



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 17th November, 2022 at 6.30 pm

PRESENT

MEMBERS

Councillors S Chaudhary (Chair), A Kelly (Vice-Chair), G Birtwistle, S Cunliffe, A Fewings, S Graham, J Harbour, A Hosker, M Hurt, J Inckle, S Kazmi, L Khan and M Steel

OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Laura Golledge	– Planning Manager
Sajada Khan	– Locum Regulatory Solicitor
Carol Eddleston	– Democracy Officer
Mollie Wiggin	– Legal Assistant

79. Apologies

Apologies for absence were submitted on behalf of Councillors M Payne and Royle.

80. Minutes

The Minutes of the last meeting, held on 13th October 2022, were approved as a correct record and signed by the Chair.

81. Declaration of Interest

There were no declarations of interest in any of the items on the agenda.

82. List of Deposited Plans and Applications

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

David McClymont – COU/2022/0420 – The Rookery, Pasturegate, Burnley.

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

83. COU/2022/0420 - The Rookery, Pasturegate Burnley

Town and Country Planning Act 1990

Change of use from C3 dwelling house to a residential training centre (Use Class C2).

The Rookery, Pasturegate, Burnley.

Decision:

That the application be approved subject to the following conditions.

Conditions and 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. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans

Application forms

Existing Site Layout received 6th July 2022

Proposed Site Layout received 6th July 2022

Location Plan received 6th July 2022

Planning statement received 6th July 2022

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings.

3. Before the access is used for vehicular purposes for the use hereby approved, 45° visibility splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway. 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.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility, in the interests of highway safety.

4. Prior to the first use of the residential training centre (Use Class C2) hereby approved, a scheme for the collection and dispersal of cooking odours shall be submitted to and approved in writing by the local planning authority. The scheme shall include the technical specification and siting of any external ventilation ducting

and/or plant. The kitchen extraction and ventilation system shall be designed to a standard such as the EMAQ guidance on the “Control of Odour and Noise from Commercial Kitchen Exhaust Systems”, or equivalent, for the type of food outlet proposed. The approved scheme shall be implemented in full prior to first use and thereafter maintained in good working order at all times.

Reason: To minimise the risk of adverse impact on surrounding properties in accordance with Policies NE5 and SP5 of the Burnley Local Plan and the provisions of the National Planning Policy Framework.

5. Prior to the first occupation of the use hereby approved a scheme and programme shall be submitted which details the location of the roaster in the rear garden. The scheme and programme shall be strictly adhered to for the duration of the development. Roasting shall be restricted to the rear garden and a maximum of 1 roast per calendar month.

Reason: In the interests of residential amenity to prevent potential nuisance arising from the activities at the premises and to accord with policy SP5 (2g) of Burnley’s Local Plan.

6. Prior to the commencement of the use hereby approved a scheme detailing the measures for dealing with waste materials from the use shall have been submitted to and approved by the Local Planning Authority.

The scheme shall include:

- Proposed measures for the collection and disposal of waste from the cooking and outdoor roasting activities at the site including fats and oils.
- Measures for the disposal of gas canisters.
- Measures for the disposal of any other waste associated with the use.
- Details of the location and type of bins within the site and arrangements for the collection of them

These measures shall be implemented on first commencement of the use and the use shall operate in strict accordance with the approved measures thereafter.

Reason: To ensure waste is appropriately managed in the interests of pollution prevention and residential amenity to accord with policies NE5 (1) and SP5 (2h&i) of Burnley’s Local Plan.

84. LBC/2021/0778 - 18 - 24 Nicholas Street, Burnley

Application for Listed Building Consent

Urgent remedial works to expose and address dry rot outbreaks and associated structural weakening (retrospective application)

18-24 Nicholas Street, Burnley.

DECISION:

That the application be approved subject to the following conditions.

CONDITIONS AND REASONS:

1. The development hereby permitted shall not be carried out other than to the specifications as indicated on the approved drawings and specification of works noted thereon except where modified by the conditions of this consent. The approved drawings are Drawing Nos DRW.1/L1/NS (Dry Rot Stripping Out Work and Holding Treatments); and DRW.2/L2/NS (Dry Rot Stripping Out Work and Holding Treatments) received 23 December 2001.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity; and to preserve the character and special interest of the building in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

2. The works hereby approved are limited to those specifically indicated on the approved drawings referred to above. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

Reason: To ensure that the special architectural or historic interest of the listed building is preserved in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

3. Any reinstatement works and finishes of making good shall match the existing original work adjacent in respect of material uses, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any conditions attached to this consent.

Reason: To ensure that the special architectural or historic interest of the listed building is preserved in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

85. LBC/2022/0532 - The Old Stables Restaurant, Towneley Park, Burnley

Application for Listed Building Consent

Re-roof main double pitched roof

The Old Stables Restaurant, Towneley Park, Burnley, BB11 3RQ

DECISION:

That the application be approved subject to the following conditions.

CONDITIONS AND REASONS:

1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All materials to be used in the approved scheme shall be as stated on the application form and submitted specifications and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance, having regard to the special historic interest and character of the listed building, in accordance with Policy HE2 and SP5 of Burnley's Local Plan (July 2018).

86. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 3rd October 2022 to 3rd November 2022.