

DEVELOPMENT CONTROL COMMITTEE

Thursday, 13th January, 2022
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

COUNCIL CHAMBER, BURNLEY TOWN HALL

Thursday, 13th January, 2022 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 in advance of the meeting.

AGENDA

1. Apologies

To receive any apologies for absence.

2. Minutes

5 - 28

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

29 - 30

To consider reports on planning applications for development permission:

- | | |
|--|----------------|
| a) HOU/2021/0465 - 18 Basnett Street, Burnley | 31 - 40 |
| b) HOU/2021/0637 - 5 Tedder Avenue, Burnley | 41 - 50 |
| c) FUL/2021/0270 - Burnley College, Princess Way, Burnley | 51 - 76 |
| 7. Decisions taken under the Scheme of Delegation | 77 - 84 |

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

MEMBERSHIP OF COMMITTEE

Councillor Saeed Chaudhary (Chair)
Councillor Anne Kelly (Vice-Chair)
Councillor Gordon Birtwistle
Councillor Frank Cant
Councillor Phil Chamberlain
Councillor Scott Cunliffe
Councillor Sue Graham
Councillor Sarah Hall

Councillor John Harbour
Councillor Alan Hosker
Councillor Jacqueline Inckle
Councillor Karen Ingham
Councillor Mohammed Ishtiaq
Councillor Neil Mottershead
Councillor Mark Payne
Councillor Ann Royle

PUBLISHED

Wednesday, 5 January 2022

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DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 9th December, 2021 at 6.30 pm

PRESENT

MEMBERS

Councillors A Kelly (Vice-Chair, in the Chair), G Birtwistle, P Chamberlain, S Cunliffe, S Graham, J Harbour, A Hosker, J Inckle, K Ingham, M Ishtiaq, M Payne and A Royle

OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Janet Filbin	– Principal Planner
Emma Barker	– Principal Legal Officer - Litigation & Regulation
Rebecca Bowers	– Planning & Compliance Officer
Alison McEwan	– Democracy Officer

53. Apologies

Apologies for absence were received from Cllrs Cant, Chaudhary & Mottershead.

54. Minutes

The Minutes of the last meeting were approved as a correct record and signed by the Chair.

55. 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:

Phill Ashley – FUL/2021/0393, VAR/2021/0203

Paul Rhodes – FUL/2021/0412

Murray Graham – OUT/2021/0443

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

56. HOU/2021/0465 - 18 Basnett Street, Burnley

This item was withdrawn from consideration.

57. OUT/2021/0234 - 5 - 17 Croft Street, 3 - 9 Yorkshire Street, Burnley

Decision

That the decision be delegated to the Head of Housing and Development Control to approve subject to the applicant entering into a section 106 Agreement, and the following conditions:

Conditions and Reasons

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

Reason: The permission is an outline planning permission.

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

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

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

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

4. 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.

5. An application for the approval of Reserved Matters shall apply the general principles of scale and design indicated in the proposed elevation drawings submitted for indicative purposes only (drawing numbers 766-10-216PRevC, 766-10-217PRevC, 766-10-218PRevC and 766-10-230PRevC, received on 3rd November 2021).

Reason: The principles of scale and design that are established in this outline application are fundamental to the proposed vertical extension of the building, having regard to its position at the gateway to the Town Centre and potential impact on the setting of an adjoining Grade II listed building and the Town Centre Conservation Area, in accordance with Policies SP5 and HE2 of Burnley's Local Plan (July 2018).

6. Notwithstanding any indication on the indicative proposed elevations and illustrations submitted with this outline application, details and representative samples of the external materials of construction to be used on the walls and roof of the development (including doors and windows frames) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The development shall thereafter only be carried out in accordance with the approved materials.

Reason: To ensure an appropriate appearance to the development, having regard to its prominent and sensitive location at the gateway to Burnley Town Centre and the setting of an adjoining Grade II listed building and the Town Centre Conservation Area, in accordance with Policies SP5 and HE2 of Burnley's Local Plan (July 2018).

7. 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.

8. 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.

9. 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).

10. 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).

11. An application for the approval of Reserved Matters shall provide details of secure cycle storage to cater for up to 32no. flats. Secure cycle storage shall thereafter be constructed in accordance with the approved details and made available for use by all occupiers of the development prior to any flat being first occupied. The approved cycle storage shall not at any time be obstructed and shall be retained at all times for its original purpose.

Reason: To facilitate and encourage the use of cycles by occupiers of the development, as a sustainable mode of transport, having regard to the location of the site in Burnley town centre and the absence of on-site car parking, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

12. An application for the approval of Reserved Matters shall include details for the provision of internal storage of refuse and recycling waste and its collection and disposal from the site to cater for the needs of the development. Refuse and recycling storage shall thereafter be provided, collected and disposed of in accordance with the approved details and made available for use prior to any flat being first occupied. The approved refuse and recycling storage shall be retained at all times for its original purpose.

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).

13. An application for the approval of Reserved Matters shall be accompanied with details of how energy and water efficiency measures are designed into the proposed scheme. The approved measures shall thereafter be implemented in full prior to any flat being first occupied.

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

14. 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.

15. No development shall be commenced until a ground investigation and report which demonstrates that the development can be safely undertaken and occupied has been submitted to and approved in writing by the Local Planning Authority. The ground investigation and report shall include the following :

1. the methodology, techniques and equipment and circumstances of the survey, the findings of tests and investigations and final conclusions and recommendations;
2. any remediation measures which demonstrate that the development can be safely undertaken and occupied.

Where remediation works are identified, these shall be carried and completed as part of the construction of the development and a verification report to evidence this shall be submitted to and approved in writing by the Local Planning Authority prior to any flat being first occupied.

Reason: There is the potential for the site to be affected by landfill gas and mine gas, in which case the investigation and any remedial measures that follow from this are necessary to ensure that the site is developed in a safe and secure manner, in the interests of public safety, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

16. No development shall be commenced until a noise assessment of the external and internal noise likely to affect the development has been submitted to and approved in writing by the Local Planning Authority. The assessment shall take into account the noise from surrounding road networks including the nearby bus station and noise from town centre activities, including night time noise and environmental noise from any other noise sources, as well as potential noise generated within the proposed

development. The assessment shall identify all noise attenuation measures that are appropriate to mitigate against external and internal noise that identified in the assessment. No flat shall be first occupied until the approved noise attenuation measures have been carried out and completed and a verification report to evidence this has been first submitted to and approved in writing by the Local Planning Authority. The approved noise attenuation measures shall be retained at all times.

Reason: To ensure a satisfactory amenity for occupiers of the development, in accordance with Policy SP5 of Burnley`s Local Plan (July 2018).

17. In the event that the development has not commenced by the 30th April 2024, no works or development shall take place after this date until the building has been re-assessed for bats by a suitably qualified bat specialist or ecologist, the findings of which shall be submitted to and approved in writing by the Local Planning Authority. In the event that the survey finds evidence of bats at the site, no development shall take place until appropriate advice has been taken and any necessary licence has been obtained or mitigation measures agreed.

Reason: To take into account the passage of time between the submitted Preliminary Bat Roost Assessment Report and the potential start of works, in order to protect bats which are protected species, in accordance with Policy NE1 of Burnley`s Local Plan (July 2018). The survey is required prior to the commencement of development to ensure that the risk of harm to protected species is low.

18. No part of the service yard shall be used for car parking in association with the proposed flats and shall be kept clear from any obstructions and clear for the purposes of servicing and access at all times.

Reason: To take account of the needs of the ground floor commercial premises and other users of the shared service yard and to avoid congestion, clutter and obstructions that would hinder accessibility and the amenities of all users, in accordance with Policies IC1 and SP5 of Burnley`s Local Plan (July2018).

19. The proposed development of up to 32no. flats shall be afforded a principal access from the front of the premises on Croft Street (in addition to further access points to the rear of the building).

Reason: To ensure the satisfactory implementation of the proposal and provide a safe and convenient means of access to the development.

20. Prior to the commencement of development, a scheme for external lighting that shall minimise light spillage outside of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved scheme and only external lighting that accords with the approved scheme shall be permitted to be installed or operate at the premises at any time.

Reason: To avoid external light spillage, glare or nuisance from sensor lights that would adversely affect residential amenities, in accordance with Policy SP5 of Burnley`s Local Plan (2018).

21. 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).

58. FUL/2021/0393 - The Stables, Plot 4, Lennox St

Decision

That planning permission be granted subject to the following conditions:

Conditions & Reasons

1. The development must be begun not later than the expiration of three years beginning with 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. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:
Proposed Location Plan, Elevations and Floor Plans: Dwg no PJA17
Site Plan: Dwg no PJA 7A
Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.
3. Notwithstanding the submitted details, precise specifications or samples of walling, door/window surrounds, rainwater goods, roofing/ridge materials including surfacing materials, their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development and shall be retained as such thereafter.
Reason: To ensure that the materials to be used are appropriate to the locality.
4. No development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Hard landscaping shall include proposed finished levels or contours; means of enclosure; parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); Soft landscaping shall include schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate, and shall include details of the condition of existing trees and specify which are to be retained.
Reason: In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of

the development or in accordance with a programme approved in writing by the local planning authority.

Reason: In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings

6. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

7. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.

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

8. Before the dwelling is occupied, that part of the access extending from the highway boundary into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other hard material to be approved by the Local Planning Authority.

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

9. The surface water from the approved driveway should be collected within the site and drained to a suitable internal outfall.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

10. No part of the development hereby approved shall be occupied until the turning head, as indicated on the approved plans, has been constructed, drained, surfaced in tarmacadam, and is available for use for the turning of vehicles entering or leaving the proposed access from Lennox Street. The turning head shall not at any time be used for any other purpose or be obstructed and shall be retained in perpetuity for the turning of vehicles.

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

11. All garage facilities or off-street parking shall include provision of an electrical supply suitable for charging an electric motor vehicle.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

12. Full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. All boundary treatments thereby approved to bound the site shall be erected in accordance with the approved details before the approved dwelling is occupied.

Reason: To ensure a visually satisfactory form of development.

13. The residential curtilage of the dwelling hereby approved shall be restricted to that shown on approved drawing Site Plan: Dwg no PJA 7A.

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality

14. Notwithstanding the provisions of Classes E of Part 1 of the Town and

Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no additional buildings or structures shall be erected within the external area of the dwelling hereby permitted unless planning permission has first been granted by the Local Planning Authority.

Reason: In the interests of the appearance visual appearance

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

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

16. Vehicular access to the proposed development shall be from Lennox Street only and not from any other route or road.

Reason: To ensure a safe and adequate means of access to the site, in accordance with the details that have been assessed as part of the application.

59. VAR/2021/0203 - Plots 1 And 3 Lennox Street Worsthorne-with-hurstwood, Lancashire
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Decision

That approval be delegated to the Head of Housing & Development Control subject to the provision of satisfactory information on the agreement to transfer ownership of the site, and the following conditions:

Conditions & Reasons

1. The development shall be carried out in accordance with the details contained in the outline planning permission APP/2014/0122 together with the additional reserved matters set out in the application hereby approved, in accordance with the following plans: Site layout plan drawing Ref PJA2, received on 24 October 2016; amended drawing- Plan and elevations including the provision of stone quoins and changes to the window details received on 15 December 2016; and, revised plot 1 plan, received on 26 November 2021.

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

2. The tree protection measures for the trees to be retained on the site as set out in the application details shall be in place before any development starts and maintained for the duration of the development works to the satisfaction of the local planning authority.

Reason: In order to protect the existing trees on the site having regard to policy NE5 of Burnley's adopted Local Plan.

3. The recommendations of the Extended Phase 1 Habitat Survey and the Bat Habitat and Roost Assessment dated October 2016 by Quants environmental Limited shall be implemented in full as set out in the report, to the satisfaction of the local planning authority.

Reason: To ensure that species/habitats protected by the Wildlife and the Countryside Act 1981 are protected.

4. The scheme for the eradication of the Japanese knotweed (*Fallopia japonica*) present on the site, dated July 2016 shall be fully implemented as set out in the report, to the satisfaction of the local planning authority.

Reason: The scheme for the eradication of the Japanese knotweed (*Fallopia japonica*) present on the site, dated July 2016 shall be fully implemented as set out in the report, to the satisfaction of the local planning authority.

5. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays.
Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan.
6. The widening of the access drive, provision of a service strip and a turning area as set out in the application shall be completed to the satisfaction of the Local Planning Authority before any of the houses are occupied.
Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan
7. The 'granny annexes' to the dwellings indicated on the approved plans shall remain ancillary to the main dwelling and shall not be used as a separate dwelling for occupation by a separate household.
Reason: For the avoidance of doubt and to prevent the establishment of a separate dwelling having regard to the policies of Burnley's Local Plan in respect of car parking and any other material considerations.
8. Notwithstanding the provisions of Article 3 and Part 1 of the Second Schedule of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, E and F shall be carried out without express planning permission first being obtained from the Local Planning Authority. Reason: To enable the local planning authority to consider future development having regard to Policies SP5, HS5 and NE3 of Burnley's Local Plan.
9. The surface water from the approved driveway/hardstanding/car park should be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
Reason: In the interest of highway safety to prevent water from discharging onto the public highway.
10. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
Reason: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

<p>60. FUL/2021/0412 - Wellfield Methodist and Anglican Primary School, Wellfield Drive, Burnley</p>

Decision

That planning permission be granted subject to the following conditions:

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission. Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.
Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

61. HOU/2021/0437 - 72 Rosehill Road, Burnley

Decision

That planning consent be REFUSED for the following reason:

Reason

1. The proposed extensions by virtue of their scale, size and design would result in the overdevelopment of the site that is considered to detrimental to the character of the area. Furthermore, the proposed extensions and roof lift would appear disproportionate to the original dwelling and result in the introduction of a dominant unsympathetic development. The creation of an elongated gable façade which fronts the highway is not considered compatible with the streetscene. As such the proposal is considered to be in direct conflict with the aims and objectives of policies HS5 and SP5 of Burnley's Local Plan along with the emphasis on securing high quality design set out within the National Planning Policy Framework.

62. FUL/2021/0281 - Brownsie Shed Mill, Brun Terrace, Worsthorne-with-Hurstwood

Decision

That planning permission be granted subject to the following conditions:

Conditions & Reasons

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 materials of construction to be used on the external walls and roof of the development shall be in accordance with the approved plans and the specifications on the application forms unless any variation to this is otherwise approved in writing by the Local Planning Authority.

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

4. No unit shall be first occupied until the means of access from the junction of Brownside Road and Brun Terrace to the proposed building has been improved in accordance with a detailed scheme that shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To cater for additional traffic on a private road that is also used by residential properties and is unsuitable for further traffic movements without improvements to its condition, in accordance with Policy IC1 of Burnley`s Local Plan (July 2018).

5. The development shall not be carried out otherwise than in full accordance with the submitted Flood Risk Assessment (report reference 2021-041-A) and the mitigation measures contained within it.

Reason: To ensure the satisfactory implementation of the proposal, in order to appropriately manage the risk of flooding, in accordance with Policy CC4 of Burnley`s Local Plan (July 2018).

6. 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 unit being first brought into use. 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.

7. 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 and NE5 of Burnley`s Local Plan (July 2018).

8. No development shall be commenced until protective fencing to protect the trees to be retained on and adjacent to the site has been erected in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. 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 at and adjacent to the site boundary, 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). Details of the protective fencing is required prior to the commencement of development in order to ensure that adequate protection can be

put in place prior to any potential adverse impacts on trees from construction vehicles, plant, deliveries and other site activities.

9. 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 units open shall be used for either Class B1(c) light industrial uses only and shall not be used for any other purposes.

Reason: To protect the amenities of occupiers of neighbouring properties from potential noise, dust and fumes that may result from other Class B uses as well as managing the type and amount of traffic to minimise potential adverse effects from the use of Brun Terrace by industrial traffic, in the interests of safeguarding residential amenity and highway safety, in accordance with Policies SP5, EMP3 and IC1 of Burnley's Local Plan (July 2018).

10. No development shall be commenced until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall conform to current guidance and best practice as set out in BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority:

a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and

b) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

No dwelling shall be first occupied until a Verification report (produced by the suitably qualified person) to evidence that all remediation works, as applicable, have been carried out in accordance with the approved remedial strategy, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to deal appropriately and safely with the risks posed to the public and future occupiers by the historic use of the site and land uses in the surrounding area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018). The site investigation and remediation scheme are required prior to the commencement of development in order to ensure that any mitigation measures that are found to be necessary through the investigation can be carried out at the appropriate stage in the development process.

11. Prior to the commencement of built development, a scheme for external lighting that shall minimise light spillage outside of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved scheme and only external lighting that

accords with the approved scheme shall be permitted to be installed or operate at the premises at any time.

Reason: To avoid external light spillage, glare or nuisance from sensor lights that would adversely affect residential amenities and wildlife, in accordance with Policies SP5 and NE1 of Burnley`s Local Plan (2018).

12. No unit hereby approved shall operate or work carried on and no deliveries shall be received or despatched other than between 07:30 hours and 19:00 Monday to Friday and between 08:00 and 17:00 on Saturdays; and there shall be no work or operations take place at all or deliveries received or despatched on Sundays or Bank/Public Holidays.

Reason: To ensure that the development can be satisfactorily carried out whilst respecting and safeguarding the residential amenities of nearby occupiers, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

13. Prior to the commencement of built development, details of refuse storage for the approved units shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage and any enclosure, where applicable, shall be constructed, completed and made available for use prior to any of the approved units being first occupied and shall thereafter be retained at all times.

Reason: To ensure a suitable area for refuse, in the interests of maintaining a tidy site, in accordance with Policy SP5 of Burnley`s Local Plan (July 2018).

14. No unit shall be first occupied until the associated parking spaces for the development and turning areas, as indicated on the approved plans, have been constructed, surfaced, drained and are available for use. The parking spaces and turning areas shall thereafter be retained as approved at all times.

Reason: To ensure adequate parking arrangements and turning within the site to cater for the needs of the proposed development, in accordance with Policy IC3 of Burnley`s Local Plan (July 2018).

15. No unit shall be first occupied until it has been fitted with an Electric Vehicle Charging (EVC) point in accordance with details of its location and specifications which shall be first submitted to and approved in writing by the Local Planning Authority. The approved EVC points for each unit shall thereafter be retained at all times.

Reason: To facilitate 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).

16. Surface water from the areas of forecourt, hardstanding and parking areas shall be collected and drained to an appropriate internal outfall, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved drainage of the forecourt, hardstanding and parking areas shall thereafter be retained at all times.

Reason: To ensure adequate drainage to prevent surface flooding on these areas and elsewhere, in accordance with Policies IC3 and CC4 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that the agreed works can be satisfactorily carried out at an appropriate stage in the development.

17. 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, 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. Deliveries to the site shall only be accepted between the hours of 09:30 and 14:30 hours Monday to Friday and at no other time. 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).

18. No demolition, including any clearance, preparation works or development shall take place until the applicant or their agent or successors in title has secured the implementation of a photographic record of the remaining Brownside Shed building/structure. The record shall comprise the creation of a photographic record of the building as set out in '*Understanding Historic Buildings*' (Historic England 2016) and shall include a description of the building and a full photographic coverage. This work shall be undertaken to the standards and guidance of the Chartered Institute for Archaeologists (CIfA) and a digital copy of the photographs and accompanying description shall be placed in the Lancashire Historic Environment Record prior to any of the approved units being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site, in accordance with Policy HE2 of Burnley's Local Plan (July 2018). The record is required prior to the commencement of development to ensure the effective recording of the site.

63. COU/2021/0536 - 148-150 Colne Road, Burnley
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Decision

That planning permission be granted subject to the following conditions:

Conditions & Reasons

1. The development must be begun not later than the expiration of three years beginning with 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. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Existing and Proposed Plans: 2077/01 Rev A
Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.
3. The use of the premises hereby permitted, shall only be operated between the following hours: 09:00 - 22:00: Monday to Sunday including Bank Holidays.
Reason: To define the scope of the consent hereby approved and in order to protect nearby residential amenity.
4. Unless otherwise agreed in writing with the Local Planning Authority, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), shall be used as a cafe (Use Class E) at ground floor with ancillary storage and office at first floor (Use Class E) and for no other use within these use classes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Reason: To ensure that the property is used solely as its intended use as any other use within use class may not be considered acceptable in the interest of amenity of the area and the area generally in accordance with Policies SP1, SP4, SP5, TC2 and EMP3 of the Local Plan.
5. The proposed refuse provision hereby approved shall be implemented prior to the commencement of the use hereby approved. 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 Polices SP5 of the Local Plan
6. Prior to the extraction flue being first brought into use all external parts of the flue and cowl and associated fitments shall be coloured black/a dark matt finish and retained as such at all times in the future.
Reason: In the interests of amenity in accordance with Polices SP5 of the Local Plan

64. OUT/2021/0443 - Land at Barden Lane, Burnley

Decision

To delegate to the Head of Housing and Development Control to approve subject to the applicant entering into a section 106 Agreement relating to open space improvement, affordable housing, off-site woodland mitigation, off-site woodland management and enhancement, provision of new pedestrian link and improvements to public bridleway, and the following conditions:

Conditions & Reasons

1. Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
Reason: The permission is an outline planning permission.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission.

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

3. The development hereby permitted shall begin not later than whichever is the later of the following dates: (a) the expiration of three years from the date of this permission; or (b) the expiration of two years from the date of approval of the last of the reserved matters to be approved. Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.
4. 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.
5. An application for the approval of Reserved Matters shall provide for a minimum 6m wide green buffer along the bank of the Leeds and Liverpool Canal and a 15m green buffer (with a short localised 10m exception) on the southern elevation of the site.
Reason: To protect the wildlife of the canal corridor which is a designated Biological Heritage Site and to maintain a woodland buffer to the south side of the site to protect the Lancashire Woodland Ecological Network, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
6. An application for the approval of Reserved Matters shall be accompanied by details of how a minimum of 20% of the proposed dwellings would comply with the optional technical standards of Part M4(2) of the Building Regulations 2010 to be provide adaptable homes. None of the identified dwellings to be constructed with the approved details shall be first occupied until a verification report prepared by a suitably competent surveyor or professional to demonstrate that the standard has been achieved for each dwelling , has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the development provides benefits to new occupiers by the provision of adaptable homes to meet lifetime needs, in accordance with Policy HS4 of Burnley's Local Plan (July 2018).
7. An application for the approval of Reserved Matters shall be accompanied with details of how energy and water efficiency measures have been designed into the proposed scheme. The approved measures shall thereafter be implemented in full prior to each dwelling being first occupied.
Reason: To ensure that the scheme achieves a high standard of sustainability, in accordance with Policy SP5 of Burnley's Local Plan (July 2018). 8. A scheme for the provision of electric vehicle charging points for the proposed development shall be submitted with an application for the approval of Reserved Matters. The approved scheme shall thereafter be carried out and completed in accordance with the approved scheme prior to each dwelling being first occupied. Reason: To encourage the use of electric vehicles in order to reduce emissions and protect the local air quality in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
8. No development shall be commenced until an updated badger survey by a qualified ecologist has been undertaken within a period not exceeding six months prior to the start of construction and has been submitted to and agreed in writing by the Local Planning Authority. In the event that the survey finds evidence of badger activity on the site, no development shall take place until appropriate advice has been taken and any necessary licence has been obtained or mitigation measures agreed.
Reason: To take into account the passage of time between current ecological reports and the potential start of construction in order to protect badgers which are protected species, in accordance with Policy NE1 of Burnley's Local Plan (July 2018). The survey is required prior to the commencement of development to ensure that the risk of harm to protected species is low.

9. No development shall be commenced until an updated inspection for bats by a suitably qualified bat specialist or ecologist of the trees to be removed or affected by the development (which may include the use of aerial activity inspection) has been carried out and submitted to and approved in writing by the Local Planning Authority within a period not exceeding six months prior to the tree works taking place. In the event that the survey finds evidence of bats at the site, no development shall take place until appropriate advice has been taken and any necessary licence has been obtained or mitigation measures agreed.

Reason: To take into account the passage of time between current ecological reports and the potential start of works to trees, in order to protect bats which are protected species, in accordance with Policy NE1 of Burnley's Local Plan (July 2018). The survey is required prior to the commencement of development to ensure that the risk of harm to protected species is low.

10. Prior to the commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which shall provide details for the following measures: i) temporary fencing of the retained woodland and scrub on the site; ii) temporary fencing at a minimum stand-off distance of 6m from the edge of the adjacent canal protection of retained trees; and, iii) details of the construction lighting to be designed to avoid light spillage onto the canal and woodland edge. The agreed measures shall be implemented prior to any site clearance or development being commenced and retained in their entirety for the duration of the development until its completion.

Reason: To protect the wildlife along the canal bank and woodland during the construction period, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

11. No development shall be commenced until a scheme for the means of protecting the trees and hedges to be retained on or adjacent to the site, in accordance with BS 5837 (2012), including the protection of root structures from injury or damage prior to and during the development works, has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also provide for no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees or hedges. The approved scheme of protection measures shall be implemented in its entirety before any works are carried out, including any site clearance work, and thereafter retained during building operations until the completion of the development.

Reason: To ensure adequate protection for the long term health of trees/hedges which should be retained in the interests of the visual amenities and biodiversity of the site and its surroundings, in accordance with Policy NE4 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.

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

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

13. Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local

Planning Authority. The submitted LEMP shall provide details for the following:- a) description and evaluation of the features to be managed; b) ecological features and constraints that may influence management; c) aims and objectives of management; d) appropriate management options and prescriptions for management actions; e) a work schedule (including an annual work plan capable of being rolled forward over a five year period); f) details of the body or organisation responsible for implementation of the plan; and, g) on-going monitoring and remedial measures. The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management company or body responsible for its delivery. The Plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented. The approved LEMP shall thereafter be carried out and adhered to at all times in perpetuity. Reason: To ensure that the ecologically sensitive areas of the site, including the canal bank and retained woodland are appropriately managed to ensure their long term protection and benefits to biodiversity, having regard to the designated Biological Heritage Site and Lancashire Woodland Ecological Network, in accordance with Policy NE1 of Burnley`s Local Plan (July 2018).

14. An application for the approval of Reserved Matters for the landscaping of the site shall provide for locally native tree and shrub species to be used and details of enhancement of the retained areas of woodland to the southside of the site.

Reason: To ensure adequate regard for the ecological benefits of a landscaping scheme and to ensure details are included for improvements to existing woodland, in accordance with Policies SP5 and NE4 of Burnley`s Local Plan (July 2018).

15. An application for the approval of Reserved Matters shall provide a detailed external lighting plan for all roads, access paths, communal areas and domestic external or security lighting. This shall include specifications of luminaires and light contour plans and be designed in accordance with the guidance notes of the Institute of Lighting (01/2021 obtrusive lighting and 08/2018 wildlife sensitive lighting). The development shall thereafter be carried out in accordance with the approved details of external lighting only and shall be retained at all times. No additional external lighting or variance to the approved scheme shall be carried out at any time without the prior written permission of the Local Planning Authority.

Reason: To protect wildlife, including protected species, which is sensitive to lighting, in accordance with Policy NE1 of Burnley`s Local Plan (July 2018).

16. Prior to any dwelling being first occupied, the biodiversity enhancement measures identified at Table 4 in the submitted Ecological Impact Assessment shall be carried out and completed in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To contribute to the biodiversity enhancement measures of the completed development, in accordance with Policy NE1 of Burnley`s Local Plan (July 2018).

17. All planting, seeding or turfing comprised in the approved details of landscaping to be approved as a Reserved Matter shall be carried out in the first planting and seeding seasons following the first occupation of the approved development 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).

18. Prior to the commencement of development, a scheme for the detailed design of the proposed site access and off-site works of highway improvement 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 any dwelling being first occupied. Reason: To ensure that satisfactory access is provided to the site and is made safe for all highway users and satisfactory provision is made to encourage use of public transport, having regard to sustainable travel and highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that the details are satisfactory and can be implemented at the appropriate time and stages of the development in the interests of highway safety.
19. The approved access junction and estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site. Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
20. No development shall be commenced until the engineering, drainage, street lighting and constructional details of the proposed estate roads and details of the maintenance of all streets, access roads and drives have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details. Reason: To ensure these details are adequate to provide satisfactory access and amenity for the occupiers of the development, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that the details are satisfactory and can be implemented at the appropriate time and stages of the development in the interests of highway safety.
21. No dwelling shall be first occupied unless and until all its associated car parking has been constructed, drained, surfaced (in black bitumen macadem or other approved bound material) and is available for use in accordance with the approved plans. The car parking spaces associated with each dwelling shall thereafter be retained for the purposes of car parking at all times. Reason: To ensure adequate off-street parking, in the interests of highway safety and amenity, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
22. 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).
23. 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.

24. 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).
25. Prior to the commencement of built development, details of the design and implementation of a surface water sustainable drainage scheme, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and completed in accordance with the approved scheme prior any dwelling 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.
26. 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).
27. 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: 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.
28. Foul and surface water shall be drained on separate systems and a scheme for the disposal of foul water shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of built development above ground level. The approved scheme shall be implemented in full and completed prior to any dwelling being first occupied. The foul water drainage scheme shall thereafter be retained at all times in the future. Reason: To ensure the site can be adequately drained and to prevent pollution of groundwaters, in accordance with Policy NE5 of the Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of built development above ground level to ensure that the measures identified in the scheme can be carried out at the appropriate stage of construction.
 29. No development shall take place unless otherwise agreed in writing until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall conform to current guidance and best practice as set out in BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations; or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority: a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and b) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works. No dwelling shall be first occupied until a Verification report (produced by the suitably qualified person) to evidence that all remediation works, as applicable, have been carried out in accordance with the approved remedial strategy, has been submitted to and approved in writing by the Local Planning Authority. Reason: In order to deal appropriately and safely with the risks posed to the public and future occupiers by the historic use of the site and land uses in the surrounding area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018). The site investigation and remediation scheme are required prior to the commencement of development in order to ensure that any mitigation measures that are found to be necessary through the investigation can be carried out at the appropriate stage in the development process.
 30. Prior to the first occupation of any dwelling, refuse bins and recyclable waste containers for each respective dwelling shall be provided within a concealed area of the curtilage in accordance with details that shall be submitted with an application for the approval of Reserved Matters. The refuse and recyclable waste storage provision for each dwelling shall thereafter be retained at all times. Reason: To ensure adequate storage for refuse and recycling waste is provided away from public views, in the interests of residential amenities, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
 31. Prior to the commencement of built development above ground level, details of the management, responsibilities and maintenance schedules for all areas of open space within the site excluding private gardens, to cover the lifetime of the development, shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent changes to the management details shall be submitted to the Local Planning Authority prior to the change taking place. Reason: To ensure that these areas are appropriately managed and maintained, in the interests of the

- amenities of the site, in accordance with Policy HS4 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of the built development above ground level in order that proper arrangements can be secured at the earliest opportunity for the maintenance of the open space which is for the lifetime of the development.
32. No development shall be commenced until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in full accordance with the methods and measures in the approved Method Statement. Reason: To ensure that vulnerable trees which are to be retained and have an amenity value are not harmed by the development, in accordance with Policy NE4 of Burnley's Local Plan (July 2018). The method statement is required prior to the commencement of the development so that it can be effectively implemented to prevent any harm to retained trees from the on-set of the development.
33. No development shall commence until; a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity and the extent of zones of influence/instability of off-site mine shafts; and b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance and a verification report to demonstrate that any identified remediation and/or mitigation measures have been implemented in full shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling. Reason: To ensure that the issues arising from historic shallow coal mine workings close to the site are adequately dealt with in order to ensure the safety of the construction, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).
34. An application for the approval of Reserved Matters shall be accompanied by a further noise assessment that shall detail remedial measures for mitigating against identified external noise sources. The approved measures shall thereafter be carried out and completed prior to each dwelling being first occupied and the completion of the development. The approved measures shall be retained at all times thereafter. Reason: To ensure a satisfactory level of amenity for occupiers of the development, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
35. Prior to the commencement of any development, the following shall be submitted to and approved in writing by the Local Planning Authority in respect of works in proximity to the railway line to the east side of the application site: i) A Method Statement and Risk Assessment for the construction and subsequent maintenance of the development in proximity to a railway line shall be submitted to and approved in writing by the Local Planning Authority. ii) a Method Statement and Risk Assessment for vibro-impact works on site; iii) details of the disposal of both surface water and foul water drainage directed away from the railway; iv) full details of ground levels, earthworks and excavations to be carried out near to the railway boundary; v) details of a minimum 3m easement between structures on site and the railway boundary; and, vi) details of appropriate vehicle safety protection measures along the boundary with the railway. The development shall thereafter only be carried out and maintained in accordance with the approved Method Statements, Risk Assessments and approved details. Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

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

- the design, depth and means of construction of the foundations of new buildings and any proposed retaining walls (including cross sections in relation to the canal bank), together with any other proposed earth moving and excavation works required in connection with the development;
- details of the location of stockpiles and construction equipment on site;
- details of any protective fencing to be erected to safeguard the waterway infrastructure during construction; and
- details of the culvert that passes from the development site under the canal structure and any impact on water flows and on the canal structure that may arise from the development, together with any remedial measures to address any identified impact.

The development shall thereafter only be carried out and completed in strict accordance with the agreed Risk Assessment and Method Statement.

Reason: In the interests of safeguarding the stability and integrity of the structure of the Leeds and Liverpool Canal, in accordance with Policy NE5 of Burnley's Local Plan (July 2018) and the National Planning Policy Framework.

65. Decisions taken under the Scheme of Delegation

Members noted the list of decisions.

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for
Committee consideration

13th January 2022

Housing and Development

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Housing & Development
Town Hall, Manchester Road

Ref.

HOU/2021/0465

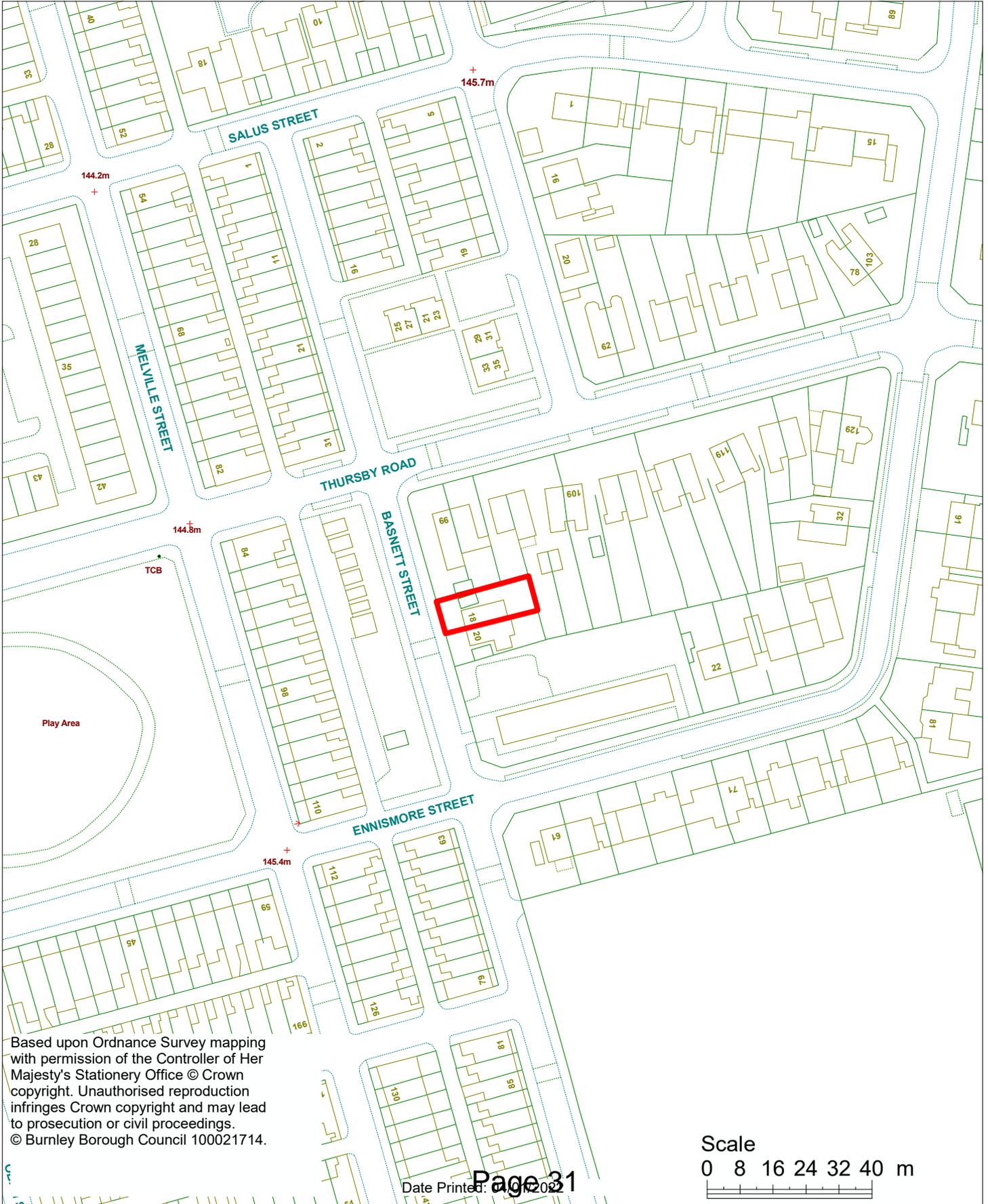
Paul Gattrell Head of Housing and Development

Location:

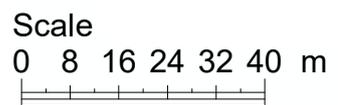


18 Basnett Street Burnley

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Site Address: 18 Basnett Street, Burnley, Lancashire, BB10 3ET

Proposed Development: Demolition of existing garage and erection of a two storey side and single storey rear extension. Extension of driveway to accommodate 3 off-street parking spaces (re-submission of HOU/2021/0036).

The application is before the committee following member call in.

Background:

This application relates to a semi-detached property sited on the eastern side of Basnett Street. The site is located within a predominantly residential area. It benefits from a detached garage to the north of the application dwelling and an existing single storey rear conservatory extension.



Proposal:

Planning permission is sought the demolition of the existing garage and erection of a two storey side and single storey rear extension. Extension of driveway to accommodate 3 off-street parking spaces.

This application is a re-submission of the recently refused planning application HOU/2021/0036. The previous application incorporated a two storey side extension which projected 3.569m from the side elevation and had a length of 12m. The extension projected 3.239m out past the rear elevation resulting in a 2 storey side gable and a 2 storey rear projecting gable. The proposal had an eaves height set higher than the existing dwelling and a ridge height to match that of the host dwelling. A single storey element was also proposed which projected 3.2m from the rear elevation, it connected to the two storey side element and had a mono-pitched roof. The application was refused on amenity due to the development not meeting the required separation distances as set out within the Councils Local Plan and on visual impact / design grounds as it was considered that the development did not harmonise with the host dwelling but rather resulted in a form of development which undermined the inherent character of the existing building and surrounding area.

Amendments have been made to the proposal prior to the submission of this application. This application seeks consent for two storey side extension which projects 2.569m from the side elevation of the host property and has a total length of 11.061m (including single storey element). The development will be set back at first floor from the host property creating a mono-pitched front element. The proposed two storey side extension will have a matching eaves height of the host dwelling and a ridge lower than the existing dwelling.

A single storey rear extension is also proposed. This will project 2.309m from the rear elevation and have a length of 7.229m. The extension will project across the whole of the rear of existing dwelling and the rear of the two storey side element. It will have a mono-pitched roof with an eaves height of 2.532m and a ridge height of 3.7m.

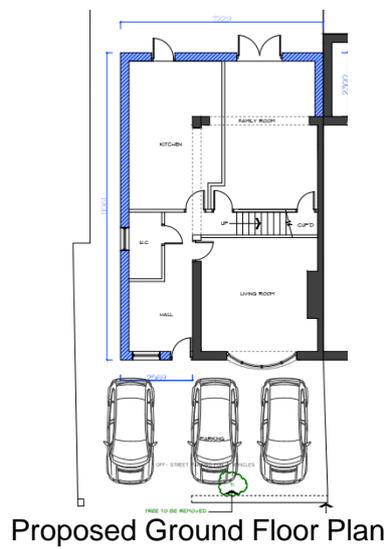
Existing Plans:

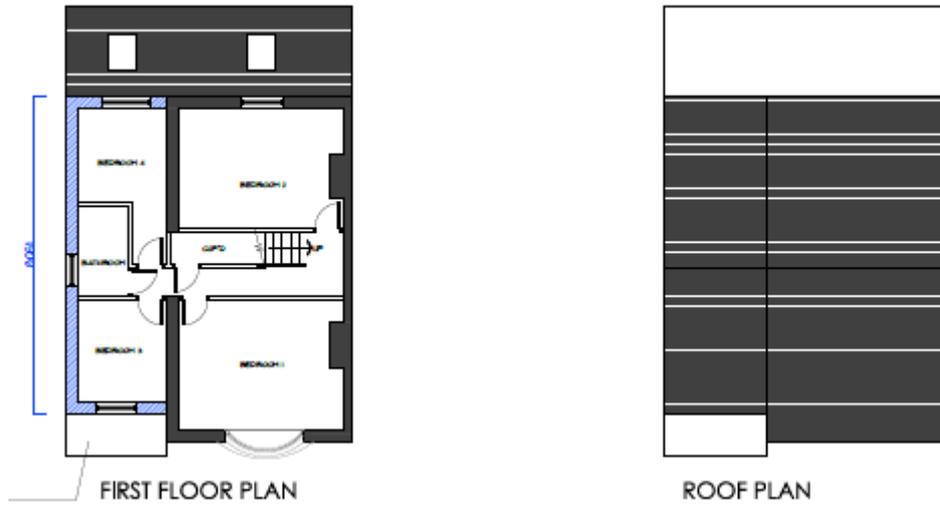


Existing Ground and First Floor Plans



Proposed Plans:





Proposed First Floor and Roof Plan



Relevant Policies:

Burnley Council Local Plan Policies:

SP1: Achieving Sustainable Development

SP4: Development Strategy

SP5: Development Quality and Sustainability

HS4: Housing Development
HS5: Housing Extensions and Alterations
IC3: Car Parking Standards
Appendix 9: Car Parking Standards

National Planning Policy Framework (NPPF)

Site History:

HOU/2021/0036 – Removal of existing garage and rear structure and erection of a double storey side extension and single storey rear extension. New extended drive to accommodate 3 vehicle parking provision – REFUSED

Consultation Responses:

Highways: With respect to this application we would not wish to raise any objections to the application.

The alterations to the garden and driveway to provide additional off street car parking as detailed in Burnley's local plan.

Due to the extensive nature of the application it is expected that a charging point for electric vehicles shall be included with-in the development to promote sustainable modes of transport. This shall be fitted in line with the DfT guidance regarding Electric Vehicle Charging in Residential and Non-residential buildings, which states :- charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle.

Should you wish to support the application we would request that the conditions and note are included in your decision notice.

a) Electric vehicle charging points.

All garage facilities or off-street parking shall include provision of an electrical supply suitable for charging an electric motor vehicle.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

b) Off road parking

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and any associated turning space) shown on the approved plans has been completed. The parking (and manoeuvring) area(s) shall thereafter always remain available for parking of vehicles associated with the dwelling.

Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced in bound porous materials, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure satisfactory levels of appropriately constructed off-street parking are achieved within the development and to avoid unnecessary parking on the highway to the detriment of highway safety

Public Consultation: 3 letters of representation from the same objector have been received, objecting to the proposed development for the following reasons:

- The objection submitted for the original application remain the same;
- A significant development that double the size of the property;
- Overbearing;

- Significant detriment to the character and appearance of the dwelling and surrounding area;
- Unacceptable level of amenity due to the size and siting of the proposal in close proximity to adjacent residential properties;
- Loss of privacy;
- Increase over looking;
- Loss of sunlight;
- Increased shadowing;
- The design is not in-keeping with the area;
- Increase noise and disturbance;
- Exacerbate highways issues;
- Recent application of a similar nature in close proximity to the application site was also recently refused (HOU/2020/0084).

Planning and Environmental Considerations:

The key issues in relation to this application are:

- Principle of Development;
- Visual Amenity / Design;
- Residential Amenity; and
- Highways

Principle of development

The site is located within the development boundary of Burnley 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. Given that the works will take place within the curtilage of an existing dwelling the principle of the development is considered acceptable.

Visual Amenity / Design:

Local Plan policy SP5 sets out requirements for the design quality of all types of development. Policy HS5 further sets out specific requirements for the design of house extensions and alterations stating that the design, scale, massing and external appearance of development should harmonise with the existing building and should not have an adverse impact upon the character of the streetscene.

Paragraph 126 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Any extension should be well proportioned and sit comfortably alongside the original dwelling. It should respect the scale and proportions of the original dwelling and should not overwhelm. In order to emphasis a submissive relationship with the original dwelling extension should be set back and set down for the host dwelling for an easy understanding of what is original and what is extension.

The proposed two storey side extension is set back from the principle elevation at first floor creating a mono-pitched single storey front element. The eaves of the proposed extension matches that of the host dwelling and the extension ridge height is set below that of the host dwelling. The projection of the two storey side extension has been reduced by 1m from 3.569m to 2.569m since application HOU/2021/0036.

The single storey rear extension would be screened from public view by the host dwelling and the two storey side extension and therefore would not be considered a prominent addition.

The proposed development as a whole is now considered to be in keeping with the host dwelling and the surrounding area. The size, scale, design and mass of the extensions respect the characteristics of the host building and sit comfortably within the wider setting from a design perspective. On balance, the development is considered to be compliant with Local Plan Policies HS5 and SP5 and the NPPF.

Residential Amenity:

Both policies SP5 and HS5 seek to ensure that development does not result in an unacceptable adverse impact on the amenity of neighbouring occupants of adjacent land users, with reference to issues including: loss of lights, privacy / overlooking and outlook.

A separation distance of no less than 20m should be maintained between facing windows of habitable rooms and where windows of habitable rooms face a blank gable or a wall with inlay windows to non-habitable rooms, a separation of no less than 15m should be maintained.

The reduction of the two storey side extension to 2.569m only increases the separation distance by a further 1m resulting in an off-set distance from the gable of the proposed dwelling to the rear of No. 99 Thursby Road of 13m. The rear elevation of the aforementioned dwelling contains a window opening at first floor, further to this the proposed development also proposes the installation of a window at first floor in the gable elevation which faces towards the rear elevation of No. 99. The window at first floor will serve a bathroom and be obscured glazed, nevertheless, a separation distance of 15m would therefore, be required as per the requirements of the Local Plan.

Taking this into consideration it is considered that the proposed development fails to meet the required separation distance required, resulting in a development which would have an adverse impact upon the amenity of current and future occupiers of No. 99 Thursby Road by virtue of an overbearing impact on the aforementioned property resulting in a loss of light and privacy. The use of obscure glazing to the first floor window proposed within the side gable of the two storey side element is not considered to offer sufficient protection to overcome the issue outlined above. The same is said for No. 101 Thursby Road, this also contains a first floor window and would have an off-set distance of 13m to the side gable.

Taking into consideration the above, it is considered that the proposed development would be of significant detriment upon the residential amenities of the existing and future occupiers of No. 99 and 101 Thursby Road as a result of its size, scale, massing and siting which would result in a development which fails to meet the separation distance requirements resulting in a loss of privacy to the aforementioned dwelling, contrary to HS4, HS5 and SP5 and the NPPF.

Highways:

Proposed development should ensure that road safety and the safe, efficient and convenient movement of all highways users will not be compromised.

The proposed development would increase the property from a 2 bed to a 4 bed dwelling. The current parking standard for a 4 bed dwelling as set out in Policy IC3 and Appendix 9 of the Local Plan is 3 off-street parking spaces. The submitted parking layout shows the provision of 3 off-street parking spaces. It is, therefore, considered that the proposal would accord with the requirements of Policy IC3 and Appendix 9 of the Local Plan.

Conclusion:

The amendments made to the scheme do not overcome all of the original reasons for objection and therefore it is for the above reasons and having regard to all material consideration and matters raised that I recommend refusal of the application.

Recommendation:

That planning consent be REFUSED for the following reason:

1. The proposed development would lead to an unacceptable level of amenity for the adjacent occupiers No. 99 and 101 Thursby Road by virtue of the proposal not meeting the required separation distance standards as set out in HS4. Therefore the proposal would result in a loss of privacy, outlook and light, contrary to the requirements of Policies HS5 and SP5 of the Local Plan and the NPPF.

Housing & Development
Town Hall, Manchester Road

Ref.

HOU/2021/0637

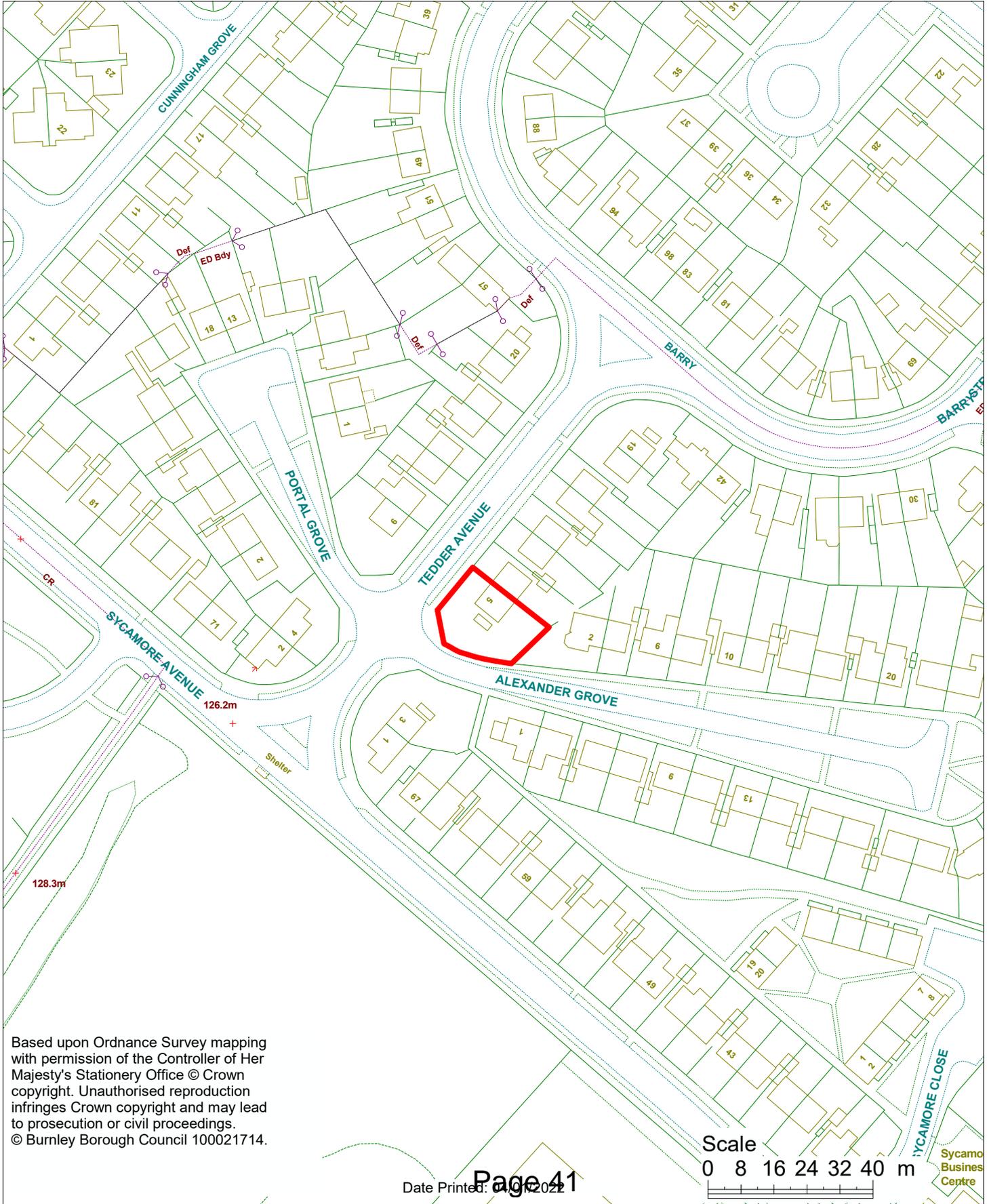
Paul Gatrell Head of Housing and Development

Location:



5 Tedder Avenue Burnley

1:1250



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Sycamore Business Centre

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Application Recommended for REFUSAL

HOU/2021/0637

Gannow Ward

Site Address: 5 Tedder Avenue, Burnley, Lancashire, BB12 6DL

Proposed Development: Demolition of detached outbuilding and proposed erection of a 2 storey extension to side elevation (re-submission of HOU/2021/0364)

Applicant: Mr Scott Gizon

This application is before the committee following member call in.

Background:

This application relates to a two storey semi-detached property sited on a prominent corner plot on the south eastern side of Tedder Avenue and the northern side of Alexander Grove. The site is located within a predominantly residential area.

The site currently benefits from a single storey detached outbuilding to the side of the application dwelling. Due to the topography of the site the land slopes down away from the application dwelling to the south, towards the junction of Tedder Avenue and Alexander Grove.



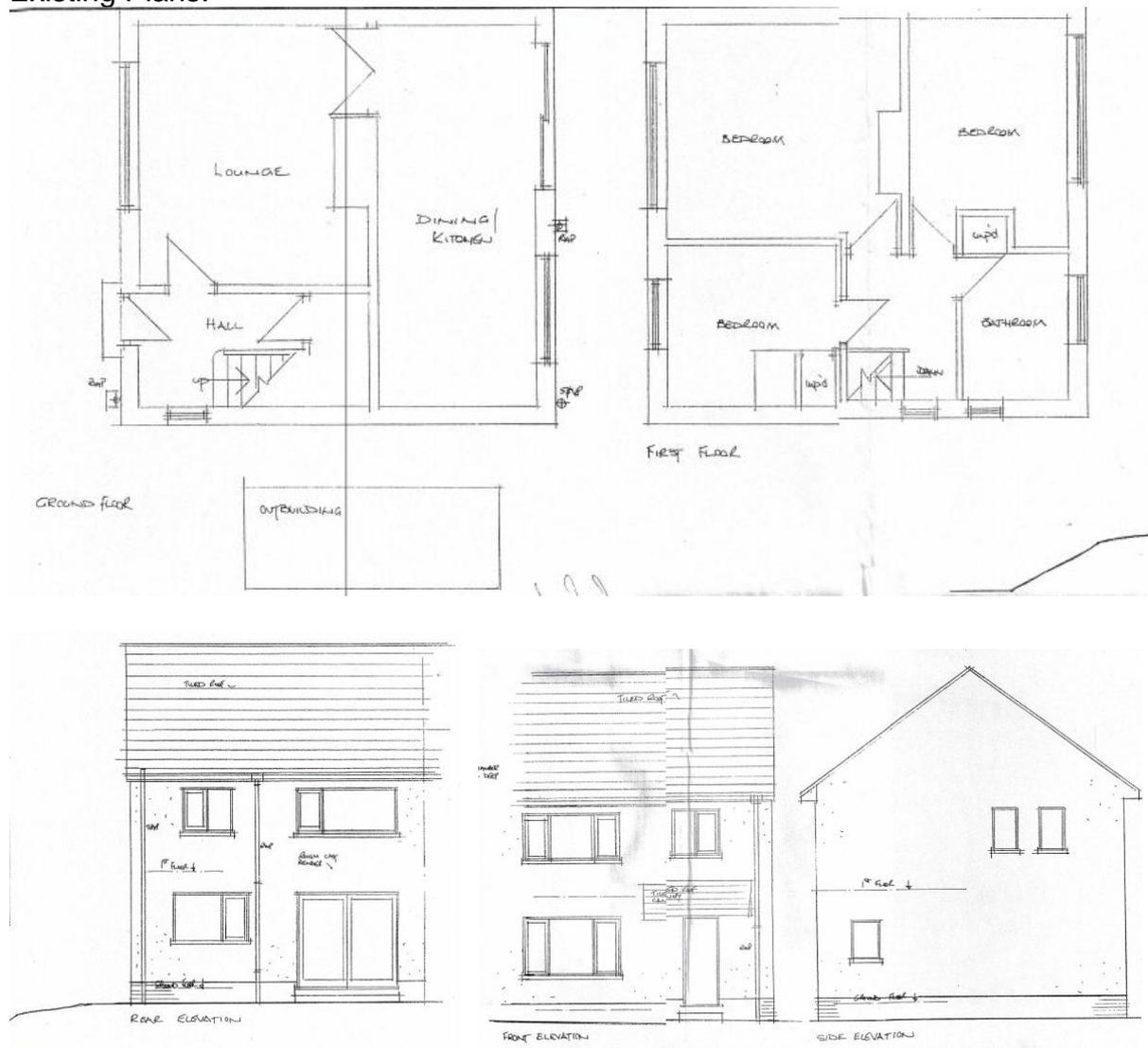
Proposed Development:

Planning permission is sought for the demolition of the detached outbuilding and the proposed erection of a 2 storey extension to side elevation. This application is a re-submission of HOU/2021/0364 which was recently refused.

The 2 storey side extension will project 3.5m from the existing side elevation and have a length of 6.65m and will be set back 500mm from the principle elevation. It will have a hipped roof with an eaves height to match that of the host dwelling and a ridge height set down.

The amendments made to the scheme include a small reduction in the projection from the side elevation by 0.2m, a further additional 200mm set back from the principal elevation and the amendment of the roof form from a pitched roof to a hipped roof.

Existing Plans:



Proposed Plans:



Relevant Policies:

Burnley Local Plan Policies:

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

National Planning Policy Framework (NPPF)

Site History:

HOU/2021/0364 - Demolition of detached outbuilding and proposed erection of a 2 storey extension to side elevation – REFUSED

Consultation Responses:

No comments have been received

Planning and Environmental Considerations:

The key issues in relation to this application are:

- Principle of Development;
- Visual Amenity / Design;
- Residential Amenity; and
- Highways Impact

Principle of development

The site is located within the development boundary of Burnley 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. Given that the works will take place within the curtilage of an existing dwelling sited within the development boundary of Burnley the principle of the development is considered acceptable.

Visual Amenity / Design:

Local Plan policy SP5 sets out requirements for the design quality of all types of development. Policy HS5 further sets out specific requirements for the design of house extensions and alterations stating that the design, scale, massing and external appearance of development should harmonise with the existing building and should not have an adverse impact upon the character of the streetscene.

Paragraph 126 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Any extension should be well proportioned and sit comfortably alongside the original dwelling. It should respect the scale and proportions of the original dwelling and should not overwhelm. In order to emphasise a submissive relationship with the original dwelling extension should be set back and set down for the host dwelling for an easy understanding of what is original and what is extension.

Due to the topography of the land sloping away to the south the proposed two storey side extension would result in the creation of a substantially sized gable elevation measuring a total height of 8.2m. It is acknowledged that proposal will contain window openings, however the creation of a gable element of such a scale and massing is not considered to meet the aims and objectives of the Local Plan or NPPF. Policy SP5(2)a) requires all development to respect existing scale and massing. It is considered that the proposed development would result in the creation of an element that would be out of keeping with the existing dwelling and the surrounding area. The resultant size and scale of the cumulative extension would be overbearing and over dominant in relation to the original dwelling and would be detrimental to the amenities and values of the area. It would not be considered subservient despite the slight set back and set down.

The application site is a corner plot. It is therefore, considered that the proposed development would be highly visible resulting in a prominent sizeable gable elevation which would detract from the inherent character of the area.

Further to this, the property is a semi-detached dwelling and the proposed works would appear disproportionate and awkward in relation to that of the attached property. Although the houses in the area are not symmetrical, they are of straightforward design with a largely uniform appearance. Further to this, given the established building lines in the vicinity and taking account of the inherent linear pattern of development within the area, it is considered that the proposed development would be of detriment to the visual amenities and appearance of the host dwelling and street scene.

Taking into consideration the above it is considered that the proposed development is contrary to Policy HS5 and SP5 and the NPPF.

Residential Amenity:

Both policies SP5 and HS5 seek to ensure that development does not result in an unacceptable adverse impact on the amenity of neighbouring occupants of adjacent land users, with reference to issues including: loss of lights, privacy / overlooking and outlook.

Given that the property is a corner plot, it is considered that the proposed development albeit a sizeable element would not result in any adverse amenity impact upon No. 2 Alexander Grove, as the openings proposed would have the same relationship the existing openings currently benefit from.

No.3 Tedder Avenue is set down considerably from the application site due to the changes in land levels. The application dwelling has an off-set distance of circa 18m to the boundary of No. 3 Tedder Avenue. The introduction of the two storey side extension would reduce this to circa 14m. However, the removal of the first floor window which was proposed as part of the previous application would ensure that the development would not induce the feeling of being overlooked and therefore would have a negligible impact.

The development, therefore, accords with Policies SP5 and HS5 of the Local Plan.

Highways:

The proposed development would increase the property from a 3 bed to a 4 bed. It is acknowledged that there is a the lack of off-street parking in the area however it is considered that the proposal will not exacerbate this to an extent which warrants the refusal of this application.

Conclusion:

It is for the above reasons and having regard to all material consideration and matters raised that I recommend refusal of the application.

Recommendation:

That planning consent be REFUSED for the following reasons:

1. By virtue of its excessive and dominant scale and design, the proposed development would not be subordinate or sympathetic to the character of the existing house or the wider character of the street scene. The proposals would appear as prominent and incongruously large addition which fails to appropriately respect the existing proportions and appearance. The application therefore conflicts with Policies HS5 and SP5 of the Burnley Local Plan and the NPPF.
2. The level of development proposed would be of significant detriment to the character and appearance of the existing dwelling and surrounding area, insofar that the proposed development, when considered cumulatively, would undermine the inherent character of the existing building, imbalance a pair of

semi-detached properties contrary to Policies HS5 and SP5 of the Local Plan and the NPPF.

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**Application Recommended for Delegation to
Approve subject to s106 Agreement**
Trinity Ward

FUL/2021/0270

Town and Country Planning Act 1990

Hybrid planning application for development of a North Campus comprising: a) Full application for Phase 1 industry hub, open space, 5-a-side pitch with access road from Burnley College car park and provision of community use MUGA pitch and outdoor gym and b) Outline application for Phase 2 comprising 2 no. education buildings, car park and associated works and landscaping (Proposal affects Public Footpath No. 11)

Burnley College Princess Way Burnley Lancashire

Applicant: Burnley College

Background:

This application is being considered by the Committee due to objections that have been received.

The application is a Hybrid application, being partly for Outline planning permission and partly for Full planning permission. The proposed site which includes the existing College access from Princess Way and north side car park is approximately 3.45ha and comprises the current Stoneyholme Recreation Ground. The application has been amended since first submitted in response to some of the objections that have been received.



The site borders the River Calder to its east side, by trees, a bowling green and the M65 to its north side, by open space to its west side and by the existing Burnley College campus to its south side. A shelter belt of trees and banking separate the existing campus from the recreation ground which is the main body of the application site. Public Footpath No. 11 crosses the northern section of the site, linking the site to Holme Road to the east and to bowling greens and motorway subway to the west.



There are two parts to the application as indicated below.

Full Application area highlighted
Phase 1



Outline application area highlighted
Phase 2



Firstly, the Full Application where approval is sought for a detailed scheme relates to a proposed industry hub building, five-a-side pitch, open space, landscaping and a community use Multi-Use Games Area (MUGA) and outdoor gym. The full application proposal includes access to the site from the existing college car park.

Secondly, an Outline Application is made for two future university buildings and car park (82 spaces). This part of the proposal would utilise the same access that will be established through the full application but all other matters (Appearance, Landscaping, Layout and Scale) would be reserved for subsequent approval. The layout of the proposed university buildings and car park as indicated on the Masterplan on the following page is therefore for indicative purposes only.

Proposed Masterplan



The proposed Industry hub building is the only building for which full planning permission is sought.

Illustration of proposed Industry Hub building



Proposed Ground Floor



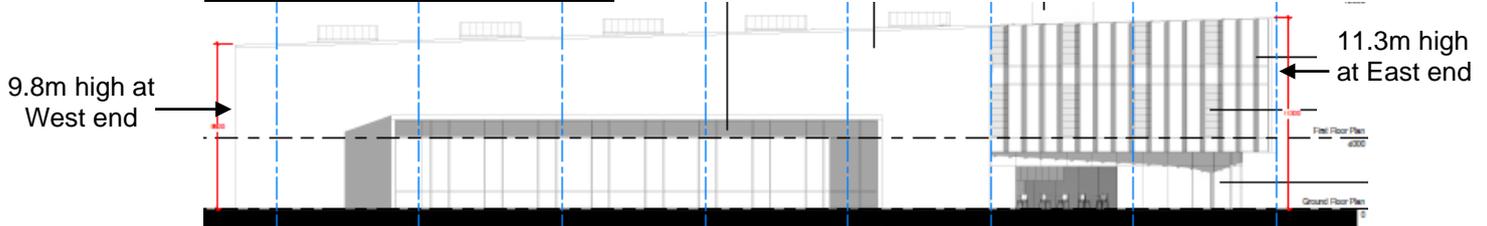
The ground floor would provide a large foyer to the east side, a series of teaching rooms and a large double height workshop area (479sqm).

Proposed First Floor



The proposed first floor is 'L' shaped due to the double height workshop space on the ground floor and would provide a series of teaching spaces in varying sizes and formats and a gallery.

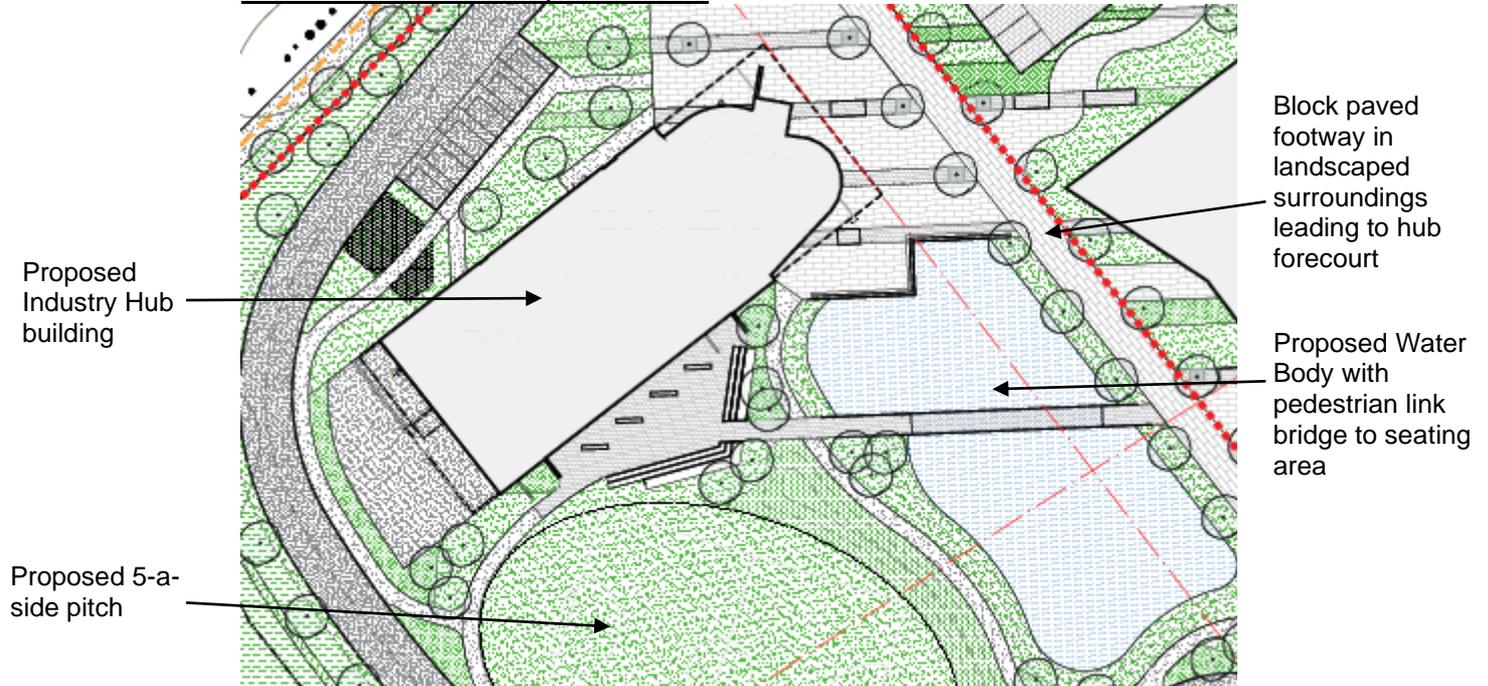
Proposed southern elevation



The proposed building would be two storey and measure up to approximately 22.5m wide x 54m long with a long sloping mono-pitch roof rising up to 11.3m at its east side which is the entrance and focal point of the building. At the entrance, the proposed first floor which consists of vertical glazing panels between aluminium louvred panels and fins would overhang the ground floor entrance which would be fully glazed. Metal rainscreen cladding would also be used on the elevations and aluminium clad rooflights on the roof.

The landscape scheme provides a long straight path lined on each side by trees and to the west side by a new open body of water with the glazed end of the proposed hub building creating a vista.

Extract from Landscape Scheme



To the east side of the block paved path would be two further buildings that are part of the outline element of this application. The submitted Design and Access Statement states that the strategy is to keep higher buildings to the east side of the site to avoid blocking sun to the central area. It is anticipated that the two university buildings that are proposed in outline form only would be 3-4 storeys.

The Full application also includes a proposed 5-a-side pitch to be used and managed by Burnley College. To the north side of the site, the proposal includes the retention and improvement of the existing informal grassed pitch and the creation of an outdoor gym and multi-use games area (MUGA) which are for public use (and would remain in Council ownership).

Relevant Policies:

Burnley's Local Plan (July 2018)

- SP1 – Achieving sustainable development
- SP3 – Employment land requirement 2012-2032
- SP4 – Development strategy
- SP5 – Development quality and sustainability
- SP6 – Green infrastructure
- EMP1/3 – Employment allocations – Vision Park
- HE2 – Designated heritage assets
- HE4 – Scheduled monuments and archaeological assets
- NE1 – Biodiversity and ecological networks
- 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
IC5 – Protection and provision of social and community infrastructure

Material Considerations

Developer Contributions Supplementary Planning Document (SPD) (Adopted December 2020)

Air Quality Management: Protecting Health and Addressing Climate Change Supplementary Planning Document (SPD) (Adopted December 2020)

The National Planning Policy Framework (2021)

National Design Guide (2021)

Site History:

No relevant planning history to this part of the allocated site. Relevant previous applications on the Site A part of the allocation (to the east side of the river Calder) are listed below:-

APP/2011/0346 - Proposed development of a business park comprising 12,000sq metres of use classes (B1(a), B1(b) and B1(c) business space; 280 car parking spaces and ancillary uses. (All matters reserved for future approval). Approved September 2011.

APP/2014/0397 - Application for approval of reserved matters for development of a business park providing B1(a), B1(b) and B1(c) business space, car parking spaces and ancillary uses under outline planning permission APP/2011/0346. Approval sought for access, appearance, landscaping, layout and scale. Approved January 2015.

Consultation Responses:

LCC Highways

No objections. Lancashire County Councils five year data base for Personal Injury Accident (PIA) records are in line with the information submitted as part of the Transport Assessment. The incidents recorded follow no pattern with regards to positioning or time and appear to be of a nature that would not be worsened by the proposed development. The proposed development is adjacent to a public rights of way (FP No.11) on the North East boundary of the site. The Framework Travel Plan is acceptable for its most part at this stage of the application process. To promote and encourage sustainable travel to the site I would however request that a condition requiring the submission of a Full Travel Plan is attached to the decision notice if this application is approved. The Full Travel Plan when submitted should include the following as a minimum:

- Contact details of Travel Plan coordinator
- Travel survey results (staff and students)

- Details of cycling, pedestrian and public transport links to and within the site
- Details of the provision of cycle parking
- SMART Targets
- Action plan of measures to be introduced and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

A request is made for a section 106 contribution of £12000 to enable Lancashire County Council to monitor and support the development, implementation and review of the Travel Plan for a period of up to 5 years.

Regarding the full planning element of this application, the proposal will be accessed through the existing car park area of the campus site, which is served via the Rectory Road arm of the Princess Way roundabout via Grosvenor Street. For the size of development and the expected levels of vehicle and pedestrian movements this arrangement is acceptable to the local highway authority. The internal layout as shown in the submitted landscape masterplan including road alignment and widths, car parking and pedestrian provision is acceptable.

Regarding the outline application element, revised comments have been received to respond to amended plans which now remove the previously proposed secondary access from Holme Road and utilise the same access through the existing college car park as Phase 1 (the full application). LCC Highways also acknowledge other changes to the scheme, including the reduction in number of proposed buildings, the retention of a pitch to the north of the site and the revised location for a new car park. LCC Highways affirm that the removal of the proposed new vehicle access from Holme Road and utilisation of the College's existing vehicle access to serve both phase 1 and 2 is acceptable.

As part of any future reserved matters application car parking and cycling provision will need to be in line with the relevant parking standards for the size and nature of the development. LCC Highways conclude that the level of traffic generated from a development of this size and nature and at this location would not have a severe impact on highway safety or capacity within the immediate vicinity of the site.

Subject to the requested contribution towards the Travel Plan and conditions to require a full travel plan, a Construction Management Plan and wheel washing facilities, there are no objections to the proposed development.

Sport England

Initially objected to the proposal. Following the receipt of amended proposals, Sport England has withdrawn the objection subject to a condition requiring design and construction details for the college site pitch and MUGA, and a s106 agreement that:

- links this application with the works at Queens Park confirming option 1 of the STRI Report is to be implemented
- requirement for pitch specifications at Queens Park
- timescales for implementation (agree implementation works can be carried in parallel with development at Stoneyholme rather than prior to commencement of development as Sport England policy would normally require).
- amount of contribution for the works from the College

- timescales for securing the contribution from the College for the works

Sport England would wish to be consulted on the wording of the s106 to ensure all elements comply with the Sport England Playing Fields Policy Exception E4: *The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:*

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Pitch Construction Condition (Stoneyholme Rec)

A condition is recommended to require details of the design and layout of the natural turf pitches (7v7 and 5v5) and Multi Use Games Area and to ensure they are constructed in accordance with the approved details. An Informative is requested to advise the applicant that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011), and 'Artificial Surfaces for Outdoor Sport' (Sport England 2013)

Justification

Sport England agree the site has been disused for a number of years and that the improvement of a number of existing pitches is more sustainable than either retaining the site as a single pitch site, or replacing with a pitch type that there is no demand for.

A combination of the qualitative improvements at Queens Park, reinstatement of the Stoneyholme 7v7 pitch, creation of the 5v5 pitch, MUGA and outdoor gym outweigh the loss of playing field. This is subject to the conditions and s106 agreement required above.

Local Lead Flood Authority (LCC)

No objection. Conditions are recommended to require the development to be in accordance with the submitted Flood Risk Assessment and Drainage Strategy and for a detailed Sustainable Drainage Strategy, a Construction Phase Surface Water Management Plan, and an Operation and Maintenance Plan and Verification Report, to be submitted to and agreed by the Council.

United Utilities

No objections. The proposals are acceptable in principle. Conditions are recommended to require a detailed surface water drainage scheme and to require foul and surface water to drain on separate systems. United Utilities advise that there is a public sewer that crosses the site which will require an easement.

Environment Agency (EA)

No objection. The previous use of the land immediately adjacent to proposed development site presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A/secondary aquifer B and is in hydraulic connectivity with the

River Calder. The EA agree with the report by Waterman Infrastructure & Environment Limited and agree with their proposals for further investigation and note that the report relates more to the engineering issues on the site and considerably more emphasis should be given to the potential contamination in the groundwater from the adjacent unlined and pre-licensing landfill sites of Clifton Colliery. The EA state that the proposed development will be acceptable if a planning condition is included requiring the submission of a groundwater remediation strategy.

In respect of flood risk, the EA affirm that a very small part of the site lies within Flood Zone 3 (high probability of flooding) while the remainder of the site lies within Flood Zones 1 and 2. Following a review of the submitted Flood Risk Assessment, the EA is satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

The EA also affirm that any proposed work within 8m of the top bank of the main river may require an Environmental Permit.

Greater Manchester Ecology Unit (GMEU)

The Report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]).

The survey was conducted in January which is recognised as suboptimal for the majority of surveys, with further assessment for woodland ground flora in March. However, given the nature and size of the proposal this is not considered to be a constraint on the assessment and does not invalidate its findings.

The Report has adequately identified sites and designations relevant to the scheme. The only relevant designation outside of the planning policy allocation (EMP1/3) being the protection of an 8m corridor (from bank top) of the main river (River Calder).

There is currently no known reason to contradict the findings of the Report and the application can be forwarded to determination in respect of biodiversity without the need for any further work.

As referred to in section 5 of the Report a number of measures are needed in order that the scheme complies with planning policy. Therefore, a number of conditions/informatives should be attached to any permission if granted, as follows: -

- Protection of retained trees and riverbank (8m corridor) Temporary fencing to be erected during construction secured via condition as per section 5.3.1 – 5.3.6).
- Design of the external lighting scheme, particularly along the western and north western boundaries. To be secured via conditions on both the outline and full elements of the scheme as identified within 5.3.14 for construction and 5.2.1 for design of operational buildings.
- Potential Roost Features in trees. The Report concludes that the site supports 4 trees (TN2, TN3, TN5 and TN7 [also identified as T14 in AIA scheduled for removal]) which are identified as having low potential value to bat roosting. Any of these that require removal or tree pruning should be

felled/worked on according to the soft fell Reasonable Avoidance Measures outlined at 5.3.9. This should be implemented via condition. This includes the need to stop work until advice has been sought and implemented from the consultant ecologists if bats are unexpectedly found or suspected during any operations.

- Breeding birds (section 5.3.11 & 5.3.12) – Condition vegetation clearance including trees, shrubs and undergrowth (eg bramble) should avoid of the breeding season (March – August inclusive) unless it can be demonstrated that there is no nesting activity present. All wild birds are protected whilst nesting (Wildlife & Countryside Act 1981).
- Invasive Non-Native Species Method Statement – The Report identifies that Indian balsam (aka Himalayan balsam) is present to the west of the site. A programme to control this species should be required to be implemented via a condition. This Method Statement should also include details of how soil storage areas will be monitored and controlled.

The Report makes recommendations in respect of biodiversity enhancement as guided by the NPPF (February 2019, paragraph 175 d)) and it is recommended that these are implemented within the design detail and/or landscape proposals: -

- The enhancement of the off-site grassland to the south and west of the site (see section 5.2.9 – 5.2.12) and subject to a revised seed mix specification.
- Dogwood (*Cornus sanguinea*) is a highly competitive shrub which tends to dominate planting leading to reduction in biodiversity value, lavender species, and beech (*Fagus sylvatica*) should be removed and replaced in any future agreed landscape scheme. An updated landscape plan/full detailed landscape scheme with the recommended adjustments should be secured via condition.
- I note that the details for landscape in the outline part of the proposal including the SuDS basin and swale have not been specified. Detail should be required at Reserved Matters the submission of details secured via condition at the determination of the current application.
- The Report recommends the use of 5x bat and 5x bird boxes with suggested specifications. The location and final specification for this should be required at Reserved Matters in consultation with the ecologists, prior to the occupation of the units. If the Units are to come forward in a phased approach it is recommended each 4 business units (incl the industry hub) is required to erect 3 boxes. An suitably worded condition should secure this.

The Report indicates (5.4) that a Landscape and Environmental Management Plan (LEMP) should be provided to inform future long term management of the open space, riverside footpath and business unit estate. The production and agreement of this scheme should come forward at an appropriate stage within both the full and outline parts of the proposal. A condition requiring this should identify the appropriate timeframe for submission and commencement of its implementation. This should also identify the resourcing and responsibility for the LEMP's implementation.

Burnley Wildlife Conservation Forum (BWCF)

An initial response requested the submission of an Arboricultural Impact Assessment due to concern over trees that would need to be felled due to the new access road from the existing college car park. On re-consultation, the BWCF object to the application on the basis of a considerable loss of trees that would

result in a significant adverse impact on the existing biodiversity value of the site. The submitted Assessment outlines the following trees which would be removed: 2 Category A2 trees (out of 10) 17 Category B1,2 and 3 trees (out of 38), 9 Category C1 and 2 trees (out of 15), 12 trees not suitable for retaining and three groups of Category C trees (out of 6 groups). This amounts to a loss of 40 individual trees (out of a total of 75) plus a further 3 groups of trees (out of 6 groups) which is a considerable loss of trees from the site. Many of the trees to remove are mature or semi-mature specimens and include Lombardy Poplars and the rare hybrid Black Poplars and would result in a high to moderate negative impact on the amenity benefit value to the local landscape.

Coal Authority

No objection subject to condition. Parts of the application site fall within the defined Development High Risk Area. The northern half and south eastern part of the site lie within an area of probable shallow coal mining and thick coal seams of workable thickness outcrop within the site that may also have been historically worked at shallow depths. If shallow coal mining has taken place beneath the site, this could affect the safety and stability for the redevelopment of this site.

The planning application is accompanied by a Coal Mining Risk Assessment, April 2021 which finds that there is a moderate to high risk as a result of the potential for unrecorded shallow coal seams / workings (Maiden Coal Seam); unrecorded surface mining; and mine gas emissions.

Therefore, in order to confirm the actual ground conditions (depth / condition of the coal seam / competent rock cover) and to inform the extent of any remedial and / or mitigation measures considered necessary to ensure the safety and stability of the proposed development, recommendations have been made that intrusive ground investigations, including gas monitoring are required.

The Coal Authority recommends the imposition of the conditions to require a scheme of intrusive site investigations and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy and to require verification following the completion of those measures.

Environmental Health

No objection. Recommend a condition to require a contaminated land investigation and validation/ verification.

LCC Historic Environment Team (Archaeology)

The submitted documents state that remains of two 19th Century colliery tramways may be impacted by the development and there is also potential for late prehistoric to medieval activity to be present and recommends a limited programme of trial excavation. A condition is recommended to require a programme of archaeological work in accordance with a written scheme of investigation.

Head of Greenspaces and Amenities

Part of Stoneyholme Recreation Ground (SRG) was designated for industrial use in the Council's 1990 Local Plan. The 2012 – 2032 Burnley Local Plan re-designated part of SRG for employment use.

Since this first designation, there has been no investment in the site and instead there has been investment elsewhere in the community to replace the facilities that were provided, such as the play area and ball court, as follows:

Play Area: Development of four new play areas at Clifton St (within SWG),
Byerden Holme Park, Stoneyholme Community Garden, Burns St,

Ball court: Development of new ball court at Byerden Holme (rear of former
Stoneyholme Community centre)

Football pitch: Contribution to provision of new artificial turf pitch at Prairie
Community/

Changing Room: Burnt down early 1990's and not replaced.

Burnley's Green Spaces Strategy

The Green Spaces Strategy identifies that the Clifton St residential area has a significant surplus of open space relative to the size of the population that it serves.

Overall there are 11.5 hectares of green space within the Clifton St residential area of which 4 hectares is classified as amenity greenspace and this includes the recreation ground.

District Number	District Name	Residential Area	Open Space Name	Abr'v	Area Ha
5	North Burnley	Clifton Heights	Ashfield Road Grass Area	N&SN	0.33
5	North Burnley	Clifton Heights	Clifton Heights	N&SN	4.62
5	North Burnley	Clifton Heights	West Gate	N&SN	2.50
5	North Burnley	Clifton Heights	Clifton Street	AGS	0.06
5	North Burnley	Clifton Heights	Stoneyholme Rec	AGS	3.93
5	North Burnley	Clifton Heights	Clifton Street Playground	CYP	0.06

Amenity Green Space

Within the category of Amenity Green Space there is currently a surplus provision of 3.8 hectares when compared with the Burnley local standard for provision which is 0.2 ha per 1,000 population. The population of Clifton St residential area (2011 census) is 256 including 44 children.

Amenity Green Space							Local Standard		0.80	
District Name	Residential Area	0 – 4	5 – 9	10 – 14	0-14	Res Pop	AGS (Ha)	AGS Per 1,000	Quantity to meet standards	Surplus/ Deficit
	South Burnley	1282	1038	1219	3518	19276	11.88		15.42	-3.54
North	Casterton	97	119	93	309	1617	1.29	0.80	1.29	0.00
Burnley	Clifton Heights	14	15	15	44	256	4.00	15.63	0.20	3.80
	Daneshouse	338	285	234	857	2865	3.26	1.14	2.29	0.97
	Heasandford	426	323	302	1051	4609	4.32	0.94	3.69	0.63
	Lanebottom	22	22	31	75	633	0.00	0.00	0.51	-0.51
	Lower Manor Lane	41	22	25	88	685	0.56	0.82	0.55	0.01
	N Briercliffe	62	78	78	218	1296	0.38	0.29	1.04	-0.66
	N Lanehead	117	117	170	404	2502	1.67	0.67	2.00	-0.33
	S Lanehead	108	107	93	288	1827	1.00	0.55	1.46	-0.46
	Queensgate	233	189	150	572	2656	1.27	0.48	2.12	-0.85
	Rakehead	175	147	126	448	2350	1.15	0.49	1.88	-0.73
	S Briercliffe	92	54	76	222	1366	0.90	0.66	1.09	-0.19
	Stoneyholme	330	291	211	832	2409	0.89	0.37	1.93	-1.04
	North Burnley	2041	1754	1589	5364	25069	20.69		20.06	0.63

The proposal involves the loss of approximately 2 hectares of amenity green space, with 2 hectares remaining and this would mean that there remains a surplus of 1.8 hectares.

Natural & Semi-natural Green Space

There is a significant area of woodland and un-managed meadow grass land that are not affected by the proposals and which provide a significant area of habitat.

Burnley's Play Strategy

The play strategy assesses levels of play provision across 51 residential areas across the Borough. Clifton St residential area is ranked as having the highest level of play provision across the whole borough in relation to the population of children, the quality of the play area and the amount of greenspace that is available for play. The proposed loss of open space will not have a significant effect on play provision and it has been agreed that there will be some refurbishment of the existing play area with provision of a new item of equipment.

New Facilities

The proposals submitted by the College include the provision of a new floodlit and fenced multi-use games area, an outdoor gym and refurbishment of the existing 7-a-side grass football pitch with improved grass playing surface and ball-stop fencing to the River Calder.

Replacement of grass pitch (for formal organised use)

Following consultation with Sport England, it has been agreed that the loss of the 11v11 grass football pitch will be compensated for by the improvement of four existing junior pitches at Queens Park which will be funded by way of a S106 agreement. Improvements to these pitches are identified as a priority in Burnley's Local Football Facilities Plan.

Summary of comments by Head of Greenspaces and Amenities

The development of part of the recreation ground will involve the loss of a level area of poorly drained grass (the former football pitch) and a large tarmac area.

However, this will be mitigated by the replacement facilities that have been identified. These will be of a high quality and will be useable year-round. The floodlit MUGA will be playable on winter evenings and the outdoor gym is a new facility.

The improvement of the existing poor quality and overplayed grass pitches at Queens Park will improve provision for junior football and compensate for the loss of the unused adult pitch.

Publicity

Objections have been received from 16 residents from Clifton Street and the local area. Further letters have been received from three of these to affirm that their original objections still stand to make further representations. A summary of all the points received is provided below:-

- Loss of vital green space, green infrastructure, community space and recreation ground what was built for the people over a century ago

- Stoneyholme Recreation Ground provides valuable Green Infrastructure and is used for dog walking and football and is a place where children can play safely
- It is used for socialising with friends, picnics, family time, jogging, sledging, access to college and should be left for people to enjoy
- A lot of athletes, clubs and professionals train on the site
- It is an important contribution to the health and well-being of the community
- No prior consultation with residents
- The requirements of the NPPF for the assessment of open space have not been followed
- Loss of this amenity space for interaction and a play area would greatly impact on children where in Stoneyholme district there is one of the highest concentrations of children and young people aged 0-14
- The area has the highest need for equipped play areas and there is a shortfall against the local standard
- There is currently not enough provision in the area for children and young people
- Will lead to a loss of social integration and access between differing communities that use the site and form a physical barrier and segregation between communities
- Its also used as a footpath from the Ightenhill area to the town centre
- Stoneyholme Recreation Ground is on the assets list at the Council (LA816077).
- There is credible evidence that the recreation ground has been used as a sports ground since 1828, that is 193 years of usage as an area of recreation by the people of Burnley for football, rugby, tennis and cricket
- The site has significant local and national importance in relation to Burnley Football Club and Burnley Cricket Club
- The site should be on the Council`s heritage list
- Should be protected open space and kept in trust by the Council as a recreational area for the people of Burnley
- It will destroy endangered and protected wildlife and habitats
- The site is a wildlife haven for birds, fox, deer, owls, bats, rabbits and wildflowers
- The submitted protected species survey has not been carried out at the correct time of year and has not covered night time hours such as owls, badgers, hedgehogs
- There are birds on the red list – Birds of Conservation Concern (grey wagtail, song thrush) and birds on the amber list (oystercatcher, bullfinch, swift, willow warbler, dunnoek, chiffchaff, bluetit, wren, sand martin, mallard, carrion crow, jackdaw, woodpigeon, blackbird, blackcap, green tit, tree creeper)
- Loss of trees, including Manchester Poplars which are very rare and are an important part of the historical character of the local landscape and provide a thriving biodiversity
- Will cause added congestion on roads, affecting residents and businesses
- Already a huge traffic overflow in the area that causes traffic problems
- Will lead to further road accidents involving traffic/pedestrians or cyclists in and around the campus
- There is a lack of car parking which leads to staff and visitors parking in the surrounding areas and on single and double yellow lines

- Emergency vehicles have struggled to pass through these parked up streets. An increase in traffic will create more parking chaos
- The Travel Plan used to support the application is out of date and require revision as it does not factor the large predicted number of students or give a true reflection on student and staff modes of transport
- Impact of noise from college buildings closer to houses
- It is within a coal mining high risk area with potential unrecorded shallow mine workings that cause ground collapse and mine gas emissions which, without further evidence, make the site unsuitable for development
- There is a possibility of early tramways or jinny tracks on the site which area heritage assets and require further investigation
- There is a culvert inside the application site with a 600mm diameter culvert which flows to the west
- Concern over the increase in people in the area and an increase in crime
- Consider that there are other deprived areas of Burnley that would benefit from this investment
- Suggest that the land on the other side of the college under the archway has been left derelict for many years and would be better suited to build on.

Councillor Andy Fewings:

Objects to the proposal. His comments state that no screening opinion has been carried out in respect of Environmental Impact Assessment; the Clifton Street/Stoneyholme Recreation Ground is protected open space (refers to Appendix 7 of Burnley`s Local Plan); the submitted Planning Statement has not assessed the loss of open space, including a playing field as required by the NPPF and Local Plan; the Burnley Green Spaces Strategy 2015-2025 identifies Stoneyholme as an area with a significant shortfall in green space and amenity space and states that Stoneyholme should be prioritised for improvements to the open space in that area; the ownership certificate was not correctly served [NB this has been served]; and the heritage assessment has not been undertaken correctly in respect of the setting of the listed viaduct.

Councillor Martyn Hurt:

Objects to the proposal. His comments state that the proposals would have a long lasting and detrimental effect on local communities, on protected open space, wildlife and the environment; the replacement provision needs to be in place before planning permission can be granted; the Prairie is not a suitable replacement; would not protect and enhance green infrastructure as required by Policy SP6, would not protect Green belt [NB the land is not designated Green belt]; it contravenes the NPPF which requires an assessment to show the open space is surplus or would be replaced by equivalent or better provision in a suitable location; and that the land is not surplus to requirements (there is not sufficient existing provision) and there are no plans for a suitable replacement in a suitable location. Following the submission of amended plans, Councillor Hurt has made further comments to state that his original objections still stand and also adds that the proposals affect the Asset of Community Value that forms part of the Clifton Street/Stoneyholme Recreation Ground.

Councillor Sobia Malik:

Concern is expressed, stating that this is an area of green space beloved by the local residents of the Rectory Road and Clifton Street area.

Comments in Support:

39 representations have been received in support of the application from residents of Burnley and a wider area. A summary of the comments is provided below:-

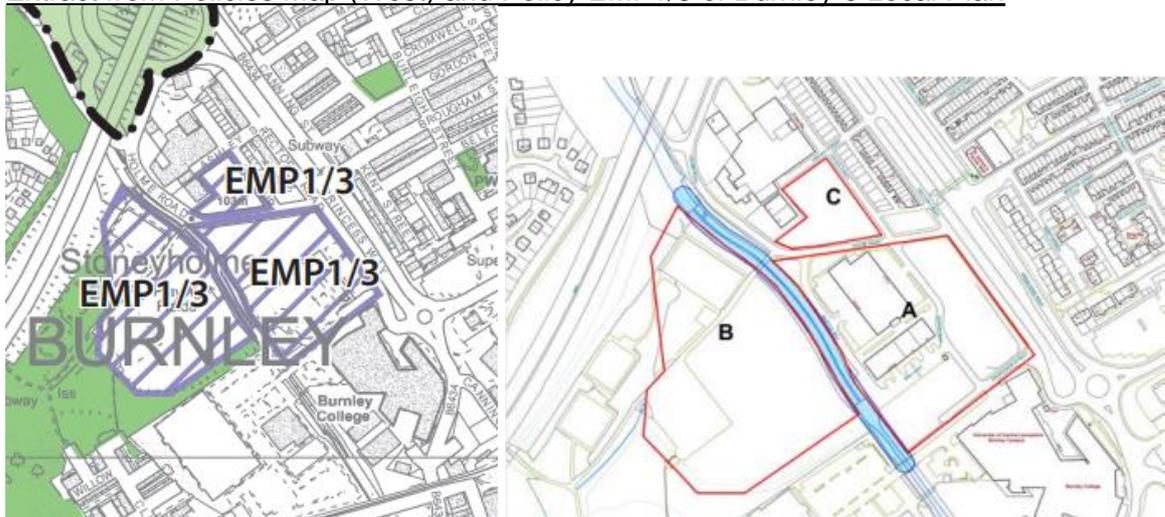
- New campus would allow more of the population to access training and increase high quality education in the town
- It will provide much needed teaching space
- The facility will help to train engineers of the future and help to re-build the skilled workforce, to diversify and allow Burnley to grow and thrive
- An opportunity for more jobs and will attract more businesses and students to the town
- Good addition to the opportunities for the community and young people
- Development includes plenty of green space and would improve the area and encourage wildlife.

Planning and Environmental Considerations:

Principle of proposal

The site falls within the Development Boundary as identified in Burnley`s Local Plan where Policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale. In Burnley, identified as the principal town, employment development will include large scale, medium and a variety of smaller sites to deliver a comprehensive range of units for new and existing businesses and employment opportunities for new and existing residents. Policy SP3 states that the employment land requirement for the period of Burnley`s Local Plan (2012-2032) is 66ha, of which 27.87ha is to be met by site allocations. Policy EMP1/3 identifies a site referred to as Vision Park that totals 5.05ha (sites A, B and C indicated below) which form an important element of the employment allocations that will deliver the Council`s employment land requirement.

Extract from Policies Map (West) and Policy EMP1/3 of Burnley`s Local Plan



Policy EMP1/3 relates to greenfield land with separate parcels of land divided by the River Calder. Whilst land to the east of the river at Site A has been developed for employment uses (Vision Park, completed 2018), the current application site relates to the part B of the allocation on the west side of the river. Policy EMP1/3

states that Sites B and C are suitable for B1 (b and c) (Research and Development and Light Industrial use) and B2 uses (General Industry) and limited B1a (general office use). It also states that Site B which relates to the current application site is also suitable for D1 uses (Non-residential institutions). The proposal which is to create a `North Campus` as an expansion of the existing college site is a Class D1 use (now falling within Class F.1 following amendments to the Use Classes Order in 2020) which would, in principle, comply with Policy EMP1/3. In respect of the proposed Industry Hub building that is part of the Full application, the concept of the building which includes a large double height workshop is to involve innovative industries in learning which would further support the delivery of the objectives of the employment land allocation.

Policy EMP1/3 sets out `Additional and Site Specific Policy Requirements and Design Principles`. These matters which include replacement provision for Stoneyholme Recreation Ground, an easement for the river Calder, suitable access, on-site walking and cycling facilities, the retention of a public right of way, consideration to trees and ecology, appropriate flood risk assessment and drainage and archaeological evaluation, should be considered amongst other considerations in detail.

Loss of open space

The proposal would lead to the loss of a grassed and hard surfaced recreation ground which is used informally by the public and nearby residents. Objections from local residents to this loss are reported above. The site is not designated as protected open space in Burnley`s Local Plan although forms part of Burnley`s Green Infrastructure which Policy SP6 seeks to protect and enhance. Proposals should seek to retain and enhance green infrastructure (GI) assets and functionality through the design process and where loss of or negative impact on GI functionality is unavoidable, details of mitigation measures or replacement GI will be necessary. In this case, the Site Specific requirements at Policy EMP1/3 also partly deal with this issue, making reference to the playing pitch, stating that "Replacement provision for the loss of the existing playing pitch at Stoneyholme will need to be identified before any planning permission in respect of Site B is granted and will need to be delivered before work begins on site". It also identifies a potential site for the re-provision at Prairie Sports Village.

The National Planning Policy Framework (NPPF, paragraph 99) states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The grassed pitch amongst the open space at the application site has not been in formal use since 2012 (and no agreements with any clubs or teams for its use or hiring out by the Council) and is not maintained except for grass cutting. The Council`s Playing Pitch Strategy refers to the pitch as "One poor quality adult football pitch currently unused". Suitable replacement provision would therefore

be appropriate and satisfy the above stated requirements of the NPPF. Sport England is a statutory consultee in these circumstances and made an initial objection where the re-provision had been directed to the Prairie Sports Village as this provision had already been made. Subsequently, a report on options for suitable replacement was commissioned by the applicant and carried out by agronomic experts (Sports Turf Research Institute). This identified options for constructing a new pitch at Towneley Park or improving five existing junior pitches at Queens Park. In respect of the former, there is no evidence of demand where there are already a number of unused pitches. However, in respect of the latter, the five junior pitches at Queens Park are in poor condition and heavily used. Improvements would improve the levels of the pitches and install primary and secondary drainage which would improve the playing capacity of these pitches. The improvement of existing pitches is the favoured option of the Council's Head of Greenspaces and Amenities. Sport England also accept that the improvement of the existing pitches would be adequate mitigation for the loss of the grass pitch at the application site.

The public objections that have been received relate to the loss of the sports pitch but also to the area of green public open space as a whole. The area is an attractive and relatively quiet area of open space, surrounded by trees and close to houses around Clifton Street and Holme Road. Some of the objections refer to the long history of the site as an area for recreation, dating back to the 1800`s. The development of this land is therefore likely to have some adverse impact on the amenities of local residents that are familiar with the open space. The applicant has also sought to address this in changes that have been made to the scheme. The amended proposals include the following:-

- The retention and improvement of the existing informal grass pitch on the north side of the site. It will be improved with additional topsoil depth and re-seeded and provided with ball stop netting to the riverside. This will provide a 7v7 pitch;
- A new floodlit and fenced multi-use games area with a tarmac surface to standard MUGA dimensions 38m x 18m; and
- An outdoor gym.



These improved and new facilities would be for community use and would remain in the ownership and management of the Council. These facilities would be

accessed from the existing paths indicated on the proposed Masterplan (with the existing public right of way FP No.11 improved and re-aligned where necessary). These improvements would offer suitable mitigation for the loss of amenity from the development of the main area of open space. Notably, the remainder of the open space to the west side of the application site would be retained as such and has been identified as a community asset by the Council in November 2021.

The proposed Masterplan also includes a pitch facility for use by the college, together with large areas of new tree planting and landscaping and open water which together with the open space to the north side of the site will continue to contribute to Burnley's Green Infrastructure.

Subject therefore to a legal agreement to secure the improvement of existing playing pitches at Queens Park, including the timing of the works and conditions to require the details and implementation of the proposed 7v7 pitch, MUGA and outdoor gym, the loss of the existing pitch and recreation ground would not significantly affect the supply or quality of open space provision or Green Infrastructure and would comply with Policies EMP1/3 and SP6 and the provisions of the NPPF.

Visual impact and design

Policy SP5 states, amongst other things, that the Council will seek high standards of design, construction and sustainability in all types of development.

The proposed Masterplan displays a sensitive scheme that is pedestrian focussed in a landscaped setting, with a path along the riverside and paths from the existing campus along attractive routes to the proposed Industry hub building, seen as a vista on the approach. The scale, contemporary design and use of modern materials, including glass and PPC (Polyester Powder Coating) aluminium, would be suitable at this location and form an attractive and appropriate extension to the existing college campus.

The scale and appearance of the proposed buildings on the east side of the site closest to the river Calder are not being considered in detail at this stage as they form part of the outline part of this hybrid planning application. It is however appropriate to consider the amount of the development that is proposed which would have a consequence on the scale of development. The original Design and Access Statement indicated that the proposed buildings (3no.) in the outline part of the site would be 4-5 storeys and up to 8000sqm in total. Following revisions to the scheme which re-locate the proposed car park and consequently reduce the number of indicative new buildings from 3no. to 2no., the applicant affirms that this would create a gross floor area up to 5,300sqm with building(s) of 3-4 storey.

Proposed section from West (Clifton Street) to East (existing Vision Park)



The section above, although indicative at this stage, shows how the scale of proposed buildings for the outline application at 3-4 storeys would sit in the context

of the proposed Industry hub building and existing surrounding buildings. Notably, the ground levels on the proposed site are approximately 3m lower than the existing. The site is therefore low lying in a valley setting and given the space between and around the proposed buildings, a scale of up to 3-4 storeys may be achieved with suitable design. As such, the amount of development up to 5,300sqm for the outline part of the application is acceptable and conditions are recommended to restrict development to up to this amount.

Policy SP5 requires new non-residential buildings over 1000sqm to be designed to achieve a BREEAM rating of `Very Good`. Further details of how this would be achieved for the Outline part of the proposals will need to be provided with the details of the design as part of a Reserved Matters application. In respect of the proposed Industry hub building, a Low and Zero Carbon Technology Analysis has been submitted that concludes that the building would be suitable for a photovoltaic (PV) array or heating via an Air Source Heat Pump providing a 18.9% and 31.3% improvement on the baseline model respectively. A detailed set of proposals and assessment to achieve the BREEAM efficiency targets is also necessary and a condition is recommended to secure this and its implementation.

Subject to conditions to require details of external materials, surfacing materials, landscaping and to secure the BREEAM or equivalent rating of Very Good, the proposal would provide a high quality and sensitive designed scheme with a high level of energy efficiency that would comply with Policy SP5.

Impact on heritage assets

Policy HE2 states that proposals affecting designated heritage assets or their settings will be assessed having regard to significance of the asset and states that all levels of harm should be avoided. Policy HE4 seeks to protect archaeological assets. There are views between the site and the prominent Grade II listed British Railways Viaduct to the south side of the existing college campus. It is necessary therefore to assess whether the setting of the Viaduct would be affected by the proposed development.

A Heritage Statement has been submitted with the application to assess the impact of the development on the significance of the Grade II listed viaduct. It concludes that the site does not form part of the setting of the historic asset due to its distance from it, the topography and intervening land uses. It is accepted that these factors have a correlation with the level of impact on the setting of the viaduct. Given the distance from the viaduct, the lower level of the site and the relative openness of the proposed site, it is unlikely that there would be an adverse impact on the setting of this heritage asset; as such the proposal complies with Policy HE2.

The Historic Environment Team at Lancashire County Council advise that there may be archaeological remains at part of the site due to the siting of the former Clifton Colliery and potential remains of 19th Century colliery tramways. A condition is recommended to require a programme of archaeological investigation to be agreed and carried out which would ensure that any matters of historic or archaeological interest are suitably recorded. With this provision, the proposal would comply with Policy HE4.

Impact on ecology

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. In addition, Policy SP6 also seeks to protect and enhance the borough's green infrastructure.

There are no nature conservation designations that affect the site; the main areas of biodiversity interest is the river bank and trees that provide habitat for birds and bats. The Consultant's consultant ecologist (GMEU) has assessed the submitted Ecological Survey and Assessment and accepts its findings. The ecology of the river bank should be protected during construction and whilst the trees to be removed have low potential for bat roosting, Reasonable Avoidance Measures must be followed and no tree felling or works to trees should take place during the bird nesting season. An external lighting scheme is required to provide sensitive lighting near to trees and wildlife, invasive non-native species (Indian Balsam) should be controlled and removed from the site and some adjustments are necessary to the landscape scheme to ensure an appropriate seed mix specification and removal of dogwood which is competitive and a dominating shrub. The submitted Ecological Survey and Assessment recommends the use of 5x bat and 5x bird boxes which together with the landscape scheme would provide a net gain of biodiversity to the site. A Landscape and Environmental Management Plan (LEMP) is also required to ensure the future long term management of the open space, riverside footpath and site as a whole. With these provisions, the proposal would protect and enhance biodiversity and comply with Policy NE1.

Impact on trees

Policy NE4 requires development proposals to provide for the protection and integration of non-protected existing trees and hedgerows for their wildlife, landscape and/or amenity value. An Arboricultural Impact Assessment has been submitted with this application that identifies trees on the site which are mainly around the site's perimeter, along the river bank and between the site and the existing college campus.

From a total of 75no. individual trees on or adjacent to the site, the proposal involves the removal of 14no. Category B trees, 9no. Category C trees and 2no. Category C groups. The losses would facilitate a vehicular and separate pedestrian paths at the southern boundary of the site in order to link the sites. The applicant affirms that the road and path connections have been carefully located in order to retain some of the best tree specimens on this section of the boundary. Some changes have been made to the landscape scheme to retain two Category A2 trees (Manchester Poplars) and some Category B and C trees that were first indicated to be removed. These more limited removals are essential for the development of the site. In these circumstances, compensatory planting would be appropriate.

The proposed scheme involves extensive new tree planting across the site. In addition, a new area of woodland has been incorporated into the south west portion of the site that would cover approximately 540m² of land with around 240 trees. This would provide a valuable new area of woodland that should be planted with native species in order that it can also contribute towards biodiversity.

Subject to conditions to require an Arboricultural Method Statement, tree protection measures and a detailed woodland planting scheme (as part of a landscape scheme for the site), the identified loss of trees would be adequately mitigated and the proposed scheme would protect and secure the long term tree cover on the site. The proposal therefore complies with Policy NE4.

Impact on traffic and parking

Policy IC1 states that development schemes should, as appropriate to their nature and scale, be located in areas well served by walking, cycling and public transport, should maximise opportunities for the use of sustainable models of travel, and provide for safe pedestrian, cycle and vehicular access to, from and within the development, including adequate visibility splays. Policy IC3 requires car parking to be provided, having regard to the standards at Appendix 9.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

A Transport Statement (TS) has been submitted with this application to assess the impact of traffic from the development. A Travel Plan has also been supplied. The site is in a sustainable location close to the town centre and public transport (rail and bus services).

Traffic to the site would utilise the existing access to Burnley College from Princess Way. The proposed Industry hub building is expected to have up to 15 staff whereas the proposed buildings in respect of the outline application is up to 60 staff. In Phase 1 of the development (the Industry hub), the proposed parking consists of the existing 455 spaces on the site whilst Phase 2 of the scheme (the outline element) includes the provision of a new 82 space car park that would include 2 electric vehicle charging points. The car parking spaces would be for staff and visitors whilst pupils would arrive on foot, by cycle, bus or be dropped off. The amount of traffic to the site and demand for car parking would therefore be controlled and managed by the college. The local highway authority accept that the additional traffic that would be generated would not significantly affect the road network and is acceptable. An updated Travel Plan is required to ensure that measures are in place to optimise sustainable travel to and from the site. The local highway authority has requested a contribution for the monitoring and assistance with a Travel Plan which the applicant is agreeable to.

Subject to conditions to require a revised Travel Plan, to secure car parking, cycle facilities and a Construction Management Plan, the proposal would have an acceptable impact on traffic, parking and highway safety and would comply with Policies IC1 and IC3.

Impact on residential amenities

Policy SP5 requires development to safeguard the residential amenities of existing development as well as provide satisfactory amenity for new occupiers. The proposed development sits within a valley at a distance from the nearest dwellings at Clifton Street to the west of the site and is unlikely to adversely affect background noise levels or amenities. Existing residential amenities would therefore not be harmed.

Ground conditions

Policy NE5 requires development proposals to demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimise risks. The Council's Contaminated Land Officer recommends a condition to require a full contaminated land investigation. In addition, due to mining legacies and the potential for shallow mine workings to be present, a condition is recommended by the Coal Authority to require intrusive site investigations and any necessary remedial measures. With these provisions, the proposal would comply with Policy NE5.

Flood risk and drainage

Policy CC4 states that the Council will seek 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.

A Flood Risk Assessment (FRA) has been submitted with the application that identifies part of the site adjacent to the river Calder within Flood Zone 2 (moderate risk) and the majority of the site within Flood Zone 1 (low to moderate risk). The proposed scheme includes a large open body of water which would facilitate a sustainable approach to drainage. United Utilities and the LLFA accept the principal findings and assessment of the FRA and recommend conditions to require a detailed drainage scheme and details to ensure its appropriate management/maintenance and measures to prevent pollution of the adjacent river. Subject to these conditions, the proposed development would not lead to a significant risk to flooding on site or elsewhere and would comply with Policy CC4.

Conclusion

The proposed development would be beneficial in developing a site allocated for employment development for the benefit of expanding Burnley College and creating new learning opportunities in the town. The design of the scheme is focussed on pedestrian experience in a heavily landscaped setting and accords with the principles of the Council's policies in promoting good design and sustainability. The loss of a grass pitch and amenity space would be adequately mitigated by improvements to provide a multi-use games area, outdoor gym and improved 7v7 grass pitch and provision of off-site improvements to increase the playing capacity of junior football pitches at Queens Park. Conditions and a legal agreement are necessary to secure some of the mitigation measures that are necessary. It has been demonstrated that the proposal complies with the development plan and there are no material considerations that would outweigh this finding.

Recommendation: Delegate to the Head of Housing and Development Control to approve subject to the applicant entering into a section 106 Agreement relating to secure Playing Pitch Mitigation works and a Travel Plan contribution

Conditions

1. Time limit conditions for Full and Outline parts of the proposal.

2. Materials.
3. Surfacing Materials.
4. Revised landscaping scheme
5. Revised Travel Plan.
6. Construction Management Plan.
7. Wheel washing facilities
8. Electric vehicle charging points
9. Restriction to Class F.1 use
10. Cycle facilities
11. BREEAM or BREEAM equivalent assessment, details and implementation
12. Details of community use gym, MUGA and 7v7 grass pitch implementation and public use in perpetuity
13. Detailed drainage scheme
14. Management/maintenance of drainage scheme
15. Verification report of completed drainage scheme
16. Pollution control measures (River Calder)
17. Foul water on separate system and detailed scheme
18. Contaminated land investigation and remediation
19. Intrusive site investigations and remediation where applicable (coal mining)
- 20 Archaeological site investigation
21. Protection of retained trees
22. Arboricultural Method Statement
23. External lighting scheme
24. Reasonable Avoidance Measures (bats)
25. No tree felling/works March to August (bird nesting season)
26. Invasive non-species method statement for control
27. Installation of bat and bird nesting boxes
28. LEMP
29. Outline development up to 5,300sm (gross) only
30. Outline development up to no more than 3-4 storeys.

Janet Filbin
5th January 2022

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

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

13th January 2022

Housing and Development

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List of Delegated Decisions

Application Number	Applicant	Location	Proposal	Decision	Decision Date
CND/2020/0528	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Condition 36 (Protection of Water Infrastructure Scheme) of planning permission APP/2019/0155.	Conditions part discharged	6th December 2021
CND/2020/0570	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Conditions 4 (Surfacing Details), 6 (Biodiversity Mitigation Plan) ,7 (Landscaping & Open Space Management Plan), 18 (WSI - Archaeological Evaluation report), 20 (Sustainable Drainage Management and Maintenance Plan) and 32 (Play Area Details) pursuant to planning permission APP/2019/0155	Conditions part discharged	6th December 2021
CND/2020/0571	Mr Kiran Patel	Land To The West Of Red Lees Road Cliviger Burnley BB10 4RD	Discharge of Conditions 21 (Foul water drainage scheme) and 23 (Street lighting plan) of planning permission APP/2019/0155	Conditions part discharged	6th December 2021
HOU/2021/0355	Ms Paula Markham	22 Northwood Close Burnley Lancashire BB12 0JR	Proposed first floor side extension above existing garage.	Approve with Conditions	9th December 2021

Application Number	Applicant	Location	Proposal	Decision	Decision Date
FUL/2021/0444	Mr Bowling	Ivan Bowling Enterprises Limited Castle Clough Mill Castle Clough Hapton BB12 7LN	Erection of four industrial units for B8 Storage use.	Approve with Conditions	15th December 2021
ESR/2021/0535	C/o Agent	Land South Of Lane Bottom Sparrable Row Briercliffe BB10 3QW	Proposed 20MW solar generation field with associated infrastructure and perimeter fence	Not EIA development	16th December 2021
FUL/2021/0581	MR M CRABTREE	Ams Neve Ltd Billington Road Burnley Lancashire	Proposed extension to infill open courtyard space (296sqm)	Approve with Conditions	26th November 2021
TPO/2021/0579	Mr Chris Bleazard	2 Lowerhouse Fold Burnley Lancashire BB12 6LS	Application to prune one Sycamore tree (T1) protected by the Burnley (Lowerhouse Fold, Lowerhouse Lane) TPO 2000	Approve with Conditions	24th December 2021
HOU/2021/0516	Ms Farzana Jabeen	52 Highfield Avenue Burnley Lancashire BB10 2PS	Extension to front and rear of dwelling and erection of porch	Approve with Conditions	17th December 2021
PTEL/2021/0582	CK Hutchison Networks (UK) Ltd	Old Hall Street Burnley BB10 1DA	Proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.	Prior Approval Granted	9th December 2021

Application Number	Applicant	Location	Proposal	Decision	Decision Date
HOU/2021/0593	MR UMAR	41 Minehead Avenue Burnley Lancashire BB10 2NP	Demolition of existing garage and erection of a single storey rear and side extension. RE-SUBMISSION OF APPLICATION HOU/2021/0318.	Approve with Conditions	23rd December 2021
HOU/2021/0590	Mr David Bottomley	7 Oslo Road Burnley Lancashire BB11 5DZ	Construction of a ramp to the front, side and rear of the property to provide level access	Approve with Conditions	2nd December 2021
HOU/2021/0615	Mr Kenneth Wright	99 Ightenhill Park Lane Burnley Lancashire BB12 0LP	Proposed 2 storey and single storey extensions	Approve with Conditions	10th December 2021
HOU/2021/0609	Hargreaves	69 Aspen Drive Burnley Lancashire BB10 3FB	Proposed two storey side extension	Approve with Conditions	2nd December 2021
VAR/2021/0613	Mr steven thomas	Rockwater Foxstones Lane Burnley Lancashire BB10 4RS	Variation of Conditions 2 (approved plans) of planning permission APP/2014/0434	Approve with Conditions	2nd December 2021
HOU/2021/0512	Mr Lee Riding	9 Norham Close Burnley Lancashire BB12 0TG	Resubmission HOU/2020/0129 - Proposed construction over existing garage, two storey side extension	Approve with Conditions	2nd December 2021

Application Number	Applicant	Location	Proposal	Decision	Decision Date
HOU/2021/0524	Mrs Zubaida Fazal	11 Mansergh Street Burnley Lancashire BB10 1TR	Proposed single storey extensions to the side and rear	Refuse	14th December 2021
FUL/2021/0634	Mr Mohammed Mudassar Najib	193 Casterton Avenue Burnley Lancashire BB10 2PF	Part removal of grassed verge and creation of a lower kerb to provide vehicular access onto front driveway, retaining existing 2no trees on the grass verge.	Approve with Conditions	2nd December 2021
FUL/2021/0612	Westalls	Boulsworth End Farm Halifax Road Briercliffe Burnley BB10 3RS	Change of use of land from agriculture to a mixed use of agriculture and the siting of three holiday shepherd huts	Application Withdrawn	10th December 2021
ADV/2021/0653	Ajmal Khan	North West Plumbing And Electrical Centre Systems House Accrington Road Burnley BB11 5AA	The erection and display of a freestanding 48-sheet sized digital LED advertising unit	Refuse	17th December 2021
FUL/2021/0621		244 Sycamore Avenue Burnley Lancashire BB12 6BB	Proposed drive to front area	Approve with Conditions	9th December 2021
HOU/2021/0654	Mr Tom Boyle	70 Minehead Avenue Burnley Lancashire BB10 2NP	Proposed single storey extension	Approve with Conditions	17th December 2021

Application Number	Applicant	Location	Proposal	Decision	Decision Date
FUL/2021/0660	Mrs Keira Crossley	Central Methodist Church Hargreaves Street Burnley Lancashire BB11 1DU	Siting of Mobile Vintage Catering Unit on the Frontage of Central Methodist Church, Hargreaves Street	Approve with Conditions	20th December 2021
HOU/2021/0657	Mr And Mrs M Dempsey	82 Richmond Avenue Cliviger Lancashire BB10 4JL	Proposed single storey rear extension, rear dormer extension and external alterations	Approve with Conditions	9th December 2021
PAH/2021/0604	Mr Daniel Rushton	44 Simpson Street Hapton Lancashire BB12 7LJ	Single storey extension to rear to extend 4.00m externally beyond the rear wall, height of the extension to eaves is 2.50m and maximum overall height 2.85m	Prior Approval Granted	1st December 2021
COU/2021/0665	Priory Group	Former Hillside Farm Billington Road Hapton Lancashire BB11 5PE	Change of use to residential care home for five adults (C2), including conversion and extension of existing garage.	Approve with Conditions	20th December 2021
PAH/2021/0695	Mrs J Latham	21 Dovedale Drive Burnley Ightenhill Lancashire BB12 8XD	To extend 5.00m externally beyond the rear wall, height of the extension to eaves 3.00m and maximum overall height 4.00m	Prior Approval not required accept	24th December 2021

Application Number	Applicant	Location	Proposal	Decision	Decision Date
PAH/2021/0714	Mr Andy Geohan	7 Glendor Road Worsthorne-with-hurstwood Lancashire BB10 4HL	To extend 4.00m externally beyond the rear wall, height of the extension to eaves 2.45m and maximum overall height 3.75m	Prior Approval not required accept	24th December 2021
PAH/2021/0716	Mr Muhammad Mirza	96 Cleaver Street Burnley Lancashire BB10 3BT	To extend 4.25m externally beyond the rear wall, height of the extension to eaves 2.40m and maximum overall height 3.50m	Prior Approval not required accept	23rd December 2021
VAR/2020/0448	mr McPherson	22A Hammerton Street Burnley Lancashire BB11 1NA	Variation of condition 2 (plans) 13 (cycle storage), 16 (refuse and storage) and 20 (ELVC) of APP/2017/0470	Approve with Conditions	21st December 2021