	<b>Decisions taken under the Scheme of Delegation</b>	<b>67 - 74</b>

To receive for information a list of delegated decisions taken since the last meeting.

**MEMBERSHIP OF COMMITTEE**

Councillor Saeed Chaudhary (Chair)	Councillor John Harbour
Councillor Anne Kelly (Vice-Chair)	Councillor Alan Hosker
Councillor Gordon Birtwistle	Councillor Jacqueline Inckle
Councillor Frank Cant	Councillor Karen Ingham
Councillor Phil Chamberlain	Councillor Mohammed Ishtiaq
Councillor Scott Cunliffe	Councillor Neil Mottershead
Councillor Sue Graham	Councillor Mark Payne
Councillor Sarah Hall	Councillor Ann Royle

**PUBLISHED**

Wednesday, 4 August 2021

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## DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Monday, 2nd August, 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, K Ingham, M Ishtiaq, N Mottershead, M Payne and A Royle

### OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Alec Hickey	– Planning Team Manager
Emma Barker	– Principal Legal Officer - Litigation & Regulation
Imelda Grady	– Democracy Officer

#### 20. Apologies

Apologies for absence were received from Councillor J Inckle.

#### 21. Minutes

The Minutes of the last meeting held on 15<sup>th</sup> July 2021 were approved as a correct record.

#### 22. Additional Items of Business

There were no additional items of business.

#### 23. Declaration of Interest

There were no declarations of interest.

#### 24. Exclusion of the Public

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

## **25. 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:

Ms Sharon Sherett – COU/2021/0175, 65 Church Street, Burnley

Mrs Jo Kemp – FUL/2021/0135, Land at former Bull and Butcher Pub, Manchester Road, Burnley.

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

## **26. COU/2021/0175 - 65 Church Street, Burnley, Lancashire**

### **Town and Country Planning Act 1990**

#### **65 Church Street Burnley Lancashire BB11 2RS**

**Proposed Development: Change of use of public house and hotel (Sui Generis) to form 10 no. apartments.**

**Applicant: The Talbot Hotel Agent: Mr Michael Sproston – PWA Planning**

**Decision: That planning permission be granted subject to the following conditions:**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the commencement of the work hereby approved, material samples and details of all external finishes shall be submitted to the Local Planning Authority for approval. The development shall then be carried out in accordance with the details so approved prior to the extension first being brought into use and retained as such thereafter.

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.

3. The refuse collection and storage for the units hereby approved shall be implemented prior to the occupation of the proposed apartments. Thereafter the approved facilities together with the means of access thereto shall be maintained and carried out as approved and be retained for the benefit of the lifetime of the development hereby permitted.

Reason: In the interests of amenity in accordance with Policies SP5 of the Local Plan.

4. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
- 24 Hour emergency contact number. Details of the parking of vehicles of site operatives and visitors.
  - Details of loading and unloading of plant and materials.
  - Arrangements for turning of vehicles within the site.
  - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
  - Measures to protect vulnerable road users (pedestrians and cyclists).
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
  - Wheel washing facilities.
  - Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction.
  - Measures to control the emission of dust and dirt during construction.
  - Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - Construction vehicle routing.
  - Delivery, demolition and construction working hours.

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

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.

5. Deliveries to the approved development shall only be accepted between the hours of 9:30am and 2:30pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety.

6. No building or use hereby permitted shall be occupied or use commenced until the footway (and/or verge) has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.

Reason: To maintain the proper construction of the highway and in the interest of pedestrian safety.

7. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

8. Parking area to be used ancillary to building. The parking/cycle storage areas hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability of their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

Reason: To ensure that adequate parking provision is retained on site

9. The development hereby approved shall be carried out in complete accordance with the submitted Flood Risk Assessment carried out by Maplebrook Environmental Consultants, received 22nd March 2021, unless agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of flooding, pollution to water resources or human health in accordance with Local Plan Policy CC2 and the NPPF.

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

Reason: To clarify the terms of this consent

Approved Plans:

Site Plan and proposed block plan – Drawing number: 2013-SP01 Proposed basement and ground floor plans – Drawing number: 2013-PL10

Proposed outbuilding plans and gable end wall elevation – Drawing number: 2013-PL12

Proposed first and second floor plans – Drawing number 2013-PL11

<b>27. FUL/2021/0135- Land at former Bull &amp; Butcher Pub, Manchester Road, Habergham Eaves</b>
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## **Town and Country Planning Act 1990**

**Applicant: LNT Care Developments**

**Erection of two storey care home (66 bedrooms) for older people with associated parking, access and landscaping (Class C2). Land At Former Bull And Butcher Pub Manchester Road Habergham Eaves Burnley**

**Decision: That planning permission be granted subject to the following 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 development, 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 details.

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). The material details are required prior to the commencement of development to ensure that the approved materials are available for use at the appropriate stage of the development.

4. No development shall be commenced until protective fencing to protect the trees to be retained on the site has been erected in accordance with details as indicated within the Arboricultural Impact Assessment (Reference 1177.19, dated April 2019). There shall be no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees. The protection measures shall be implemented and remain in situ during building operations until the completion of the development.

Reason: To ensure adequate protection for the long term health of trees 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 protective fencing is required to be erected prior to the commencement of development in order to give adequate protection to the trees from construction vehicles, plant, deliveries and other site activities.

5. Prior to the commencement of development, a scheme of landscaping, to include details of retained trees and new tree and shrub planting, to include native species on or near to site boundaries (noting species, plant sizes/heights on planting and proposed numbers/ densities where appropriate), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory scheme of landscaping that satisfactorily mitigates the loss of some trees on the site, provides a satisfactory setting for the development at a gateway location from the rural area and provides suitable species for biodiversity, in accordance with Policies NE4, SP5 and NE1 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that the works are agreed early in the process in order that they can be carried out at the appropriate stage of the development.

6. All planting, seeding or turfing comprised in the approved details of landscaping (as approved by Condition 5) shall be carried out in the first planting and seeding seasons following the first occupation of the approved development or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

Reason: In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings and contributes to biodiversity enhancement, in accordance with Policies SP5 and NE1 of Burnley's Local Plan (July 2018).

7. Prior to the commencement of development, a scheme of off-site works of highway improvement to include the new vehicular access, reinstatement of footway and landscaping works on the site's frontage with Manchester Road and Rossendale Avenue, drop kerbs and tactile paving at the crossing point of the site access and at the junction of Rossendale Avenue with Manchester Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in its entirety and completed prior to the approved development being first occupied.

Reason: To ensure that satisfactory access is provided to the site, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that the works can be agreed and carried out at the appropriate stage of the development.

8. Prior to the commencement of built development above ground level, a scheme of biodiversity enhancement measures, in accordance with the recommendations of the submitted Preliminary Ecological Appraisal (Report ref BEK-19549-3, dated February 2021), shall be submitted to and approved in writing by the Local Planning Authority. The approved biodiversity enhancement measures shall thereafter be carried out and completed prior to the approved development being first occupied.

Reason: To ensure that the scheme provides adequate benefits for wildlife to enhance the biodiversity of the site and the local area, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

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

Reason: To ensure that nesting birds which are protected by the Wildlife and Countryside Act 1981 are not harmed by the development, in accordance with Policy NE1 of Burnley's Local Plan (July 2018). This must be carried out prior to the commencement of development in order to prevent any potential harm to breeding birds.

10. The approved development shall not be first occupied until the car park and manoeuvring areas as indicated on the approved plans have been constructed, drained, surfaced in tarmac or an alternative bound treatment to be previously agreed in writing with the Local Planning Authority, marked out and made available for use. The car parking area shall thereafter be kept free of obstruction and available for the parking of cars at all times.

Reason: To ensure adequate off-street parking and to allow for the effective use of the parking areas, in the interests of highway safety and amenity, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).

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 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).

12. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number
- Details of the parking of vehicles of site operatives and visitors
- Details of loading and unloading of plant and materials
- Arrangements for turning of vehicles within the site
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures
- Measures to protect vulnerable road users (pedestrians and cyclists)
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction
- Measures to control the emission of dust and dirt during construction
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works
- Construction vehicle routing
- Delivery and construction working hours.

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

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.

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

stated, requests in writing must be made with at least seven days' notice to the Local Planning Authority.

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

14. 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 to any dwelling within each phase of the development being first occupied. The approved drainage scheme shall be retained at all times thereafter.

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

15. The approved development shall not be first occupied until a Verification Report and Operation and Maintenance Plan for the approved surface water drainage system 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).

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

Reason for condition: To manage any risks from pollution and flooding arising from construction activities on site, in accordance with Policies NE5 and CC4 of Burnley's Local Plan (July 2018). The details are required to be submitted prior to the commencement of development in order that they can be in place prior to any work taking place that could lead to pollution or flooding from the site.

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

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

18. Prior to the approved development being first occupied, the enclosed refuse store shall be constructed and available for use in accordance with the approved plans. The refuse store 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).

19. The details of materials, height and specification of all boundary treatment shall be submitted to and approved in writing by the Local Planning Authority prior to any built development above ground level. The approved boundary treatments shall thereafter be constructed and completed prior to the approved development being first occupied and shall be retained at all times thereafter.

Reason: To ensure a satisfactory appearance and amenity to the development from within the site and its environs, in accordance with Policy SP5 of Burnley's Local Plan (July 2018). The details are required prior to any built development above ground level to ensure that they can be implemented at the appropriate stage of the development.

20. The development shall be constructed and completed in accordance with the recommendations contained within the Geoenvironmental Appraisal (report 7099/1, dated January 2020) and Remediation Strategy (report 7099/2, dated January 2021). In the event that previously unidentified contamination is discovered during any part of the works then further investigation and risk assessment shall be undertaken which shall together with an additional remediation scheme be submitted to and approved in writing by the Local Planning Authority before works continue. A Validation and Verification report to evidence that all remediation works have been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the Local Planning Authority before the approved residential care home is first occupied.

Reason: In order to deal appropriately and safely with the risks posed to the public and future occupiers by the historic use of the site, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

21. The development shall not be carried out otherwise than in accordance with the measures for energy and water efficiency contained within the submitted Sustainability & Energy Statement (dated March 2021) 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, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

22. A minimum of two Electric Vehicle Charging points shall be installed externally within the car park as indicated on the approved plans prior to the completion of the development.

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).

23. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any statutory instrument revoking and re-enacting those Orders, the approved

development shall operate as a residential care home for the elderly (Class C2) only and shall not be used for any other purpose within Class C2 or for any other purpose.

Reason: To ensure the satisfactory implementation of the proposal which has been assessed on the details of the proposed use only, a deviation from which would need to be re-assessed in the interests of safeguarding residential amenity and highway safety amongst other material considerations, in accordance with Policies SP5, IC1 and IC3 of Burnley`s Local Plan (July 2018).

24. The approved development shall not be first occupied unless a pedestrian path to link to the adjoining site to the west has been constructed, surfaced and made available for use as indicated on the approved plans and in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. The path shall thereafter be retained and remain available for use in perpetuity.

Reason: To provide for accessibility and connectivity to the remaining part of the housing allocation at Policy HS1/23 of Burnley`s Local Plan (July 2018).

BURNLEY BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON  
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for  
Committee consideration

12<sup>th</sup> August 2021

Housing and Development

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Housing & Development  
Town Hall, Manchester Road

Ref.

## HOU/2021/0313

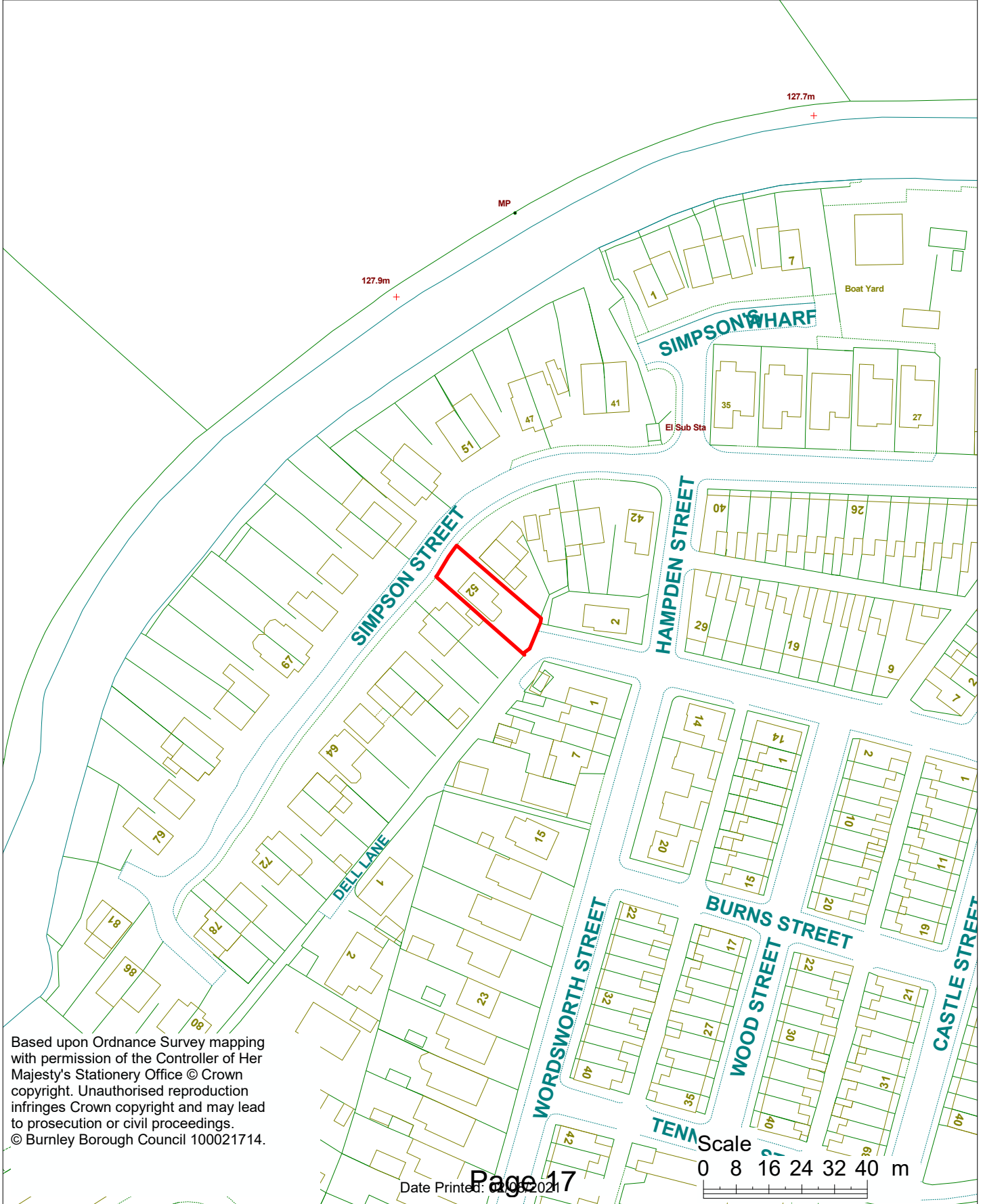
Paul Gatrell Head of Housing and Development

Location:



### 52 Simpson Street, Hapton

1:1250



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**Application Recommended for Approval with Conditions  
Hapton With Park**

**HOU/2021/0313**

Town and Country Planning Act 1990  
Two storey extension to side, single storey extension to rear  
At 52 Simpson Street Hapton Lancashire BB12 7LJ

**Applicant:** Mr Martin Large  
**Agent:** Mr Adrian Hughes

The applications has been brought to committee as objections have been received.

**Background:**

The site is located on a cul-de-sac within the defined settlement boundary in Hapton. The property is a detached, surrounded by similar house types.

The property has a driveway to the front and hardstanding and a rear back garden with conservatory. No.50 Simpson Street shares a common boundary with the site to the east which is a detached property and No.54 shares a common boundary to the west which is a semi-detached property.



**Photo 1:** front elevation



**Photo 2:** rear elevation gap with No. 50



**Photo 3:** rear elevation



**Photo 4:** showing neighbouring property No. 50

### Proposal

There have been revisions to this application during the course of its determination. Initial concerns were raised with the agent regarding the 2 storey side element which was not stepped back from the front building line and did not have a drop in ridge line, both design matters which would normally be requested on an application of this nature.

The application now seeks consent for a 2 storey side extension (on the eastern gable closest to No. 50) which will have dimensions of; 7.2m to the ridge, 2.3m in width and 6.8m in length. The proposed pitched roof will sit lower than the existing ridge line of the property and will be set back from the front building line at ground floor 330mm and at first floor and 1.1m. At ground floor a small garage will be created, open plan living/dining to the rear which will lead into the single storey extension element. At 1<sup>st</sup> floor an 'L' shaped bedroom and bathroom will be created. Proposed materials will be to match that of the existing property, brick quoins, marley modern tiles and facing brick to match.

To the rear a single storey full width extension is proposed this will require the removal of a current conservatory. This will project 4m from the existing rear elevation, 8.3m in length and the maximum height to the flat roof will be 5.2m. The roof will be completed with two lantern style window features. The rear extension will be finished in K render to all elevations. side extension projecting out from the existing side elevation by 2.3m, and will be the full length of the gable which will be 12.8m. The eaves height will be 2.5m and 5.7m to the ridge.

### **Relevant Policies:**

#### Burnley's Local Plan 2018

NPPF 2021

**Site History:**

**App/2004/1092** – erection of rear conservatory approved 18/11/04

**Consultation Responses:**

**Highways** – no objection subject to conditions

*A single, integral garage is proposed. As this is sub-standard in size it cannot be counted as a parking space. However, the existing drive is to be widened to provide three parking spaces at the front of the house. This should be surfaced in a bound porous material to prevent loose material from being carried onto the adopted highway network.*

Condition

*The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.*

*Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site.*

*Note*

*This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings.aspx>*

Neighbour consultation – 1 response received

- Loss of sunlight to the rear living area of our property by the proposed side two stories. As number 52 steps further back than our property this will block the light directly into the orangery living room, dining and garden.
- Over shadowing to the rear orangery living room, dining and garden, caused by the two storey extension.
- Loss of privacy into the orangery living room, dining and particularly the garden, which will be overlooked.

**Planning and Environmental Considerations:**

## **The principle of development**

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 area including design and appearance
- Impact on amenity of neighbours

### Design and Appearance

Paragraph 126 of the NPPF (2021) 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.

It is noted that there have been a range of extensions and alterations to properties on Simpon Street. The agent pointed out similar two storey extensions have been completed at numbers 60 and 64. Whilst each application is assessed on its merits, there is a precedent of similar extensions on the same street.

### Impact on the character of the area

- The single storey element will not be visible from the street scene. Whilst it is the full length of the existing rear elevation, it is not considered that the single storey element has any detrimental impact on the immediate area and accords with policy HS5.
- Alterations to the two storey side element has been sought an amendments showing a step back from the front building line and a step down from the existing ridge line improve the overall design and creates an extension which is more subservient to the existing dwelling.
- The proposal matches elements of the host dwelling by virtue of its pitched roof style and proposed use of matching materials.
- This development would be in keeping with the neighbouring character 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 two storey element will result in the extension achieving a 150mm gap between the application site and No. 50. A wider gap of approximately 1m will be achieved for the movement of bins to the gap between the application and No.54.
- There is a single window on the gable of No. 50 which is thought to be an obscure landing or wc bathroom. Whilst the extension will be coming closer to the neighbours

elevation as this is not a habitable window it is not considered that there will be any detrimental impact on this side elevation.

- There is an existing 1.8m high boundary fence with the No. 50, there is additional screening within the garden area of No. 50 which sits at a higher level (see photo 4) which helps to screen the conservatory. Whilst it is noted that from a neighbour that there will be a loss of privacy, given the existing boundary treatment and slight change in levels it is not considered that privacy will be impacted by the proposal
- Amended plans included a 45 degree plan which was taken from the back of the conservatory (No. 50) which shows the proposed single storey element will cut through some of 45 degree, but as this is only a single storey and the rear elevation faces south there will be a very limited of sunlight lost.
- There is a slight stagger in building lines, with No. 52 sitting back slightly on the main front building line when compared to No. 50. This will result in a small element 1.2m, of the two storey element projecting beyond the rear elevation of No. 50 when taking a line from the existing rear elevation of No. 52. It is not considered that 1.2m will create any substantial loss of outlook or privacy.
- 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

## **Other Issues**

In order to soften the front parking area and to aid some natural drainage on the site, a 2 planting strips have been included in the plans.

**Recommendation:** Approve subject to 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 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 19/7/21 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
4. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site.



Housing & Development  
Town Hall, Manchester Road

Ref.

**FUL/2020/0540**

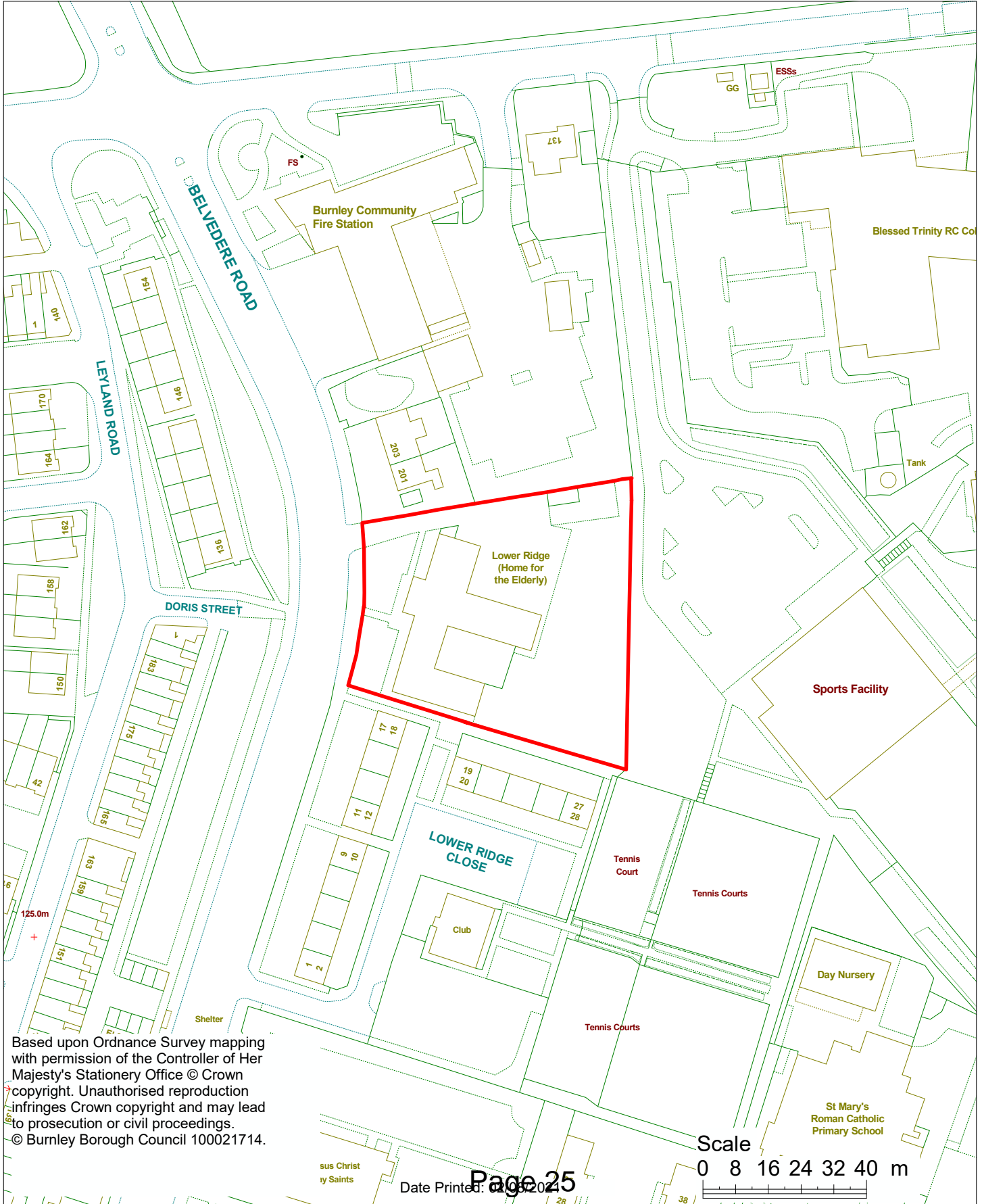
Paul Gatrell Head of Housing and Development

Location:



## Lower Ridge (Former Care Home For Elderly), Belvedere Road,

1:1250



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**Application Recommended for Approve with  
Conditions**

**FUL/2020/0540**

Bank Hall Ward

Town and Country Planning Act 1990

Change of use from residential care home (Class C2) to 50 no. self-contained studio apartments with supporting living facilities (sui generis) and external alterations  
Lower Ridge (Former Care Home for Elderly) Belvedere Road Burnley BB10 4BQ

Applicant: Mr Majid Hussain

Deferred Application

This application was first brought before the Development Control Committee on the 25<sup>th</sup> March 2021 due to objections having been received. The Committee resolved to Defer the application in order to obtain further information from the applicant on the running of the proposed development. The Committee expressed concerns over the concentration of the proposed use, its potential impact on elderly neighbours, the staffing of the premises, how occupants would be sourced or selected and whether it could become a House in Multiple Occupation (HMO). There has been a delay in obtaining information from the applicant due to illness. The information provided by the applicant is summarised below:-

- The applicant has 25 years` experience as a support worker and as a service manager in similar schemes. He has developed close connections with other agencies and has a strong ambition and motivation to succeed with this housing project.
- The applicant`s vision is to work with individuals who are not reliant on drugs or alcohol and to help to develop their skills, manage a long-term tenancy and be productive members of society. To achieve this, they would offer:
  - Support – covering a range of issues such as motivation, self-care, managing money, developing healthy hobbies and interests;
  - Accommodation – single bed studio apartments;
  - Education/Training – offering quiet rooms/libraries, meeting rooms to meet other agencies and providing in-house training in tailor-made kitchens.
- The applicant`s company is Adelphi Housing (formerly MH Associates) which is a local business with a view to helping local people.
- They will run and manage Lower Ridge efficiently and have a multi-agency approach to the support structure. They will liaise with the Council`s housing team and local agencies to set up a referral system which would be followed up by a further assessment and face to face interview to determine eligibility and suitability for the project. They would have a “local connections to Burnley” as a pre-requisite to accommodation.
- The accommodation would be for individuals aged 18 or over but expect the younger age group of 18-21 to be a smaller group of people than those older than this. From their own research, they have found that the 30+ age group are more likely to be in need of this type of accommodation.
- There would be 10 Full-Time staff and 5 Part-Time staff at the premises. This would include managers, support workers, day and night supervisors, cleaners.
- The staffing structure would be more than adequate to manage the residents. There would be a rigorous support structure in place but there would be differing levels of support needs with not all residents requiring intensive support levels.

- In building design, the applicant states that they have used small clusters of accommodation, divided into 12 separate accommodation areas, with a small number of apartments in each cluster. Each corridor or cluster would have its own key to access the apartments. This would ensure that residents remain in their own accommodation areas and have privacy. Access to the building would be via an intercom system, managed by supervisors.
- There would be a zero-tolerance approach to any anti-social behaviour.
- Their aim would be to work closely with the local community in Burnley and to welcoming any feedback or concerns.
- The applicant states that they are passionate about their scheme, that they have invested a lot of time and energy into this project and wish to renovate the building to its former glory as soon as possible.

The applicant in providing the foregoing information has attempted to deal with the concerns that were expressed at the relevant meeting. The details that have been received relate to how the premises would be run by the applicant and are not generally matters that are capable of being controlled by planning conditions. For instance, staffing levels are a matter for the operator and do not fall within the scope for considering a planning application. In addition, a planning permission relates to the use of the land and is not confined to the applicant.

The applicant has, however, explained how the clustering of apartments would manage the premises in smaller units and there is no reason to believe that the premises would not be operated in a sound and efficient manner that respects neighbours and the local area. A condition (no. 3) has been recommended to restrict the occupation of the studio apartments to individuals in need of accommodation with assisted living and to prevent their use as self-contained flats (Class C3) or as a HMO without a new planning permission. The reasons for this restriction relates to the availability of car parking within the present scheme. The previous Officer Report is re-produced below and the recommendation unchanged. Whilst however the previous report referred to the benefits of the development to `vulnerable young people` this has been changed to `vulnerable adults` to acknowledge the point that the applicant has made above about the ages of likely occupiers of the development.

### **Background:**

The proposal is to adapt a former care home for the elderly (Class C2) to form 50no. studio apartments with supported living facilities to cater for vulnerable individuals. The property is currently vacant and was previously occupied as a care home for the elderly with 35 bedrooms.

Front on Belvedere Road

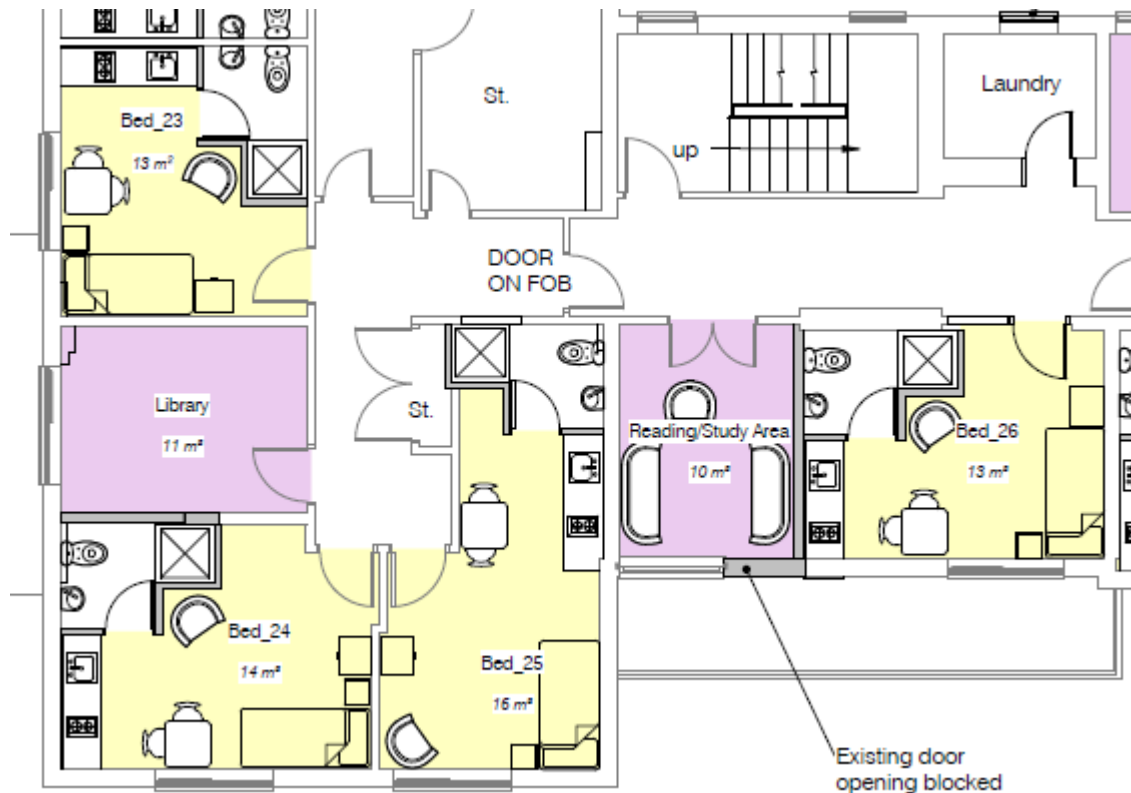


View from rear of premises onto Lower Ridge Close



The proposal involves the re-use of the existing building with mainly internal changes to form 18 bedrooms, a Group Training/Breakout room, Meeting room, Training Kitchen, Laundry room, three Offices and Security office on the ground floor and 16 bedrooms, Meeting room, Laundry room, Reading/Study area and Library on both the first and second floors. All 50 apartments would be single occupancy (varying between 13sqm and 20sqm) and would contain a combined living and sleeping area, small kitchen and bathroom.

Extract from part of the Proposed First Floor Plan (to show typical apartment layout)



Limited external alterations are proposed, mainly consisting of bricking up various window openings, including eight large windows on the south elevation. Four new

modestly sized windows are proposed to the rear within the recessed area facing an enclosed courtyard.

The existing car park would be retained which provides 14 car parking spaces. An existing garage to the rear would be retained and used to provide 14no. secure cycle storage spaces. A timber bin store would be provided on the north side of the building close to the driveway.

The existing areas of grass to the rear of the premises would be retained and a courtyard garden formed within the recesses of the building at the rear which would be enclosed on its east side by an acoustic fence. Existing trees on the site would be retained.

### Proposed Site Layout



The proposed accommodation is aimed at young people over the age of 18, offering accommodation, support and education/training to assist in living independently in the future. The average term of stay would be 12 months and a maximum term of two years.

The Design and Access Statement submitted with the application states that there would be a total of 10 full time staff and 5 part time staff. This would include housing management and support workers, security staff, cleaners and ground maintenance.

### **Relevant Policies:**

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

SP1 – Achieving sustainable development

SP5 – Development quality and sustainability

NE5 – Environmental protection



IC1 – Sustainable travel  
IC3 – Car parking standards

### **Site History:**

FUL/2020/0245 - Change of use from Class C2 residential care home to apartments in supported accommodation hostel/HMO (sui generis). Application withdrawn November 2020.

### **Consultation Responses:**

#### LCC Highways

We would not wish to raise any objection to the principle of the application. There is a significant care element attached to the functioning of the development. As such, it is to be expected that the persons under this care are not be expected to be able to support the ownership of a motor vehicle. In light of this it is acceptable that the parking requirement of the development is limited to that which would be expected for the level of care. However should the nature of the development alter in any way where it ceases to provide any form of social care or support, then the full support of the application could not be relied upon. In order to fully support the application we would look for a condition requiring the care element of the application to be maintained for the perpetuity of the development. Should the care element of the application be removed then it cannot be expected that we would support the development. A condition is also recommended to require a Construction Management Plan (CMP).

#### United Utilities

No objections raised.

#### Environmental Health

Recommend a condition be imposed to require a noise assessment to be carried out to take account of noise from surrounding road networks and any other noise sources that are likely to affect the site.

#### Publicity

Letters of objection have been received from 22 residents of Lower Ridge Close. A summary of their objections is provided below:-

- Lower Ridge Close is sheltered accommodation with elderly residents and has an intimate relationship with the former Care Home and was originally built to share services with it.
- Not convinced that the management measures would be either secured as part of the planning permission or adhered to in order to ensure its use would be in keeping with the surrounding area.
- The submitted planning documents provide no evidence of the track record of the applicant in the delivery of such schemes.
- There would be an intensification of use of the site, with generally younger occupants, more irregular hours and significantly more frequent comings and goings, leading to noise and disturbance.
- Lack of car parking on the site. This could cause overflow parking on the unregulated spaces on Lower Ridge Close and use of narrow alleyways which residents would be fearful of, particularly at night.
- The current unsightly appearance of the property and its disrepair do not justify the proposals.

## **Planning and Environmental Considerations:**

### Principle of Proposal

The application premises are a residential use within the borough Development Boundary; currently within Class C2 (residential institutions) and sit within a primarily residential area but also close to the Burnley Fire Station, and partly surrounded to the rear by the sports grounds and facilities of local schools. The use of the premises for a residential use that is for assisted living for vulnerable young people which is a sui generis use would still be a residential use of the premises and as such, there is no objection in principle to the proposal. The main issues relate to the suitability of the premises in respect of any impact on other surrounding residential uses and car parking. The benefits of the proposed scheme should also be considered against any identified impacts. Given that there would be few external alterations to the premises, the visual impact of the proposals would not be significant.

### Impact on residential amenities

Policy SP5 requires new development to ensure that there is no adverse impact on the amenity of neighbouring occupants or land users as well as ensuring acceptable conditions for new occupants.

The application has received a considerable level of objection from adjacent occupiers. The sheltered housing at Lower Ridge Close sits close to the application building on its south side, from where there is an open outlook towards the building and its grounds.

No new windows would be formed that would directly overlook the neighbouring occupiers and some large windows on the south elevation would be bricked up. There would therefore be no discernible increase in overlooking between properties. The larger grassed areas would be retained in situ but an enclosed courtyard for sitting out would be formed to rear within the current recess of the building and this would be enclosed by an acoustic fence which would also reduce any potential outside noise.

The neighbour objections refer to an intensification of use and potential increase in noise and disturbance. Given that this is a large building with substantial grounds, the proposed floor plans would indicate that it is capable of accommodating up to 50no. studio apartments with adequate space for shared facilities such as meeting rooms, reading rooms, and a training kitchen and break-out space. This may represent an increase in the number of occupants from the former care home with 35no. bedrooms. However, the former occupancy level of the care home does not represent a ceiling of what would be acceptable at these premises. In order to ensure a viable scheme, it is expected that an owner of the building would need to use it efficiently. Whilst an increase in the number of occupants may lead to a proportionate increase in comings and goings and activity levels, it would not significantly increase levels of noise and disturbance to neighbours. Each are residential uses, with the main entrance to the application premises being from the front of the premises on Belvedere Road with a further access close to the car park which is away from the sheltered housing at Lower Ridge Close.

The Council's Consultant Environmental Health Officer recommends a condition be imposed to require the applicant to carry out a Noise Assessment to ensure that any mitigation measures are put in place to reduce exposure of future occupants to noise from traffic and surroundings.



Subject to the recommended condition, the proposal would have an acceptable impact on the residential amenities of both neighbouring occupants and future occupants of the proposal.

### Car Parking

Policy IC1 seeks to promote sustainable travel and safe pedestrian, cycle and vehicular access, including adequate visibility splays. Policy IC3 requires adequate parking in line with Appendix 9 .

The site is within the urban area, reasonably close to facilities and amenities and public transport and would represent a sustainable location for catering for young people in need of accommodation and support. There are no specific car parking standards for this use. The proposal would retain the existing car park of 14 spaces and provide for cycle storage. Whilst this would be insufficient for a House in Multiple Occupation Use (HMO), LCC Highways accept that the occupiers of this development which is to cater for young people in need of support, are unlikely to be independent and have their own motor vehicle. Parking spaces are more likely therefore to be needed by staff and visitors. On this basis, the existing level of car parking provision would be sufficient for this proposal. A condition is however recommended to ensure that planning permission would be required for a Class C3 dwelling or HMO use in order that the need for car parking provision can be reevaluated.

### Conclusion

The proposal would have significant benefits by providing bespoke accommodation tailored to vulnerable adults. The large premises and grounds are suitable for its purpose and would not significantly impact on surrounding residential amenities. The proposal complies with the development plan and there are no material reasons which would outweigh this finding.

### **Recommendation: Approve with 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. The premises shall be occupied by up to a maximum of 50 no. studio apartments for individuals in need of accommodation with assisted living (sui generis use) in accordance with the approved plans and the Design and Access Statement submitted with this application. No part of the approved development shall be occupied as a dwelling under Class C3 of the Town and

Country Planning (Use Classes) Order 1987 or as a House in Multiple Occupation (sui generis) without planning permission first being obtained.

Reason: The proposal has been assessed on the basis of the proposed use for assisted living accommodation and not for Class C3 purposes which would require a greater level of car parking provision and consideration of other plan policies, in accordance with Policies HS4 and IC3 of Burnley`s Local Plan (July 2018).

4. Prior to the commencement of any building operations , a Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority to assess the impact of environmental noise, including traffic noise, on the future occupiers of the development. Any recommendations in the approved Noise Assessment to mitigate against noise shall thereafter be carried out and completed prior to any part of the premises being first occupied.

Reason: To ensure that any potential noise impact on occupiers of the development is suitably mitigated to ensure a satisfactory level of amenity for occupiers, in accordance with Policy SP5 of Burnley`s Local Plan (July 2018).

5. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved Plan / Statement shall provide for the following:
  - 24 Hour emergency contact number;
  - Details of the parking of vehicles of site operatives and visitors;
  - Details of loading and unloading of plant and materials;
  - Arrangements for turning of vehicles within the site;
  - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
  - Measures to protect vulnerable road users (pedestrians and cyclists);
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - Wheel washing facilities;
  - Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
  - Measures to control the emission of dust and dirt during construction;
  - Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - Construction vehicle routing;
  - Delivery, demolition and construction working hours.

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

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases, in accordance with Policy IC1 of Burnley`s Local Plan (July 2018).

6. Prior to any occupation of the approved scheme, the car parking spaces and secure cycle parking provision, as indicated on the approved plans, shall be provided and available for use for the purposes of occupiers of the development, staff and visitors. The car parking provision and secure cycle storage shall thereafter be retained for these purposes at all times.

Reason: To ensure adequate parking provision to cater for the needs of the development and to ensure provision for cycle storage to encourage the use of cycling as a sustainable mode of transport, in accordance with Policy IC3 of Burnley`s Local Plan (July 2018).

7. Matching brickwork must be used to make good former window/door openings at the premises.

Reason: To ensure a satisfactory appearance to the premises, in accordance with Policy SP5 of Burnley`s Local Plan (July 2018).

8. Prior to the premises being first occupied the landscaped courtyard garden and acoustic fence shall be constructed, completed and available for use.

Reason: To ensure adequate outdoor sitting areas for occupants of the building and to ensure adequate protection from potential noise to surrounding neighbouring properties, in accordance with Policy SP5 of Burnley`s Local Plan (July 2018).

JF  
Report updated 2/8/21

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Housing & Development  
Town Hall, Manchester Road

Ref.

## COU/2021/0277

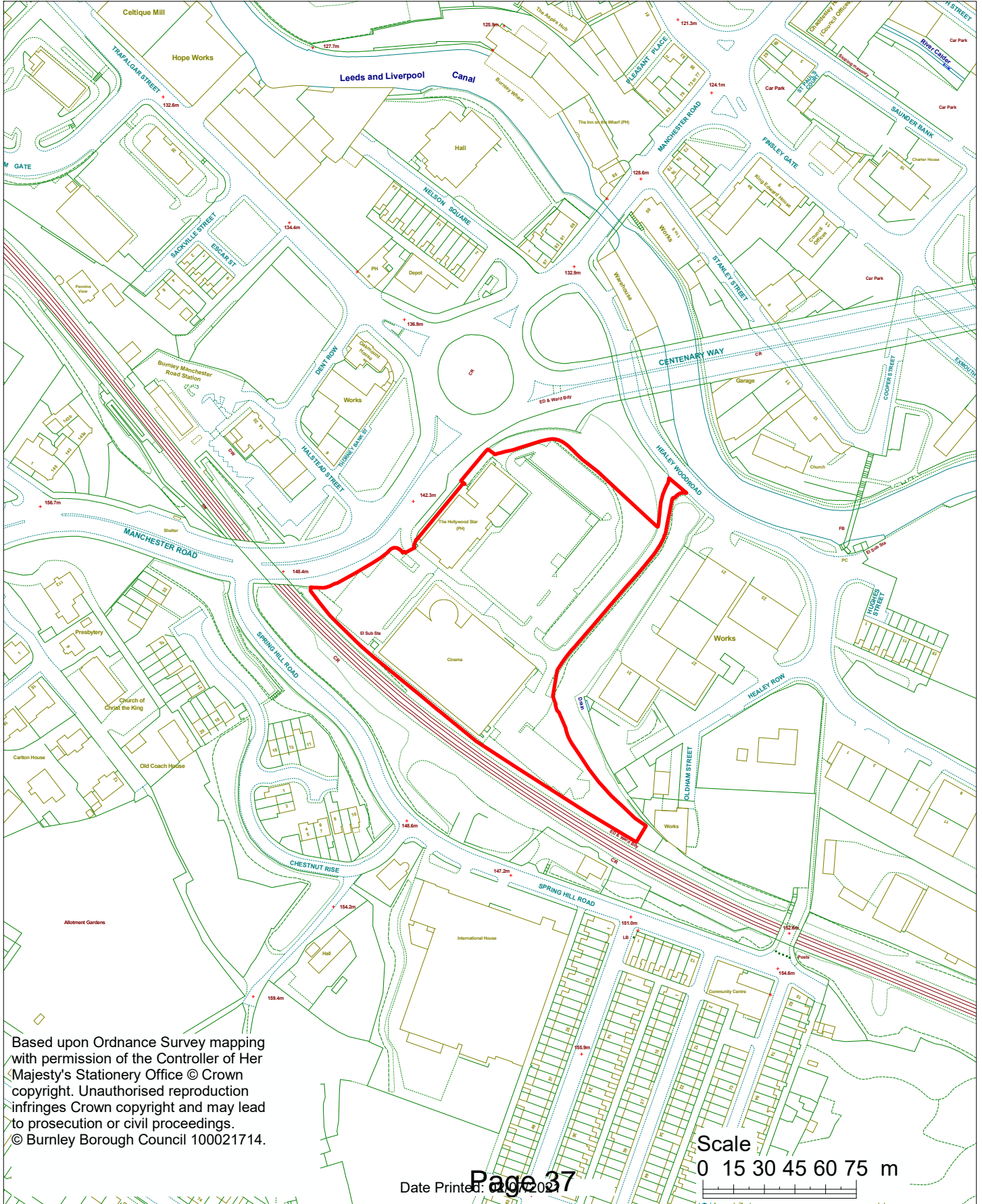
Paul Gatrell Head of Housing and Development

Location:



## Reel Cinema, Manchester Road, Burnley

1:2500



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**Application Recommended for Approval**  
Rosehill with Burnley Wood Ward

COU/2021/0277

Full Planning Application  
The Town and Country Planning Act 1990

**Agent Details:** Mrs Deborah Smith – Smith & Love Planning Consultants

**Applicant Details:** Mr Nik Putman – Maple Grove Developments

**Site Address:** Reel Cinema, Manchester Road, Burnley, Lancashire, BB11 2EG

**Proposed Development:** Proposed partial demolition of existing building and external alterations to form food store (Class E) and associated servicing landscaping and remodelling of car park with access and egress from Manchester Road.

**Background:**

This application site is located outside of the Town Centre Boundary as defined by the adopted Local Plan. It comprises a large parcel of land sited to the south of the A682, Manchester Road. It currently comprises of a large rectangular shaped building occupied by Reel Cinema, a drive thru Burger King and a public house, The Star.

The majority of the site is relatively flat though there is a lower car park to the north adjacent to Healey Wood Road and the site egress slopes down to this same road. Mature trees line the egress road and the site's southern boundary.

Access is gained via a dedicated left hand turn from Manchester Road with all vehicles exiting onto Healey Wood Road. There is a separate pedestrian access via Manchester Road. The car parking present within the site is utilised by all uses.

The application site is surrounded by a number of mixed uses, industrial uses bound the site to the east and residential properties to the south. The application site is separated from the residential uses by the railway line which runs along the southern edge of the site.











**Proposed Development:**

Planning consent is sought for the partial demolition of the existing cinema building and external alterations to form a food store (Class E) and associated servicing landscaping and re modelling of car park with access and egress from Manchester Road.

The partial demolition would see an overall reduction in floor space by 671m<sup>2</sup>. The proposed food store will comprise of a total of 2,034m<sup>2</sup> GIA with a retail sales area of 1,315m<sup>2</sup>.

The proposed main entrance to the store will be located on the north elevation of the building, the west elevation will comprise of extensive glazing ensuring an active frontage is

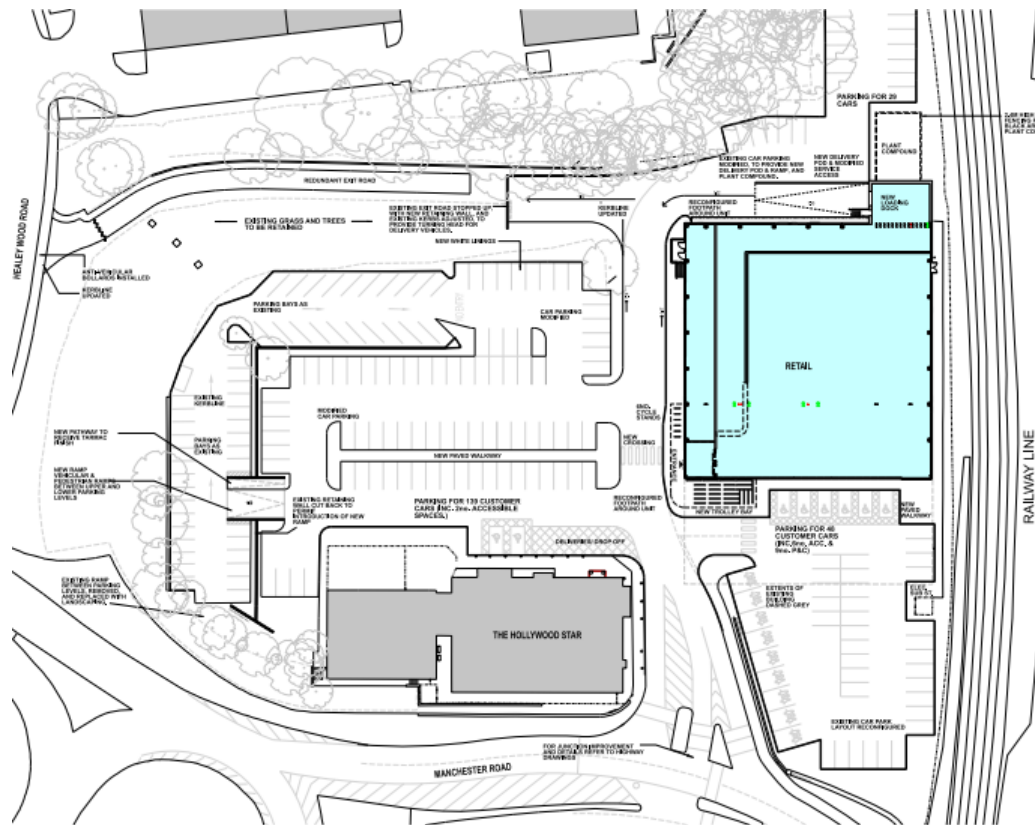
maintained which faces onto Manchester Road. A contemporary canopy is proposed which will extend over the main entrance and trolley park.

Proposed roof works are proposed to accommodate the reduction in the size of the building. A series of pitches would be screened with a parapet. Proposed materials comprise a grey rendered plinth, white composite panels laid horizontally and aluminium frames in Gentian Blue.

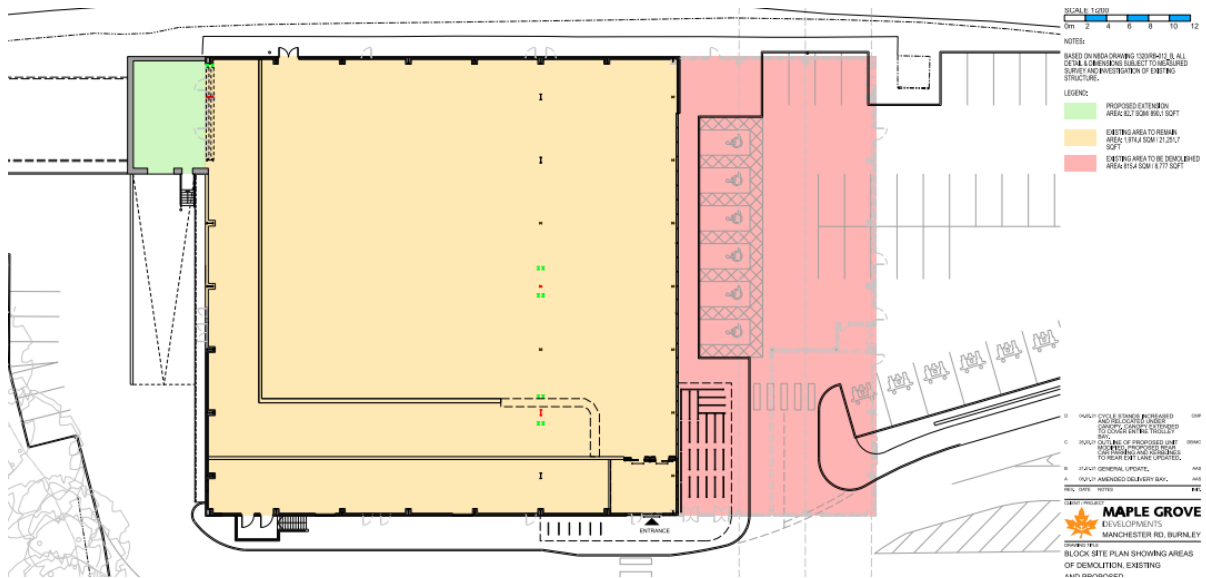
The servicing area and external plant are located on the east elevation. To accommodate the proposed HGV movements, enabling a HGV to manoeuvre safely within the site, changes are proposed to the servicing area. These comprise the closure of Healey Wood Road to vehicles and a slight increase in levels within the vicinity of the loading bay to reduce the existing incline. HGV vehicles would reverse up to the level loading service dock, unload and leave the site in forward gear via Manchester Road.

The existing car park will serve continue to serve the public house as well as the proposed food store. This will reflect a similar relationship which occurs at present between the cinema, burger king and public house. A total of 316 car parking spaces are proposed including 8 accessible spaces and 9 parent and child spaces. Works are proposed within the car park to remodel the existing layout, including a ramp to the lower level car park.

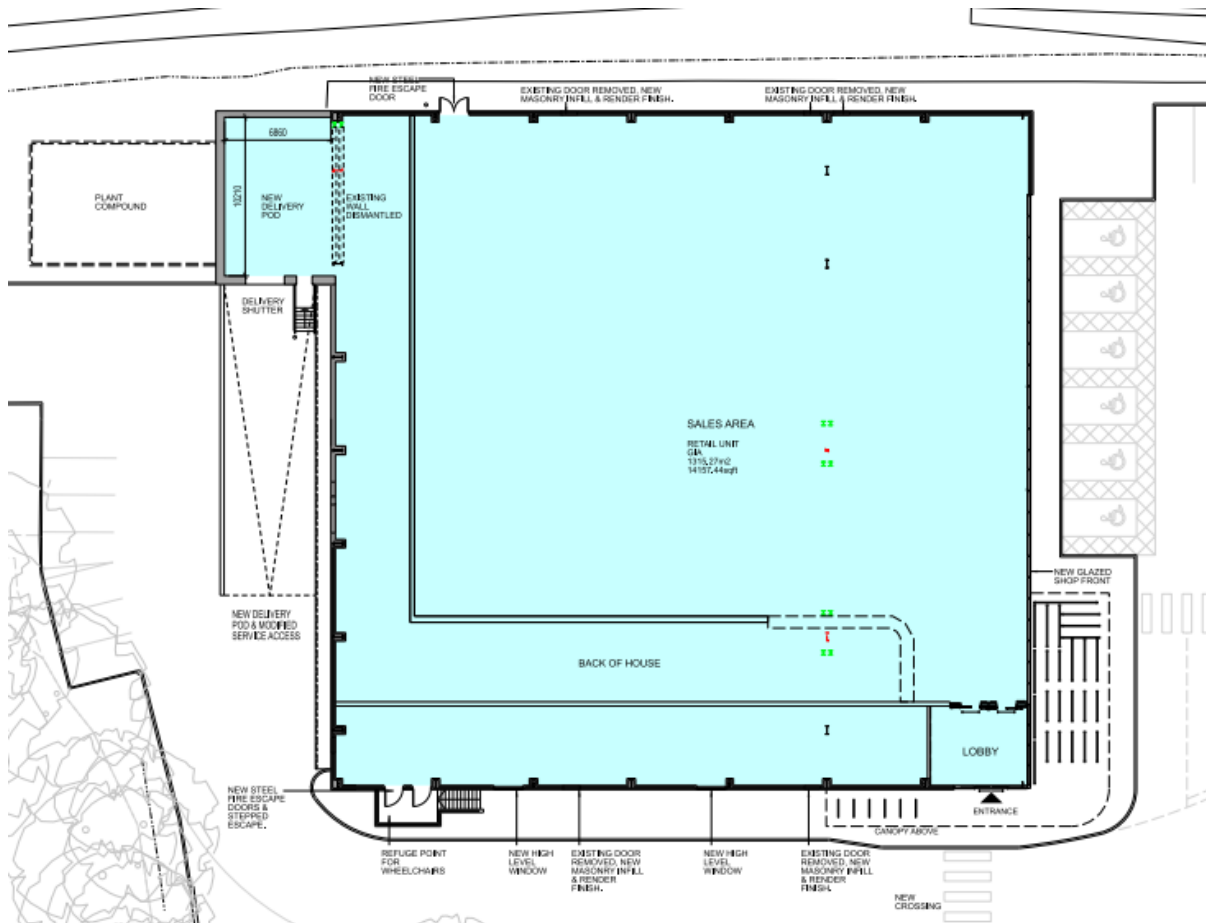
Access and egress are proposed from Manchester Road through the widening of the existing access. The proposals comprise a dedicated right-hand turn lane from Manchester Road, as well as a dedicated left-hand turn lane into the site. On exit, vehicles are able to turn left and right onto Manchester Road. The remodelled access will also allow for the creation of a pedestrian footway either side of it with two pedestrian refuges at the site entrance to aid crossing.



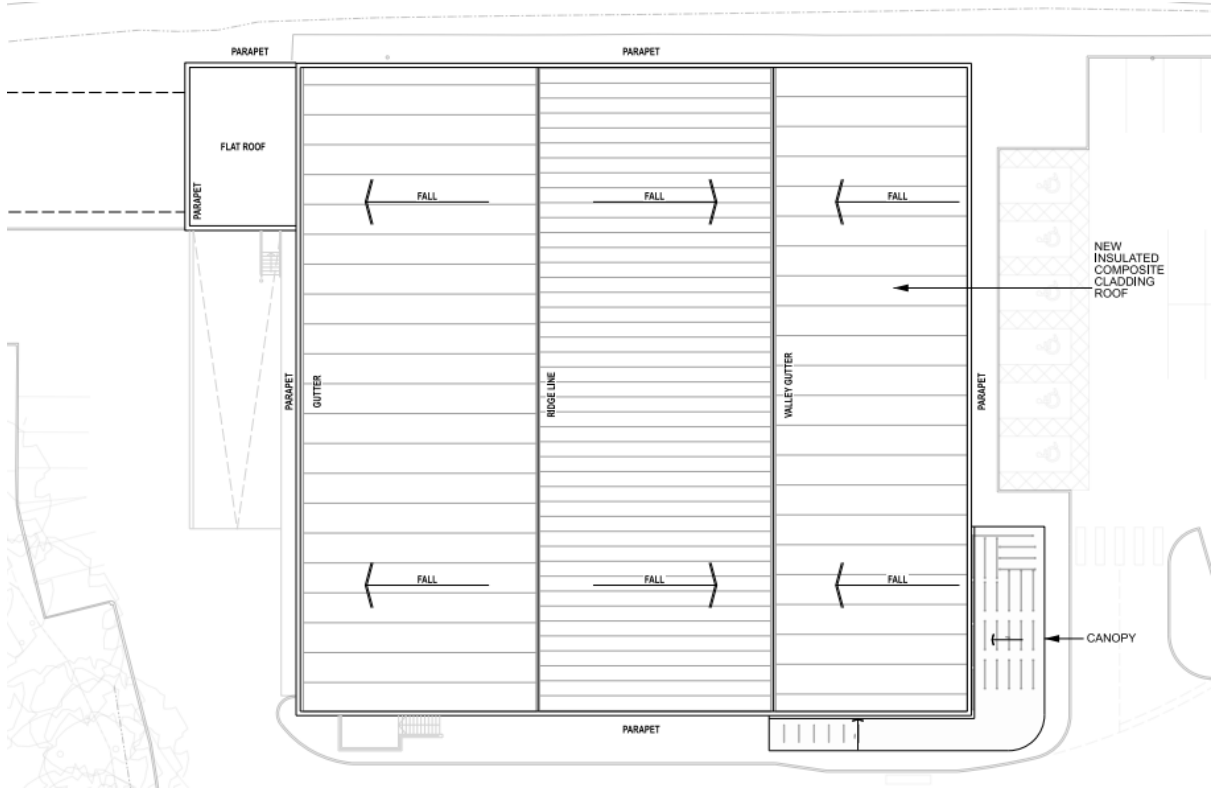
Proposed Site Plan



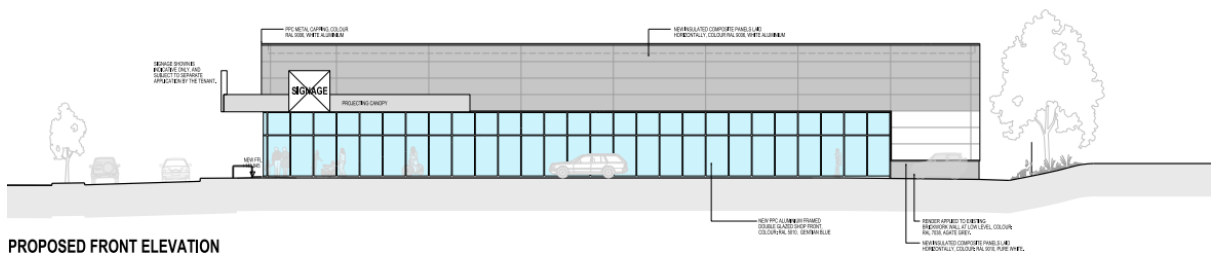
Proposed Block Plan showing extent of demolition and extension



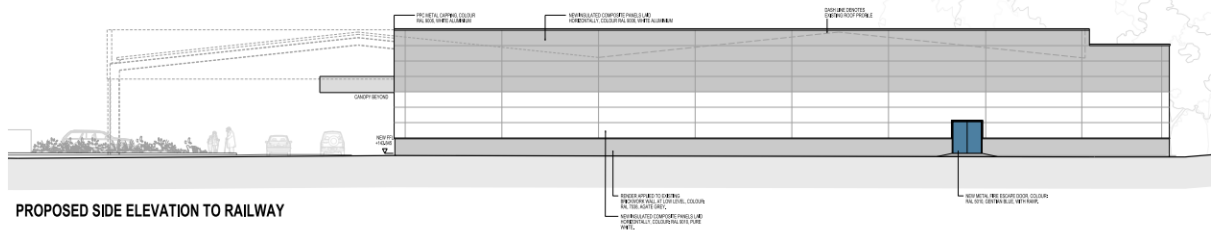
Proposed Ground Floor Layout



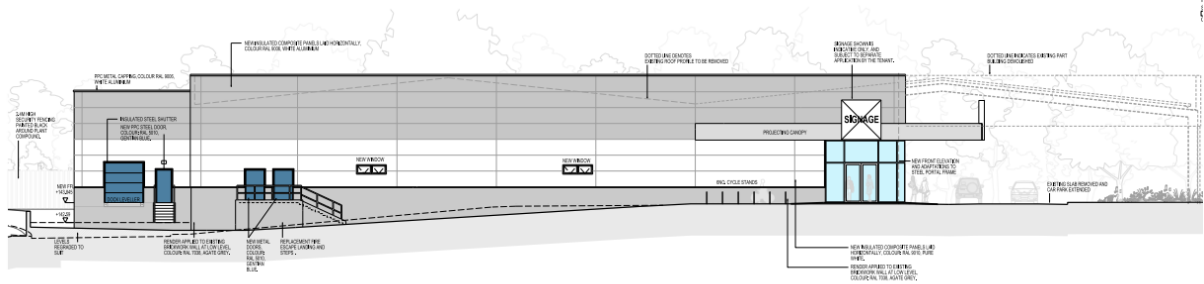
Proposed Roof Layout



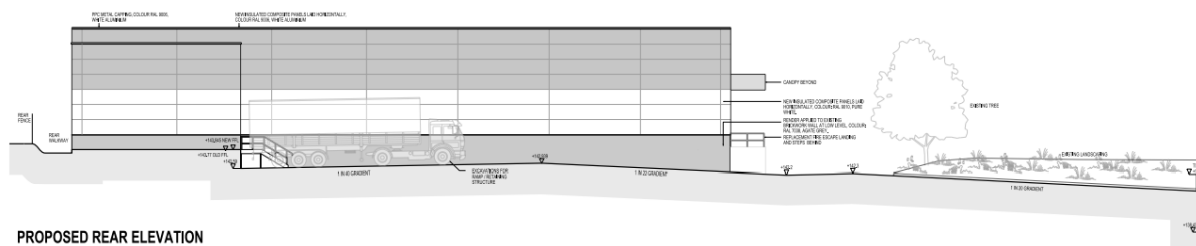
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION TO RAILWAY



PROPOSED SIDE ELEVATION TO PUBLIC HOUSE



**Relevant Policies:**

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

**Burnley’s Local Plan (July 2018) Policies:**

In determining the current proposal, the following are considered to be the most relevant policies:

- SP1 – Achieving sustainable development
- SP4 – Development strategy
- SP5 – Development quality and sustainability
- SP6 – Green infrastructure
- TC1 – Retail Hierarchy
- TC2 – Development within Burnley and Padiham Town Centres
- NE1 – Biodiversity and ecological networks
- NE3 – Landscape character
- NE4 – Trees, hedgerows and woodland
- NE5 – Environmental protection
- CC4 – Development and flood risk
- CC5 – Surface water management and sustainable drainage systems
- IC1 – Sustainable travel
- IC2 – Managing transport and travel impacts
- IC3 – Car parking standards
- IC4 – Infrastructure and planning contributions
- Appendix 9 – Car Parking Standards

**Other Material Planning Considerations:**

National Planning Policy Framework 2021 (NPPF).

The following headings and content of the NPPF are considered the most relevant to the consideration of the current proposals:

- 2. Achieving Sustainable Development;
- 3. Plan-making
- 4. Decision-making;
- 6. Building a strong, competitive economy;
- 7. Ensuring the vitality of town centres;
- 8. Promoting healthy and Safe communities;
- 9. Promoting sustainable transport;
- 11. Making effective use of land;
- 12. Achieving well-designed places;
- 14. Meeting the challenge of climate change, flooding and coastal change;
- 16. Conserving and enhancing the historic environment



**Additional planning considerations:**  
 National Planning Practice Guidance (NPPG)  
 Air Quality Management SPD

**Site History:**

**APP/2012/0019** – Proposed to extend and remodel the Apollo Cinema to provide a new A3 restaurant and associated car parking – APPROVED.

**APP/2015/0590** – Change of use of part of cinema to form drive through restaurant (A3/A5) and alterations to external car parking area – APPROVED.

**Summary of Consultation Responses:**

<b>Highways:</b>	<p><b>Executive Summary and Recommendation</b></p> <p>There were several concerns with the analysis, safety and designs previously presented, as a consequence the level of impact and suitability of that proposed was unknown (at that time).</p> <p>I can now confirm that the new proposed all movement signalised junction and other changes to the highway network have been positively concluded. In addition, internal layout issues have been resolved, however a number need to be controlled by suitably worded planning conditions.</p> <p>Lancashire County Council as highway authority is satisfied that the development can integrate into the environment and impacts be managed within and in the surrounding network.</p> <p>There have been several revisions to the initial junction layout, which have made it acceptable. Additional modelling has been undertaken to ensure that the new junction will not have 'an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.</p> <p>With respect to this application we would not wish to raise any objections to the application proposed.</p>
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<b>LLFA:</b>	<p>The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of conditions, in consultation with the Lead Local Flood Authority:</p> <p><b>Condition 1 – Development is in accordance with the submitted Flood Risk Assessment and Drainage Strategy</b></p> <p><b>Condition 2 - Operation and Maintenance Plan &amp; Verification Report of Constructed Sustainable Drainage System</b></p> <p><b>Advice - Permeable Paving</b>        It is stated within the submitted FRA that permeable paving is proposed for the new parking areas, therefore the following advice is issued:</p> <p><b>Removal of Permitted Development Rights</b></p>
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	Where permeable paving is included in the hydrological calculations of a development proposal the local planning authority is advised to consider the removal of permitted development rights for permeable paving.
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<b>Network Rail:</b>	With reference to the protection of the railway, Network Rail has no objection in principle to the proposal, but recommend a number requirements which must be met as the proposal includes works within 10m of the railway boundary and an interface with the railway boundary - therefore undertaking the with the agreement and supervision of Network Rail is required. This is to ensure that the works on site, and as a permanent arrangement, do not impact upon the safe operation and integrity of the existing operational railway and for the avoidance of doubt of both the council and the developer who may not be aware of the potential for outside party proposals to impact upon the railway.
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<b>Lancashire Fire and Rescue Service:</b>	<p>The proposed planning application has been noted and the Fire Authority gives its advice in respect of access for fire appliances and water supplied for firefighting purposes to the site.</p> <p>A number of recommendations have been proposed to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application. The conditions may affect the elevation of the building and access to them. These recommendations must be included if this application passes to another party.</p>
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<b>Lancashire Police:</b>	To reduce the risk of crime, burglary and criminal damage in the vicinity and, we would encourage the Developer to incorporate Secured by Design security measures.
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<b>Environmental Heath:</b>	<p>I would like to make the following observations that will require attention due to the age of the development, unknown history for the development and proximity to residential properties in the area.</p> <p>Conditions relating to the following:</p> <ol style="list-style-type: none"> <li>1. Landfill Gas migration</li> <li>2. Noise Assessment for occupiers</li> <li>3. Noise Assessment for noise sensitive nearby properties</li> <li>4. Noise report for plant and machinery</li> <li>5. External lighting details</li> <li>6. Refuse storage details</li> <li>7. Construction noise/nuisance</li> </ol>
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<b>Public Consultation:</b>	The application was advertised with a press notice, site notices and letters to surrounding properties.
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	<p>One letter of representation has been received objecting to the proposal for the following reasons:</p> <ul style="list-style-type: none"> <li>• Tesco and other supermarkets in Burnley contribute significant footfall to town centre retailing. When the impact on these stores is properly taken into account in the context of there being a full retail impact assessment and proper regard is had to the current health of the centre, with its substantial increase in vacancies, there is likely to be a significant adverse impact on vitality and viability contrary to relevant provisions in Local Plan Policy TC2.</li> <li>• The proposed development is located in an out of centre location and the search for sequential test opportunities needs to be cast wider. The assessment of sites falls 7 short of the necessary rigour in testing for their suitability and availability. The proposal is therefore contrary to the relevant provisions in Local Plan Policy TC2.</li> <li>• The proposal's business model requires shoppers to complete their purchases of necessary items elsewhere, causing extra trips, additional car mileage and travel rendering the development unsustainable and thus contrary to Local Plan Policy SP1.</li> </ul>
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**Planning and Environmental Considerations:**

The main considerations in relation to this application are:

- Principle of the Development;
- Design and Layout;
- Amenity Impact;
- Highways, Accessibility and Impact on Traffic;
- Drainage and Flood Risk;
- Impact on Ecology and Trees;
- Air Quality;
- Contaminated Land; and
- Coal Mining Risk

**Principle of the Development:**

Policy SP1 of Burnley's Local Plan, adopted in July 2018, states that the Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF). It will work proactively with applicants and to find solutions which mean that proposals can be approved wherever possible to secure development that improves the economic, social and environmental conditions of the Borough. It also echoes the guidance in the NPPF by stating that "Planning applications that accord with the policies in this Local Plan... will be approved without delay, unless material considerations indicate otherwise".

The NPPF, at paragraph 8 states "planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future." The NPPF further states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.



Policy SP4 provides the development strategy for the borough and supports the re-use of existing buildings within the development boundary provided they are compatible with other relevant policies of the Local Plan.

The application site is located within the development boundary for the urban area of Burnley, as defined in Burnley's Local Plan. It is within an existing residential / commercial area and is within a short walking distance of a number of local facilities including shops, bus services and schools as well as the town centre. As Such, Officers consider that the proposed development is, on balance, in accordance with Policy SP4, providing a development within a highly sustainable location, which makes an appropriate use of an existing building.

National and local planning policy adopts a 'town centre first' approach to retail development. The application site occupies an edge-of-centre location. Paragraph 5.3.22 of the Burnley Local Plan states that the NPPF states that when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq.m).

Paragraph 5.3.24 sets in the individual threshold for retail development as 1,000m<sup>2</sup> in Burnley. This is further reiterated in Policy TC2:

## Policy TC2: Development within Burnley and Padiham Town Centres

1) The Council will seek to maintain and enhance the retail and service function of Burnley and Padiham Town Centres, the boundaries of which are defined on the Policies Map. Main Town Centre Uses which accord with other relevant policies elsewhere in the Plan will be supported in the following locations:

- a) Proposals for retail development (A1 Use Class) will be supported within the Primary Shopping Area for Burnley or within the Town Centre of Padiham.
- b) Proposals for comparison retailing (A1 Use Class) should normally be located within the Primary Shopping Area of Burnley or within the Town Centre of Padiham.
- c) Proposals for convenience retailing (A1 Use Class) will be supported within the Town Centres of Burnley and Padiham.
- d) Subject to the limits set out in Policy TC3, proposals for other retail uses (A2-A5) and other main town centre uses will be supported within the Town Centres of Burnley and Padiham.

### Sequential Test<sup>62</sup>

2) Proposals for comparison retailing (A1 Use Class) that do not comply with 1) b) due to a lack of suitable sites are required to be located in accordance with the following sequential test:

Burnley:

- a) Edge of Centre locations (300m of the Primary Shopping Area); other Town Centre locations; edge of centre locations (300m of the Town Centre Boundary); out of Centre.

Padiham:

- b) Edge of Centre locations (300m of the Town Centre Boundary); out of Centre.

3) Proposals for convenience and other retailing (A1 to A5 Use class) and other main town centre uses are required to be located in Town Centres. Where suitable sites are not available, these are required to be located in accordance with the following sequential test: Edge of Centre locations (300m of the Town Centre boundary); out of Centre.

4) When considering the sequential tests above, preference will be given to accessible sites that are well connected to the Primary Shopping Area /Town Centres. Applicants will be expected to demonstrate flexibility on issues such as format and scale.

### Impact Assessment

5) Proposals for main town centre uses which do not comply with 1) a) to d) above, or are not specifically allocated for town centre uses, should be supported by an Impact Assessment addressing the following:

- a) The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

b) The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

6) The requirement for an Impact Assessment will apply to proposals of the following size/type:

**Retail:**

- i) Burnley – 1,000 sq.m gross and above
- ii) Padiham – 500 sq.m gross and above

**Other Main Town Centre Uses:**

- iii) 2,500 sq.m and above

7) Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors set out in 5 a) and b), it will be refused.

**Residential**

8) Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:

- a) Within Burnley Primary Shopping Area and within Padiham Town Centre these are located on upper floors;
- b) In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses.
- c) The development does not prejudice the lawful operating conditions or viability of adjacent land uses.

Given the floor space of the proposed food store and its siting outside of the defined town centre boundary there is a requirement to demonstrate that there are no other suitable or available alternative sites that could accommodate the proposal in or on the edge of an existing centre, through a sequential test. A retail impact assessment is also required to demonstrate that the proposal will not result in an adverse impact on the vitality and viability of Burnley Town Centre or any other centre within the catchment of the food store. A retail impact assessment and sequential test reports have been submitted in support of this application. Following a request by the case officer updated information was supplied to correct mistakes and omissions in the first report.

A sequential test accompanies this application prepared by Rapleys. Section 6 and Appendix 4 of the Retail Impact Assessment demonstrates that there are no alternative suitable or available sites that could accommodate the proposed food store and car park within any other defined centre in the catchment area of the store which extends to a 5 minute drivetime from the application site. The findings of the sequential test is therefore acceptable in accordance with Local Plan Policy TC2 and the NPPF.

In addition to the sequential test, the required Retail Impact Assessment has been submitted in support of this application, prepared by Rapleys. The assessment considers the impact of the proposal on other defined centres within the catchment of the proposed food store. The

assessment therefore takes account of the following centres, which either sit within or are located in close proximity to the catchment area:

- Burnley Town Centre
- Padiham Town Centre
- Briercliffe Road District Centre
- Colne Road District Centre
- Accrington Road District Centre
- Coal Clough Lane District Centre
- Harle Syke District Centre
- Pike Hill District Centre
- Rosegrove District Centre; and
- Lyndhurst District Centre

The Retail Impact Assessment included within its appendices a Health Check for each of the defined centres set out above. The report concludes that there is no existing, committed or planned public or private investment within the Town Centres and District Centres within the catchment area of the food store that the proposed discount food store would have a significant adverse impact upon. Therefore, the first part of the impact assessment is considered acceptable.

The Retail Impact Assessment also comprises an assessment of the trade impacts of the proposed store on existing centres and facilities within the catchment. It concludes that the application proposal will not have a significant adverse impact on the vitality and viability of Burnley Town Centre or any other centre within the study area/Borough; or within the proposed 5-minute drivetime catchment area. The development will deliver many benefits for local residents, including improved range and choice of convenience goods, increased employment opportunities for the Borough and reduced journey times for local residents.

The development also represents a commercial intent to improve consumer choice within Burnley which will have associated economic investment benefits. The application site is considered to be the only suitable location outside of the Town Centre which can meet a discount food retailer's requirements.

A letter of representation was received objecting to the proposal. The response identified that Tesco and other supermarkets in Burnley contribute significant footfall to town centre retailing. It considered that when the impact on these stores is properly taken into account in the context of there being a full retail impact assessment and proper regard is had to the current health of the centre, with its substantial increase in vacancies, there is likely to be a significant adverse impact on vitality and viability. It also considered that the proposed development is located in an out of centre location and the search for sequential test opportunities needs to be cast wider and that the assessment of sites falls short of the necessary rigour in testing for their suitability and availability. The proposal's business model requires shoppers to complete their purchases of necessary items elsewhere, causing extra trips, additional car mileage and travel rendering the development unsustainable and thus contrary to Local Plan Policy SP1 &TC2.

The applicant commissioned a rebuttal to the objection and an amended version of the sequential test have been received.

Due to the nature of the objection received, the council sought independent advice from an external retail consultant (Nexus Planning) who has reviewed the original retail impact assessment, sequential test, objection letter, updated sequential test and rebuttal letter.

The advice received from Nexus is summarised as follows:

*“We have reviewed the sites and locations considered by the applicant in its amended submission and do not believe that any can be considered to be both available and suitable to accommodate the application proposal, even when applying a sufficient degree of flexibility.*

*We are unaware of any other site which is ‘in centre’, ‘edge of centre’, or better connected to a centre, that could support the application proposal in practice.*

*Given the above, we find that the application proposal conforms to the requirements of the sequential test as articulated by Policy TC2 of the Local Plan and by paragraphs 86 and 87 of the NPPF.*

*We are not aware of any planned or committed investment which is likely to be impacted on as a result of the proposed development. We therefore consider the proposal to comply with the first part of the impact test.*

*We have examined the applicant’s retail impact assessment in detail, and do not believe that any centre would be the subject of an unacceptable impact.*

*Given the above, we conclude that the application proposal accords with the requirements of both strands of the NPPF impact test and Local Plan Policy TC2 insofar as it relates to impact.*

*The purpose of this appraisal report is to consider the merits of the application in terms of its compliance with retail and town centre planning policy, as set out by the statutory development plan and by the National Planning Policy Framework. Our appraisal concentrates on the retail and town centre policy matters and does not comment on the other development plan policy guidance of direct relevance to the application site and proposal.*

*Paragraph 90 of the NPPF indicates that planning applications for retail uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where they fail to satisfy the requirements of the sequential approach or are likely to result in a significant adverse impact.*

*In respect of the sequential approach to development we have reviewed all of the sites identified by the applicant and do not believe that any are both available and suitable to accommodate the application proposal, even allowing for appropriate flexibility. We are unaware of any other sequential sites offering realistic potential to accommodate the proposal and, as such, find that it accords with the requirements of paragraphs 86 and 87 of the NPPF.*

*With regard to the first part of the NPPF impact test, we do not believe that the grant of planning permission for the proposed development would lead to a significant adverse impact in respect of existing, committed and planned public and private sector investment. In terms of the second part of the test (relating to the vitality and viability of town centres), our review of the submitted retail impact assessment has confirmed that a large proportion of the impact arising from the proposal would occur at edge and out of centre stores. In assessing the potential implications of the proposal, we have also taken account of the potential for the loss of linked-trips between edge of centre foodstores and the defined town centre of Burnley.*

*Taking the above into account and in terms of defined centres, the greatest impact would occur at Burnley town centre at 2026.*

*We have assessed the potential impact of the proposal on the town centre and consider that the impact on the existing offer would not be significant. The proposal therefore accords with the NPPF impact test.”*

For this application it is therefore considered that the potential impact of the proposal on the town centre and the impact on existing retail stores would not be significant, therefore, the proposal accords with Local Plan Policies SP1 and TC2 and the NPPF.

### **Design and Layout:**

Paragraph 126 of the NPPF states the creation of high quality, beautiful and sustainable 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 This is reiterated within Policy SP5 states, amongst other things, that the Council will seek high standards of design, construction and sustainability in all types of development.

The existing building is typical of an early 1980's retail development comprising: low level brick masonry walls with profiled cladding above with a concealed low-pitched metal clad roof behind. The site has undergone numerous alterations over the years to convert the existing building into a cinema, the formation of the public house restaurant and more recently the inclusion of a Burger King drive thru lane which have been part of an ongoing improvement strategy to cater for the needs of the end users.

The proposed development will reduce the total floor area of the proposed building by 671.6m<sup>2</sup>, reducing the overall footprint by a quarter. The proposed roof form reflects that present on the existing building but with a reduced footprint. A series of pitches would be screened with a parapet. Proposed materials comprise a grey rendered plinth, white composite panels laid horizontally and aluminium frames in Gentian Blue.

The proposed main entrance to the store will be located on the north elevation of the building, the west elevation will comprise of extensive glazing ensuring an active frontage is maintained which faces onto Manchester Road. A contemporary canopy is proposed which will extend over the main entrance and trolley park.

The proposed development aims to create a modern retail experience with a design that reflects that of other food stores within the Borough. The buildings design aims to ensure it would not appear incongruous within its immediate setting or wider area. The development will utilise a limited palette of materials with a double height polyester powder coated glazed shop front with a canopy over the entrance area to the front elevation, with a through-coloured render finish at low level and horizontal composite metal panels above to the building façade. The design concept maximises the glazing to the main entrance car park elevation providing an active, welcoming frontage.

The existing car park arrangement will be reconfigured to improve pedestrian and vehicular connectivity through the site, which will reduce the overall car parking numbers by 64 spaces from 280 parking spaces (275 standard & 5 accessible bays) to 216 spaces (199 standard, 8 accessible, 9 Parent / Child bays & 12 No. cycle hoops). The existing soft landscaping will largely remain unaffected with the existing mature trees / hedges remaining. New areas of soft landscaping will reflect the existing landscaping across the site.

On balance, the proposed scheme is considered to be well designed, forming a sympathetic yet contemporary form of development within its surroundings. Construction materials are key to the design, and it is considered important to ensure that those used are sympathetic to the surrounding area so as not to compromise the overall appearance of the locality.

As such, a condition requiring material samples to be submitted is recommended. In summary, the comprehensive details submitted relating to the design and layout of the proposal are considered to demonstrate that the building and infrastructure accords with the provisions of the relevant policies of the development plan.

**Amenity Impact:**

Policy SP5 requires development to ensure there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking. Additionally, development should not result in unacceptable conditions for future users and occupiers of the development.

The proposal has been assessed by the Councils Environmental Health Officer who requested the attachment of 2 conditions requiring the submission of 2 noise assessment, one which took into account the noise from surrounding road networks and any other noise sources which are deemed significant on the site and one which detailed the levels of internal noise likely to be generated from the proposed use of the site.

The nearest residential property to the site is sited circa 56m and is separated by a railway line. For the Council to attach such conditions it needs to meet the six policy tests for planning conditions; Test 1—Necessary; Test 2—Relevant to planning; Test 3—Relevant to the development to be permitted; Test 4—Enforceable; Test 5—Precise; Test 6—Reasonable in all other respects.

In this respect, the Council do not consider that the request meets the abovementioned steps given the separation distance and the fact the site is separated by a railway line from the nearest residential dwelling. It is acknowledged that the proposed change of use would result in an intensification of the site but given the opening hours compared to that of the existing cinema use and adjacent public house, the council do not consider it to be significant enough to warrant the request in this instance.

The planning statement has confirmed that the hours of opening would be 07:00 to 23:00 Monday to Saturday (Inclusive of Bank Holidays) and either 10:00 to 16:00 or 11:00 to 17:00 on Sundays. Therefore, should consent be granted a condition restricting the hours of opening to the above will be attached.

Given the location of the proposed development, the separation distance to the nearest residential dwelling and that the site is separated from the nearest residential dwelling by a railway line, it is considered that that the impact the development would have on the amenity of the occupiers of nearby residential properties is minimal.

Subject to the recommended opening hours condition and the conditions proposed by the Environmental Health Officer relating to the use of plant machinery, a lighting scheme and the submission of a Construction Management Scheme, the proposal is considered to be compliant with the development plan and can be adequately controlled to ensure compliance with the Council's Development Plan and the NPPF.

**Highways, Accessibility and Impact on Traffic**

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The NPPF also requires proposals to provide safe and suitable access for all users and to create opportunities for walking, cycling and public transport.

The Local Plan Policy IC1 seeks to promote sustainable travel and safe pedestrian, cycle and vehicular access, including adequate visibility splays. Policy IC2 seeks to manage

transport and travel impacts from development. Policy IC3 identifies car parking standards that should be provided for developments appropriate to the nature and scale.

A Transport Assessment has been prepared by SCP in consultation with LCC Highways to inform the transport and highways impact of the proposed development and proposed car parking. The report assesses the capacity of the site access onto the A682 Manchester Road, the A682 Manchester Road / Spring Hill Road junction and the A671 Trafalgar Street / A682 Centenary Way / A682 Manchester Road / B6240 Manchester Road roundabout junction north of the site.

The proposal includes the replacement of the current left-in-only access off the A682 Manchester Road with a signalised access designed to accommodate right turns into the application site and left and right turns out. The proposals also include a walk-with-traffic staggered pedestrian crossing facility within the junction that runs when the site access is on green. The junction will operate under a 2-stage set up. Currently, Halstead Street is (Opposite the site) left-in/left out only. At the request of the Local Highways Authority the junction layout has been amended to introduce right turns in and out of Halstead Street.

Additionally, the proposals would also extend to the Spring Hill Road / Manchester Road junction by amending the right turn lane into Spring Hill Road in order to separate that movement fully from the downhill approach to the signals. The proposed wider off-site improvements are shown in drawing SCP/200788/D10 in Appendix 4 of the Transport Assessment. The Transport Assessment concludes that there is no threat to the free-flow of traffic along the existing network as a result of the proposed development on the application site.

The reconfiguration of the car park will create a total of 316 car parking spaces of which 8 will be accessible spaces and 9 parent and child spaces. The works to the car park include the remodelling of its layout, the inclusion of a ramp to the lower level car park and the installation of 6 cycle hoops near the store entrance. The car park will serve the food store and the public house. The number of spaces proposed exceeds the requirement required as set out within Burnley's car parking standards. The car parking will be controlled to avoid long stay commuter car parking.

Given the site's central location the site is accessible on foot, by cycle and via public transport with 6 bus stops located within 400m of the site and Burnley Manchester Road train station 135m to the north.

The Transport Statement concludes that the proposals for all-movements access and off-site highway improvements and for the replacement of the cinema use with a discount food retailer meet both local and national transport policy objectives in terms of accessibility and sustainability. There is no evidence of any severe impact to the free flow of traffic along Manchester Road or to highway safety resulting from the proposals.

The initial highways proposal was assessed by the County Highways Officer who identified a number of safety issues at the junction, capacity issues at the junction, the proposal leading to capacity issues at the roundabout, operational issues and the potential burdensome increased future maintenance liabilities the proposal would lead to due to the short term installation methods.

The applicant's highways consultant has taken the initial concerns onboard and worked with the LCC Highways Officer to overcome the issues identified. The County Highways Officer upon receipt of additional information has confirmed they are satisfied that the development can integrate into the existing highway infrastructure and the impacts can be managed within



and in the surrounding network subject to a number of planning conditions being attached to ensure that all mitigation is delivered.

Subject to the application of the conditions requested the development is considered to accord with Policies IC2 & IC3 in respect on highways matters.

### **Drainage and Flood Risk**

Policy CC4 seeks to ensure that new development does not result in increased flood risk from any source or other drainage problems, either on the development site or elsewhere. Drainage proposals have been submitted with the application.

Following review of the supporting drainage documents submitted in support of this application the Lead Local Flood Authority has confirmed that they offer no objection to the proposed development subject to the inclusion of two conditions. One of which ensures that the development is carried out in accordance with the submitted flood risk assessment and drainage strategy ensuring that the measures are fully implemented prior to the commencement of the use hereby approved. The second requires that prior to commencement of the use hereby permitted a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, be submitted to and approved by the Local Planning Authority.

These two conditions will ensure that flood risks from the development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the Local Plan and National Planning Policy Framework.

The LLFA noted that the supporting FRA stated that permeable paving is proposed for the new parking areas. They advised that where permeable paving is included in the hydrological calculations of a development proposal the local planning authority is advised to consider the removal of permitted development rights for permeable paving. Therefore, should consent be granted permitted development rights for permeable paving will be removed.

Subject to the application of the conditions stated above the development is therefore considered to accord with Policy CC4 of the Local Plan.

### **Impact on Ecology and Trees**

Policy NE1 states that all development proposals should, as appropriate to their nature and scale, seek opportunities to maintain and actively enhance biodiversity in order to provide net gains where possible.

ERAP undertook an Ecological Survey and Assessment in March 2021. The report concludes that:

- The proposals will have no adverse effect on statutory or non-statutory designated sites for nature conservation.
- None of the habitats within the site are of significant interest in terms of their plant species composition or are representative of a semi-natural habitat. The NVC communities present are typical of the geographical area and conditions present. The site contains only common and widespread plant species. There are no Priority Habitats within the site which will be affected by the proposals.

- The areas of ornamental planting and trees and shrubs within the development are of 'site' value only. The area of broadleaved woodland is of local value and will be retained.
- The cinema building is of negligible suitability for use by roosting bats and none of the trees support any features suitable for use by roosting bats. The woodland at the site boundaries is suitable for foraging and commuting bats.
- The trees and shrubs within the site are suitable for use by nesting birds. Mandatory actions to protect nesting birds during site clearance and measures to provide compensatory opportunities for nesting birds, such as bird boxes are recommended.

The proposed development will secure an opportunity to implement beneficial measures such as habitat creation that will safeguard habitats for wildlife such as birds and bats, with the aim of providing a net gain in biodiversity in accordance with the principles of the Framework.

The application has been accompanied by a Tree Survey and Constraints Report which was carried out by Amenity Tree Care in December 2018. Each individual tree has been assessed with general regard to condition, health and structural suitability and commented upon in the report.

The survey area contains several high retention value trees, these have been identified within the report as T26 – T29 in the north east corner of the site. These trees have been categorised as A1 and are a particularly good example of their species as well as being principal landscape trees. These trees are proposed to be retained. The report confirms that no trees are proposed to be removed as part of the proposal.

It is concluded that the proposals are feasible and acceptable in accordance with ecological considerations. Subject to the development being carried out in accordance with the agreed details of the development, the Tree Survey and Constraints Reports Recommendations and the Ecological Survey and Assessment Recommendations, it is considered to accord with Policies NE1 & NE4 and is acceptable in this regard.

### **Air Quality**

An Air Quality Assessment was carried out in May 2021 by Miller Goodall. The report provides a review of the existing air quality in proximity to the proposed development site and assesses the potential impact the proposed development may have on local air quality.

The main source of air pollution in urban areas is generally from emissions from road vehicles. The main pollutant of health concern emitted from road vehicles is nitrogen dioxide and fine particles.

The report states that concentrations of nitrogen dioxide and PM10 are likely to be below the respective short term objectives at the proposed development, it is therefore, considered suitable for commercial use with regards to air quality.

The traffic data obtained indicated that emissions from vehicles associated with the proposed development will not have a significant impact on local air quality.

The proposal is, therefore, considered to accord with Local Plan Policies IC2 and NE5 and the adopted Air Quality Management SPD.

### **Contaminated Land**

Local Plan Policy NE5 seeks to ensure that development proposals, as appropriate to their nature and scale, should demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimise the risks of adverse impacts.

CCG carried out a Phase 1 Desk Study in May 2021. The foregoing analysis has identified a significant number of potential environmental risks and if present, these could adversely impact on human or environmental receptors and since previous site investigation has been undertaken, an intrusive phase of investigation is recommended to determine whether the postulated pollutant linkages are actually present on site. The study recommends that this be undertaken prior to commencement of development as part of the discharge of planning conditions.

The Councils Environmental Health Officer assessed the submission and considered that the attachment of a condition required that prior to the commencement of any development, an investigation and report which demonstrates that the development can be safely undertaken and occupied has been submitted to the Local Planning Authority. The report shall be prepared by a competent consultant, experienced and specialising in the assessment and evaluation of Landfill Gas migration.

This is to ensure that the developer has demonstrated that the development can be undertaken and occupied in a safe and secure manner given the proximity of the development to a landfill site which is known to be producing landfill gas, in accordance with policy NE5 of the Local Plan.

Should consent be granted a suitable worded condition will be attached.

**Coal Mining Risk:**

A Coal Mining Risk Assessment has been submitted in support of this application. It identifies the site as medium risk and recommends further intrusive ground works.

The report identifies that the application site may have been subject to past coal mining activity, namely the potential for unrecorded shallow workings in the China Mine seam. The risk to the site from legacy mining features is medium.

Nevertheless, subject to the undertaking of appropriate site investigations and any potential necessary remedial measures as outlined in Section 4a of this report, the Coal Authority considers that the site may be made safe and stable for future development and the risk to the development reduced to low. The recorded coal mining legacy issues present within the site do not pose any particular implications for the layout of the proposed development. The Coal Authority advises the developer undertake a detailed Gas Risk Assessment where proposed development occurs over shallow coal reserves as is the case here.

Should consent be granted a suitable worded condition will be attached.

**Conclusion:**

In considering the proposal, the relevant range of material considerations have been taken into account to inform a balanced recommendation that is considered to demonstrate compliance with the aims and objectives of the Local Development Plan and The National Planning Policy Framework.

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

**Conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the construction of the building above slab level hereby approved, samples of all external materials, and their colour, to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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).

3. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the Flood Risk Assessment and Drainage Strategy (K38388.FRA/001) and Drainage Layout Plan (K38388 001).

The measures shall be fully implemented prior to the commencement of the use hereby approved and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

4. Prior to the commencement of the use hereby approved a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

5. 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).

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no permeable paving, other than those shown on the approved plans, shall be erected or placed anywhere within the site to which this consent relates without written consent from the Local planning Authority.

REASON: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework and Local Plan Policy CC4.

7. No development shall start until an investigation and report which demonstrates that the development can be safely undertaken and occupied has been submitted to the Local Planning Authority. The report shall be prepared by a competent consultant, experienced and specialising in the assessment and evaluation of Landfill Gas migration.

The investigation report shall:

- describe the methodology, techniques and equipment and circumstances of the survey and set out final conclusions and recommendations to the results and findings of tests and investigations
- advise on any remedial measures which demonstrate that the development can be safely undertaken and occupied.

Reason: To ensure that the developer has demonstrated that the development can be undertaken and occupied in a safe and secure manner given the proximity of the development to a landfill site which is known to be producing landfill gas, in accordance with policy E35 of the Burnley Local Plan, Second Review.

8. If remediation measures are recommended as a result of the investigations required by Condition 7 above, these measures shall be incorporated into the development, before any buildings are occupied.

Reason: To ensure that the development can be undertaken and occupied in a safe and secure manner given the proximity of the development to a landfill site which is known to be producing landfill gas, in accordance with policy E35 of the Burnley Local Plan, Second Review.

9. All specified plant and machinery shall be enclosed with sound insulating materials in accordance with a scheme to be agreed with the Local Planning Authority, which shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with policy SP4 of the Burnley Local Plan.

10. Prior to the commencement of the use hereby approved a scheme and programme for the lighting of the food store 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.
- f) Details of how the external source of lighting shall be effectively screened from view of a driver on the public highway.

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 and to conform with policy NE5 of the Burnley Local Plan

11. The development shall not start until details of refuse storage enclosures showing the design, location and external appearance have been submitted to and approved in writing by the Local Planning Authority.

The approved enclosures 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 the Burnley Local Plan.

12. Construction of the development hereby permitted shall not take place outside the hours of 07:00 and 19:00 Monday to Saturday and not at all on Sundays or Bank Holidays.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes of a food store (Class E) specified in the application and for no other purpose (including any other purpose in Class E on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: To safeguard amenities of the adjoining premises and the area generally in accordance with Policies SP1, SP4, SP5 and TC2 of the Local Plan.

14. Before the car park spaces hereby approved are brought into use, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing provision of the electric vehicle charging points, including their location and specification.

Reason: In the interests of air quality management and protection of health, in accordance with Policies IC1, IC3 and NE3 of the Local Plan.

15. The development hereby approved shall be carried out in complete accordance with conclusions and recommendations of the submitted Tree Survey and Constraints Report carried out by Amenity Tree Care, received on the 13<sup>th</sup> May 2021, unless agreed in writing by the Local Planning Authority.

REASON: To ensure the adequate protection of trees OF landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Policy NE5 of the Local Plan.

16. The development hereby approved shall be carried out in complete accordance with the submitted Ecological Survey and Assessment carried out by ERAP Ltd Consultant Ecologists, received on the 13<sup>th</sup> May 2021, unless agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and to reduce the impact of development in accordance with Local Plan Policy NE5.

17. The development hereby approved shall be carried out in complete accordance with the monitoring and reviewing section of the submitted Travel Plan carried out by SCP, received on the 13<sup>th</sup> May 2021, unless agreed in writing by the Local Planning Authority.

REASON: In the interests of Highway Safety in accordance with IC1 and IC2 of the Local Plan.

18. Prior to the commencement of the use hereby approved the cycle parking provision and car parking spaces shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking at all times.

REASON: To ensure the provision and availability of adequate cycle and car parking and the promotion of sustainable forms of transport.

19. The proposed use hereby approved shall not operate outside of the hours of opening hereby agreed:

- 07:00 to 23:00 Monday to Saturday (Inclusive of Bank Holidays); and
- either 10:00 to 16:00 or 11:00 to 17:00 on Sundays.

REASON: In the interest of Residential Amenity

20. No part of the development hereby approved shall commence until a scheme for the construction of all highway works applied for including permanent, temporary and any remediation including access closures works post-delivery have been submitted to, and approved by the Local Planning Authority in consultation with the appropriate Highway Authority

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

21. No site preparation (which includes demolition) or construction to commence until all temporary access works are provided and agreed in writing by the Local Planning Authority in consultation with the appropriate highway authority.

Reason: In order that the traffic generated by site preparation/demolition or construction does not exacerbate unsatisfactory highway conditions.

22. Prior to any commencement of the development, the developer shall submit a construction phasing plan including off-site highways works for approval by the Local Planning Authority and the appropriate Highway Authority. Development should not commence until this is approved in writing.

Reason: In order to maintain flow of traffic on local roads during site preparation and construction.

23. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in condition 20 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

24. Prior to first occupation of the development hereby approved a Car Park Management Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The Strategy to include all areas of development related parking, drop off/pick up and locations of site servicing (from within the site), set out the layout, means of access and egress to areas vehicle parking, maximum duration of stay, where appropriate, a mechanism that satisfies vehicle demand if capacity is exceeded and onsite parking enforcement.

Reason: To allow for the effective and efficient use of the parking areas and maintain flow of traffic on local roads when the development is operational.



25. No development shall take place until a Traffic Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and be kept live taking into account influences beyond the control of this application. The Statement shall provide further information on routes and routeing. Also, to include use/limitations on each route for deliveries, plant, abnormal loads or employees/workers; profile for typical, the recording of daily deliveries; maximum number of deliveries per day; safe waiting areas on local road network. Deliveries to the approved development shall only be accepted between the hours of 9.30am and 4.00pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: To maintain the operation and safety of local streets and the routes in the area during site preparation and construction.

26. 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:
- a. 24 Hour emergency contact number.
  - b. the parking of vehicles of site operatives and visitors,
  - c. loading and unloading of plant and materials,
  - d. storage of plant and materials used in constructing the development,
  - e. the erection and maintenance of security hoarding/access points including decorative displays and facilities for public viewing, where appropriate, vi. wheel washing facilities,
  - f. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures,
  - g. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site),
  - h. a scheme to control noise during the construction phase,
  - i. hours of construction/ hours of deliveries; and
  - j. temporary lighting within compounds and on site.

Reason: To maintain the operation and safety of local streets and the through routes in the area during site preparation and construction.

27. Prior to first use of the development a delivery, collections and servicing strategy including hours of servicing and deliveries, the use of a banksman where any reversing is required, shall be submitted to, and approved in writing by, the Local Planning Authority, strategy to link into car park management strategy.

Reason: In order to maintain flow of traffic on local roads when the development is operational.

28. The development hereby permitted shall be carried out in accordance with submitted technical reports, supporting information and 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

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BURNLEY BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON  
PLANNING APPLICATIONS



Photograph McCoy Wynne

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

12<sup>th</sup> August 2021

Housing and Development

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## List of Delegated Decisions

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CND/2020/0515	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Condition 9 (Scheme for the site access & associated off-site highways improvements) of planning permission APP/2019/0155	Conditions discharged	21st July 2021
CND/2020/0516	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Condition 13 (Engineering, drainage, street lighting and constructional details of the proposed estate roads) of planning permission APP/2019/0155	Conditions part discharged	21st July 2021
CND/2020/0517	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Condition 15 (Construction Method Statement) of planning permission APP/2015/0155	Conditions part discharged	21st July 2021
CND/2020/0518	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Condition 31 (Phasing Plan & Strategy) of planning permission APP/2019/0155	Conditions part discharged	21st July 2021
CND/2020/0519	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Conditions 35 (Desk study and Ground Investigation) of planning permission APP/2019/0155	Conditions part discharged	21st July 2021

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CND/2020/0520	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Condition 37 (Finished Site Levels & Floor Levels) and Condition 6 (Biodiversity Mitigation Plan) of planning permission APP/2019/0155	Conditions part discharged	21st July 2021
CND/2020/0572	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of condition 19 (Surface water sustainable drainage scheme) of planning permission APP/2019/0155	Conditions part discharged	21st July 2021
HOU/2021/0072	Mr Danny Statham	9 Dyneley Avenue Cliviger Lancashire BB10 4JD	Proposed single storey extension	Approve with Conditions	15th July 2021
HOU/2021/0066	Mr Jordan McCarthy	152 Lower Manor Lane Burnley Lancashire BB12 0EF	Proposed two storey rear extension	Approve with Conditions	15th July 2021
CND/2021/0125	.	Lidl Land Off Wyre Street Padiham BB12 8DQ	Discharge of Condition 17 (Surface Water Drainage Scheme) of planning permission FUL/2020/0214	Conditions part discharged	22nd July 2021
TPO/2021/0233	Mrs M Robinson	1 Whiteacres Close Burnley Lancashire BB11 2JQ	Application to fell one Sycamore tree and prune five Sycamore trees located within G3 of the Burnley (Whiteacres, Landsdowne Close) TPO 2001	Approve with Conditions	26th July 2021

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
PAR/2021/0238	Mr A Sutcliffe	Greens Farm Barn Off Burnley Road Cliviger	Conversion of barn to dwellinghouse	Prior Approval Granted	15th July 2021
HOU/2021/0243	Mr and Mrs Lincoln	49 Ightenhill Park Lane Burnley Lancashire BB12 0LL	Proposed two storey side extension	Approve with Conditions	15th July 2021
HOU/2021/0252	Mr Shane Kipps	31 Kibble Crescent Burnley Lancashire BB10 2BW	Proposed single storey side extension	Approve with Conditions	26th July 2021
HOU/2021/0262	Ms Rifet UI Nisa Razaque	57 Eastern Avenue Burnley Lancashire BB10 2AU	Two storey side, single storey rear extension and the erection of front porch	Approve with Conditions	9th July 2021
HOU/2021/0266	Mr Faisal Iqbal	29 Bentham Avenue Burnley Lancashire BB10 1XZ	Extend and convert existing garage to sitting room including new pitched roof	Refuse	9th July 2021
HOU/2021/0268	MR AND MRS B SHARPLEY	18 Old Hall Square Worsthorne-with-hurstwood Lancashire BB10 3NS	Erection of a porch to front elevation.	Approve with Conditions	27th July 2021

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
HOU/2021/0271	MR P EMMETT	110 Glen View Road Burnley Lancashire BB11 2QP	Erection of a single storey rear extension	Approve with Conditions	21st July 2021
HOU/2021/0287	Mr Stephen Halstead	56 Kiddrow Lane Burnley Lancashire BB12 6LH	Proposed two storey extension (re-submission of HOU/2021/0091)	Refuse	7th July 2021
HOU/2021/0256	Mr Robert Townson	Lea Green 48 Stirling Court Briercliffe Lancashire BB10 3QT	Proposed erection of decking	Approve with Conditions	21st July 2021
ADV/2021/0231	C/O Agent	Burnley Football Club Turf Moor Harry Potts Way Brunshaw Road Burnley Lancashire BB10 4BX	Erection of digital signage boards along the southern elevation of the Stadium	Approve with Conditions	14th July 2021
ADV/2021/0232	C/O Agent	Burnley Football Club Turf Moor Harry Potts Way Brunshaw Road Burnley Lancashire BB10 4BX	Erection of digital signage along the eastern and northern elevations of the stadium.	Approve with Conditions	14th July 2021



<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
HOU/2021/0286	Mr Ian Jones	44 Lindsay Park Worsthorne-with-hurstwood Lancashire BB10 3RR	Pitched roof dormer to the front elevation and flat roof former to the rear elevation. Fenestration to the rear elevation altered.	Approve with Conditions	26th July 2021
HOU/2021/0307	Mrs Hilary Donegani	6 Norfolk Avenue Burnley Lancashire BB12 6DG	Proposed two storey extension to rear	Approve with Conditions	14th July 2021
FUL/2021/0167	Nathan Cookson	7-8 Shuttleworth Mead Business Park Mead Way Padiham Lancashire BB12 7NG	Erection of extension to existing warehouse	Approve with Conditions	27th July 2021
ADV/2021/0314	---	Land At Burnham Gate Burnham Gate Burnley BB11 1TQ	New single illuminated 48-sheet digital advertisement display	Approve with Conditions	27th July 2021
HOU/2021/0319	Mr Matt Allison	502 Cog Lane Burnley Lancashire BB11 5HR	Proposed porch and garage	Approve with Conditions	29th July 2021
HOU/2021/0318	MR UMAR	41 Minehead Avenue Burnley Lancashire BB10 2NP	Demolition of existing garage and erection of a single storey rear and side extension.	Refuse	29th July 2021

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
HOU/2021/0200	Mrs Ashleigh Bunkham	8 Copperfield Close Worsthorne-with-hurstwood Lancashire BB10 3RT	Erection of a 2m high boundary fence.	Approve with Conditions	29th July 2021
PTEL/2021/0322	Grogan	On the footway opposite 4 Fairfield Drive and outside 1 Harrogate Crescent, Burnley	The addition of radio antennae to an existing 15m pole supporting fibre as part of an electronic communications network	Prior Approval refused	29th July 2021
PTEL/2021/0323	Grogan	On the footway opposite 79- 81 Albert Street, Burnley	The addition of radio antennae to an existing 15m pole supporting fibre as part of an electronic communications network	Prior Approval refused	29th July 2021
PTEL/2021/0324	Grogan	On the footway of Accrington Road, Burnley On the footway of Hollingreave Road, Burnley	The addition of radio antennae to an existing 15m pole supporting fibre as part of an electronic communications network	Prior Approval refused	29th July 2021
PTEL/2021/0325	Grogan	On the footway of Burleigh Street, Burnley On the footway of St Philips Street, Burnley	The addition of radio antennae to an existing 15m pole supporting fibre as part of an electronic communications network	Prior Approval refused	29th July 2021
PTEL/2021/0326	Grogan	On the footway of Ulster Street, Burnley On the footway of Evans Street, Burnley	The addition of radio antennae to an existing 15m pole supporting fibre as part of an electronic communications network	Prior Approval refused	29th July 2021
PTEL/2021/0327	Grogan	On the footway of Victoria Road, Padiham On the footway of Greenbrook Road, Burnley	The addition of radio antennae to an existing 15m pole supporting fibre as part of an electronic communications network	Prior Approval refused	29th July 2021