

# DEVELOPMENT CONTROL COMMITTEE

Thursday, 12th October, 2023  
6.30 pm





# DEVELOPMENT CONTROL COMMITTEE

## ROOMS 2 & 3, BURNLEY TOWN HALL

Thursday, 12th October, 2023 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.

### A G E N D A

**1. Apologies**

To receive any apologies for absence.

**2. Minutes**

5 - 6

To approve as a correct record the Minutes of the previous meeting, held on 7<sup>th</sup> September 2023.

**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. Declarations of Interest**

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

**5. Exclusion of the Public**

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

<b>6. List of Deposited Plans and Applications</b>	7 - 8
To consider reports on planning applications for development permission:	
a) <b>HOU/2023/0448 - 2 Lindsay Park Worsthorne-with-hurstwood Lancashire</b>	9 - 18
b) <b>REM/2023/0169 - Land At Barden Lane, Burnley</b>	19 - 30
c) <b>TPO B140(L) - Land at Colne Road / Steer Street</b>	31 - 40
<b>7. Decisions taken under the Scheme of Delegation</b>	41 - 50
To receive for information a list of delegated decisions taken since the last meeting.	
<b>8. Appeals and Other Decisions</b>	51 - 56
To receive for information details of any new appeals or appeal decisions received since the last meeting.	

## **MEMBERSHIP OF COMMITTEE**

Councillor Saeed Chaudhary (Chair)	Councillor Alan Hosker
Councillor Christine Sollis (Vice-Chair)	Councillor Martyn Hurt
Councillor Gordon Birtwistle	Councillor Shah Hussain
Councillor Joanne Broughton	Councillor Jacqueline Inckle
Councillor Scott Cunliffe	Councillor Syeda Kazmi
Councillor Sue Graham	Councillor Anne Kelly
Councillor John Harbour	Councillor Paul Reynolds
Councillor Bill Horrocks	Councillor Mike Steel

**PUBLISHED**

Wednesday, 4 October 2023

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## DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 7th September, 2023 at 6.30 pm

### PRESENT

### MEMBERS

Councillors S Chaudhary (Chair), S Cunliffe, S Graham, J Harbour, B Horrocks, A Hosker, J Inckle, A Kelly, P Reynolds and M Steel

### OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Laura Golledge	– Planning Manager
Alison McEwan	– Democracy Officer
Mollie Boothman	– Legal Assistant

### 30. Apologies

Apologies for absence were received from Cllrs Sollis, Birtwistle & Broughton.

### 31. Minutes

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

### 32. List of Deposited Plans and Applications

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

### 33. LBC/2023/0284 - Towneley Hall, Towneley Park, Burnley

Application for Listed Building Consent  
Replacement of decayed timber windows to west elevation of West Wing with new and introduction of maintenance access hatches to West Wing roof and tower roofs  
TOWNELEY HALL TOWNELEY PARK BURNLEY

## Decision

That the application be approved subject to the following conditions.

### Conditions and 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 not be carried out other than to the approved drawings and specification of works noted thereon except where modified by the conditions of this consent. The approved drawings are Drawing Numbers: BTH07/P014 (Third Floor Plan Proposed Repairs at 1:100 Scale); BTH07 P105 (Proposed West Wing Roof Plan at 1:50 Scale); and BTH07-SK004B (Proposed Window Details at 1:20 and 1:5 Scale) received 12 May 2023.

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).

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

Reason: To ensure that the development will be of a satisfactory appearance in accordance with Policies HE2 of Burnley's Local Plan (July 2018).

4. Any works of making good to the retained fabric, shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture, and profile, except where indicated otherwise on the drawings hereby approved

Reason: In order to safeguard the special architectural and historic interest of the listed building and to comply with Policy HE2 of Burnley's Local Plan (July 2018).

## 34. Decisions taken under the Scheme of Delegation

Members received for information a list of recent decisions taken under delegation.

BURNLEY BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON  
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for  
Committee consideration

12<sup>th</sup> October 2023

Housing and Development Control

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# Part One Plan

# Agenda Item 6a

Housing & Development Control  
Town Hall, Manchester Road

Ref.

**HOU/2023/0448**

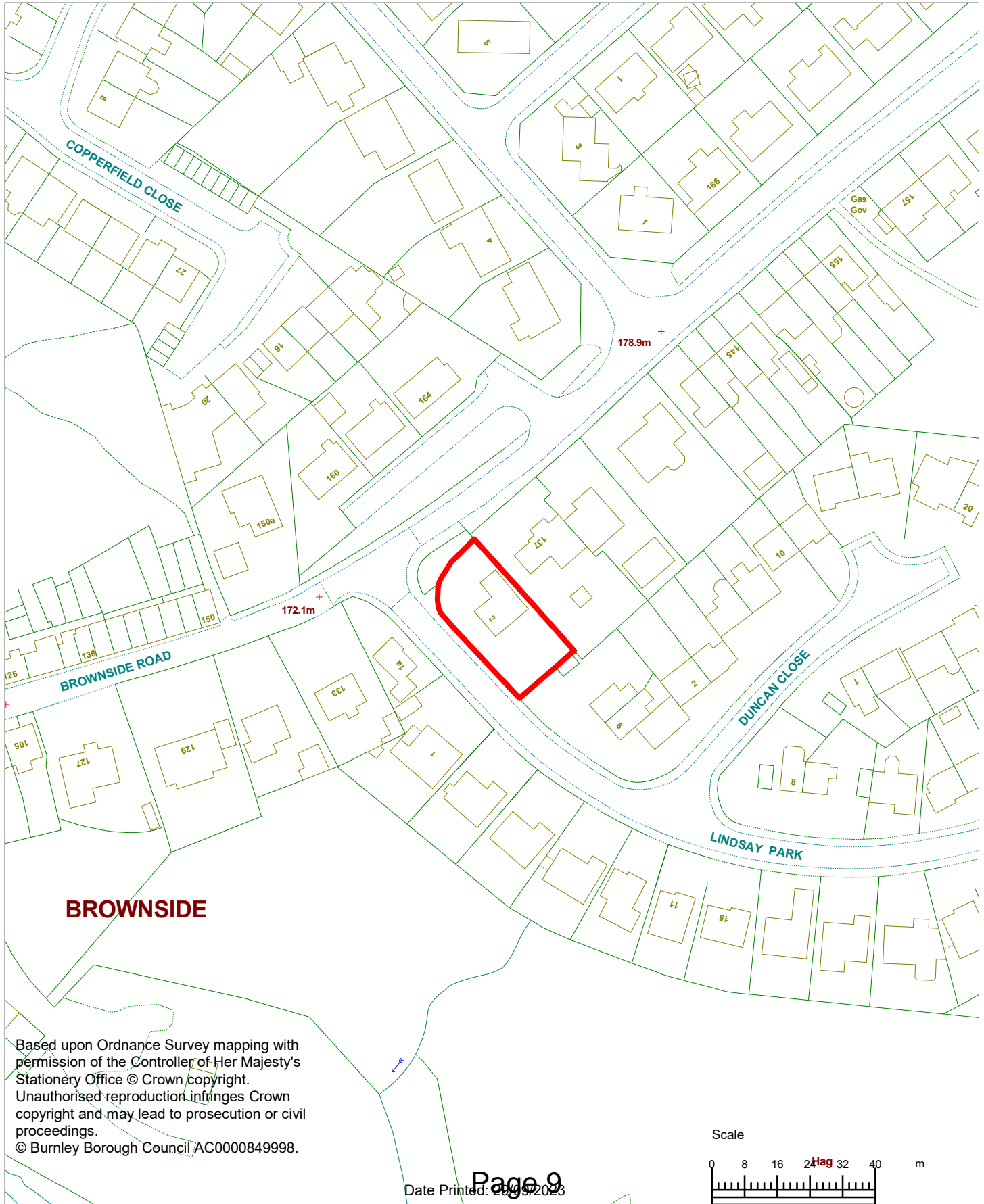
Paul Gatrell Head of Housing and Development Control

Location:



**2 Lindsay Park, Worsthorne-with-Hurstwood**

**1:1250**



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Scale



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Town and Country Planning Act 1990

Retrospective planning permission for single storey extension

2 Lindsay Park, Worsthorne-with-Hurstwood, Burnley BB10 3RR

**1. Background:**

1.1 The property is a large detached two storey house on a corner plot, in an established residential area. The materials used in construction are artificial stone on part of front elevation, artificial stone external chimney stack, the remainder render, and concrete tiles. It is within an area containing a broad range of dwelling styles and building materials.

1.2 The site is within the development boundary as defined by the Adopted Local Plan.

**2. Proposal:**

2.1 This is a retrospective application, to construct a single storey, pitch-roofed extension to the rear elevation, within the rear garden. Facing materials noted on the submitted plan are artificial stone and Marley Modern tiles (to match those of the host dwelling). The extension is to protrude 4.0m from the rear wall, will be 4.720m wide, 2.562m to eaves and 3.353m to ridge. The ridge will be perpendicular to the rear wall.

2.2 It should be noted that an extension of this size in this location in respect to the rear elevation and property boundary would ordinarily be permitted development. However, the chosen facing material is artificial stone and despite part of the front elevation plus the external chimney on the side of the dwelling being faced in artificial stone, it is arguable as to whether the chosen facing material of the extension is 'similar' to that used on the host property, the predominant material being render.

**3. Relevant Policies:**

3.1

Burnley's Local Plan July 2018.

HS5 – House Extensions and Alterations

HS4 – Housing Development

SP4 – Development Strategy

SP5 – Development quality and sustainability

IC3 - Parking

Residential Extensions SPD

National Planning Policy Framework 2021

**4. Site History:**

4.1 APP/2006/0199 – two storey extension approved 23/05/2006. Constructed.

## **5. Consultation Responses:**

5.1 None requested.

## **6. Objections/Comments**

6.1

8 individual letters have been received from 3 separate households.

Concerned about the size and bulk of the finished property.

Inappropriate scale, proportions, materials and detailing.

An extension onto an existing extension.

Close to the boundary of 137 Brownside Road and within a 45 degree line if projected from a habitable room window on the rear of No. 137.

Dimensions approximate.

Would introduce a habitable room window within 15.0m from a blank garage wall.

Extension appears larger than stated dimensions.

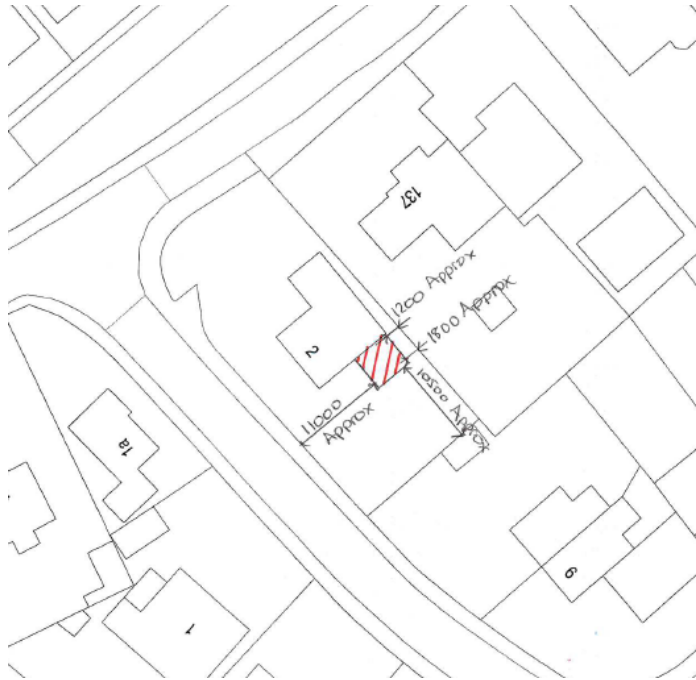
Potential breaches of Building Regulations.

## **7. Article 35 Statement:**

7.1 The Local Planning Authority has acted positively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework by assessing the proposal against relevant planning policies and all material considerations. The nature of the proposal has not necessitated any liaison with the applicant prior to determining to grant planning permission in accordance with the presumption in favour of sustainable development.



**8. Visuals:**



View from Lindsay Park



Front elevation



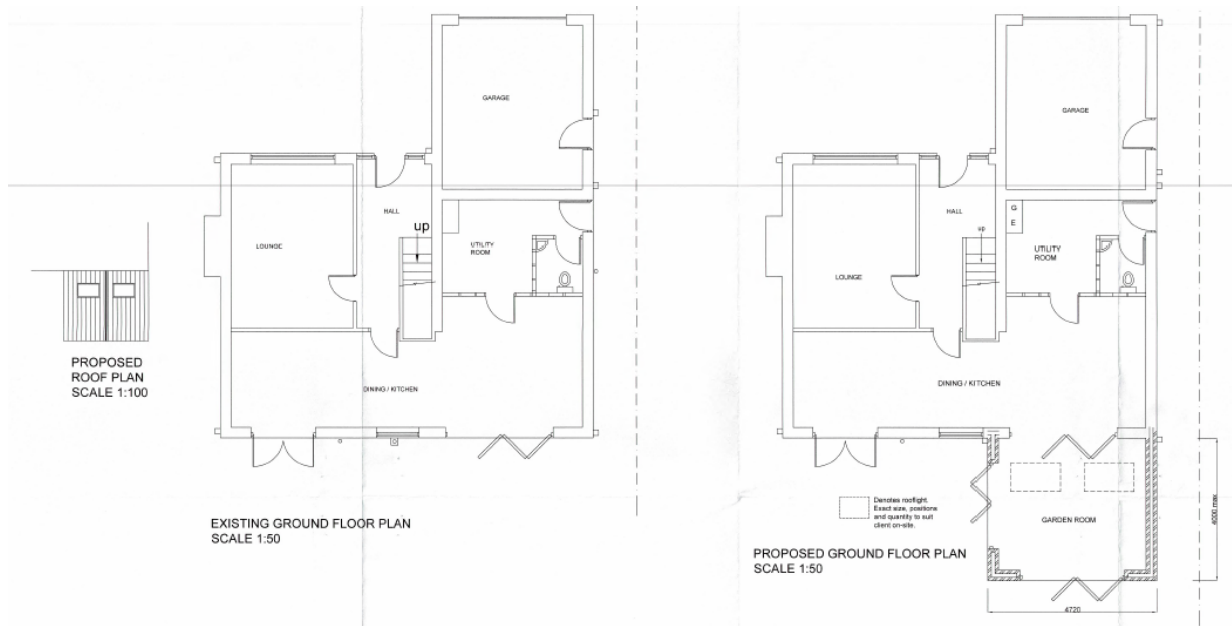


Extension under construction





## Existing and proposed floor plans



## Existing and proposed elevations



## 9. Planning and Environmental Considerations:

9.1 The main issues for consideration in the determination of this application include:

- Principle
- Design and impact upon the area
- Impact upon neighbouring amenity
- Parking

### 10. Principle:

10.1 The property is within the Development Boundary of a Principal Town (i.e. Burnley) as identified within the Adopted Burnley Local Plan. Subject to compliance with other

Local Plan Policies, the principle of alterations to dwellings is acceptable if *'of an appropriate type and scale'* in this area under Policy SP4.

### **11. Design:**

11.1 Policy SP5 requires *'high standards of design, construction and sustainability in all types of development.'* This is reiterated in Policy HS5, which states *'Alterations and extensions, including roof extensions and the erection of buildings and structures within the curtilage of dwellings, should be high quality in their construction and design in accordance with Policy SP5'*

11.2 The proposal is for an extension of regular proportions using artificial stone that whilst in contrast to the render on the rear extension, it does tie in with artificial stone on the front elevation and chimney stack to the side. Given that the facing material of the extension will weather as has existing artificial stone and that the extension is located within an enclosed rear garden so is screened from public view, it is considered that the materials are appropriate. The roof is visible above the garden hedge when viewed from Lindsay Park, albeit not in an intrusive manner and the chosen roofing material (Marley Modern grey tiles) is similar to that used on the host property, so again appropriate.

11.3 HS5 1.a states that the Council will permit extensions and modifications to existing residential properties where *'the extension is subordinate to the existing building, to allow the form of the original building to be clearly understood.* In this instance the combination of the extension approved/constructed in 2006 and the one subject of this planning application will not result in an unduly dominant feature in the street scene. Acceptable in terms of Local Plan policies SP5 and HS5.

11.4 In respect of the Council's Residential Extensions SPD, the extension complies with the requirements of 3.1.

### **12. Neighbouring Amenity:**

With regard to the amenity of neighbours and to the provisions of Policy HS4:

12.1 To rear (south east) – habitable room window will face into own garden and to boundary planting/side elevation of neighbour's garage at approx. 15.0m. No conflict.

12.2 To side (north east) – blank elevation will face retaining wall to neighbour's garden at approx. 1.2 – 1.8m distance. No conflict given the neighbour's garden is at a significantly higher level than the garden of No. 2 Lindsay Park plus the boundary is a wall with fence above, so no impact of detriment. Further more there is no need for a 'no further openings' condition due to height of boundary wall.

12.3 To side (south west) – habitable room window to face into own garden plus boundary hedge, then highway and front elevation of dwelling opposite at approx. 35.0m. No conflict.

### **13. Parking:**

13.1 No impact upon number of bedrooms. No conflict.

## **14. Comments upon points of objection:**

14.1

Size and bulk of house plus materials addressed above.

Fact that an extension attached to an extension not considered an issue.

Proximity to neighbour (137 Brownside Road) and 45 degree rule not considered an issue in terms of overshadowing due to relative heights of gardens, single storey nature of the extension and the distance between the extension and the neighbour.

Use of word 'approx' when describing dimensions to boundaries not considered an issue in this instance as the location of extension itself fixed by the fact that the application is retrospective. Having assessed the proposal it is not considered that the relationship between the extension and the blank garage wall would be unacceptable.

Building Regulations issues such as foundations and cavities referred to Building Control.

## **15. Conclusion:**

15.1 The proposal is considered acceptable in terms of the relevant local plan policies and material considerations. It should also be noted that there is a fallback position in that an extension of similar dimensions could be constructed under permitted development rights if the materials were considered "similar" to the existing house. It is therefore recommended accordingly.

## **16. Recommendation:**

16.1 That planning permission be granted subject to the following conditions:

Conditions:

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the following submitted Drawings:
  - Drawing No. LP2RE.1 – existing and proposed plans/elevations, received 28.07.2023
  - Drawing No. LP2RE.3 – existing site plan, received 28.07.2023
  - Drawing No. LP2RE.4 – proposed site plan, received 28.07.2023
  - Location plan, received 28.07.2023

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure continued compliance with the Development Plan.

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**Application Recommended for Approval**  
Queensgate Ward

**REM/2023/0169**

Town and Country Planning Act 1990

Application for approval of Reserved Matters (appearance, landscaping, layout and scale) for the erection of 73 dwellings pursuant to outline planning permission OUT/2021/0443

Land At Barden Lane Burnley

Applicant: Mr Neil Lewis, Countryside Partnerships

**Background:**

The application seeks approval for the Appearance, Landscaping, Layout and Scale of a residential development of 73 dwellings, following the grant of outline planning permission in December 2022. The outline permission includes approval for the proposed access from Barden Lane. The site was previously occupied by Lodge Mill that was demolished in 2014.

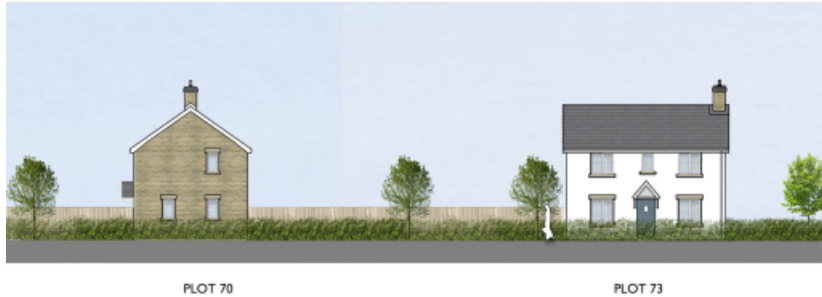
**Proposed Site Plan**



The proposed development consists of 6no. detached houses, 56no. pairs of semi-detached houses, 7 no. terraced houses (in rows of three and four houses) and 4no. flats in a two storey building. This provides a range of 4no. one bedroom units, 29no. two bed units, 34no. three bed units and 6no. four bed units.

Some amendments have been made to the layout and design of the scheme since first submitted. All proposed dwellings are two storey with the exception of 4no. 2.5 storey houses with pitched roof dormers to the front. The proposed houses are designed with mainly gable elevations and some hipped roofs with well proportioned elevations, heads and cills and chimneys to some gable plots along the spine road, particularly those with a gable end to the road.

#### Frontage to north side of spine road



The proposed houses would be constructed in reconstituted stone and some render with dark grey flat concrete tiles to the roof.

#### Frontage to south side of spine road



Plots 20-23 indicated to the right hand side above is dual fronted with hipped roofs to all sides and a central chimney at the end of a row of houses and would accommodate 4no. one bedroom flats.

Seventeen of the proposed dwellings (Sweetpea and Dalia house types) which are 3 and 4 bedroomed, would be constructed to comply with the adaptable home standards in the optional Part M4(2) standard of the Building Regulations 2010. This would exceed the 20% requirement imposed by Condition 6 of the outline permission.

All properties would be served by a conveniently placed electric vehicle charging point.

#### **Relevant Policies:**

##### **Burnley`s Local Plan (July 2018)**

SP1 – Achieving sustainable development

SP2 – Housing requirement 2012-2032

SP4 – Development strategy

SP5 – Development quality and sustainability

SP6 – Green infrastructure

HS1/29 – Housing allocations – Lodge Mill

HS2 – Affordable housing provision

HS3 – Housing density and mix

HS4 – Housing developments

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

### **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 (2023)

National Design Guide (2021)

### **Site History:**

APP/2004/0534 - Change from storage/distribution unit (Class B8) to storage and distribution and retail (Class B8/A1). Refused July 2004.

APP/2005/0862 - Use of first floor as dance & fitness studio (Class D2) opening hours Mon - Fri 9am-10pm, Sat 9am-7pm, Sun 10am-6pm. Approved October 2005.

NOT/2014/0480 - Proposed demolition of former weaving shed. Prior Approval granted February 2015.

OUT/2021/0443 - Outline application for up to 73 no. dwellings and associated works including details of access (all other matters reserved). Approved subject to s106 Agreement December 2022.

### **Consultation Responses:**

#### LCC Highways

No objections - the principle of development and access were approved as part of planning application OUT/2021/0443. One minor point highlighted in respect of the surfacing materials of footpath to the west of the site which can be resolved. A condition is recommended to require details of the maintenance of streets to be submitted and agreed [this is however unnecessary as this is also required by Condition 21 of the outline permission].

#### Greater Manchester Ecology Unit (GMEU)

Comments are made in relation to the submission of details required by conditions on the outline planning permission relating to bats (Condition 10), lighting plan (Condition 16), badger survey (Condition 9), other protected species (Condition 11), nesting birds (Condition 13) and a Landscape and Ecology Management Plan (Condition 14).

These conditions are subject to a separate application process for the discharge of conditions. Comments also recommended some changes to the submitted landscape scheme to ensure the use of appropriate native trees and shrubs. GMEU is satisfied with the changes that have been made.

#### Lead Local Flood Authority (LLFA)

Initially objected to the proposal due to the capacity of the proposed drainage basin. The objection has been withdrawn following a revised drainage strategy that removes the proposed drainage basin and uses below ground storage tanks to attenuate flows. [The details of a surface water drainage scheme are required by conditions of the outline planning permission and do not fall to be approved through this Reserved Matters application].

#### United Utilities

Initially objected on the basis of the development being over United Utility assets/apparatus but withdrawn subject to a condition being imposed to require a scheme to be submitted for the protection of the assets/apparatus. [United Utilities note that there is an intention by the applicant to divert the water main that is affected and should this be the case then the provisions required by the condition will no longer be necessary].

#### Canal and River Trust

Request a full survey of the culvert under the Leeds and Liverpool Canal and a risk and method statement outlining the construction of foundations and landscaping works in proximity to the canal. A wildflower mix is suggested adjacent to the canal and reference made to lighting and issues of contamination. [In respect of the use of the culvert, this would form part of a detailed drainage scheme that is separately required by conditions on the outline permission. Details of lighting and contaminated land reports are also required by the conditions of the outline permission].

#### Network Rail

No objection in principle. The development is adjacent to GJC Bridge 80; the railway underbridge (Barden Lane) has a history of bridge strike which should be considered during the planning of deliveries and plant to site. Precautions, protections measures etc are required for development within 10m of railway land. There are notes and informatives to the developer in respect of their requirements before work is commenced [Condition 36 of the outline permission contains pre-commencement requirements for the submission and approval of a Method Statement and Risk Assessment and other details in respect of protection and safety of the railway].

#### LCC Public Rights of Way

No objections. Welcome the new link and footpath improvements.

#### Environmental Health

No objection in principle to the approval of the Reserved Matters in respect of noise, light, dust or odour nuisance, provided that the mitigation measures relating to window glazing specification and specified acoustic barriers to the site, as advised in the submitted Noise Assessment Addendum (March 2023), are adopted.

#### County Councillor Usman Arif

There are the following problems:

- the bridges on Barden Lane cause a lot of congestion. Only one vehicle can cross at a time. The proposed development will add to this problem;
- Barden Lane is in poor condition. Defects have not been repaired and will worsen as a result of more traffic;
- Traffic calming measures are required for Windermere Avenue and Barden Lane to deal with speeding issues with a number of serious accidents in recent years;
- Occupants will use Prairie Sports Village which has a parking issue;
- School places in the area are scarce; and,
- Impact on local services, people in the area struggle to register with a GP.

### Publicity

Ten letters of objection have been received from occupiers at Lower Manor Lane, Garswood Close, Marina View and Lower Mead Avenue, making the following points:

- Impact of increase in traffic of 140+ cars on congestion and pedestrian and traffic safety at Barden Lane;
- Will worsen situation with road rage/conflicts, horns and disregard for right of way over two narrow bridges (railway and canal bridges) in close proximity with current system being inadequate;
- Better traffic management and traffic lights are required at this junction;
- Impact on air quality and noise;
- Object to the removal of trees and greenery from this location close to the M65 which could affect noise and pollution;
- Scale of development is excessive, a smaller development would be more suitable;
- Impact on wildlife, bats, nesting birds, hedgehogs, butterflies;
- Loss of privacy;
- Bins close to the canal will attract vermin;
- Flooding at the railway bridge during heavy rainfall.

### **Planning and Environmental Considerations:**

#### Principle of proposal

The site is allocated for residential development at Policy HS1/29 of Burnley's Local Plan and outline planning permission (application OUT/2021/0443) that was granted in December 2022, following the completion of a s106 Agreement, has established that the site can be developed for up to 73 dwellings. The outline permission includes approval for the proposed access on Barden Lane. The s106 Agreement makes provision for the improvement of off-site public open space, off-site woodland planting, management of adjacent woodland, creation of footpath link to Heald Bridge, improvement of Public Bridleway to the site's southern boundary and an on-site contribution of 5% of dwellings for Affordable Housing (First Homes).

Conditions on the outline permission set out some of the parameters of development, which include a 6m green buffer along the bank of the Leeds to Liverpool Canal and a minimum 15m green buffer to protect woodland to the south side of the site. The outline permission also requires the Reserved Matters to include 20% provision of adaptable homes under the optional technical standards of the Buildings Regulations; details of energy and water efficiency measures; a scheme for the provision of electric car charging points; the inclusion of native species as part of a landscape scheme; a



detailed external lighting plan, details of refuse/recycling bin storage; and, a further noise assessment. These details have been submitted as part of this Reserved Matters application.

### Design, layout and appearance of scheme

Policy SP5 seeks a high quality design by, amongst other things, respecting existing or locally characteristic street layouts, scale and massing, contributing positively to the public realm, maximising the benefits of a canalside location and respecting its townscape/landscape setting.

### Proposed Canal Frontage



The proposed scheme has been designed with formal front elevations to face the canal corridor, set back by a landscaped buffer and footpath. The frontage is fully two storey with a range of semi-detached and detached house types.

Open space is required by Policy HS4 and is incorporated into the proposed scheme, as required by Policy HS4. The main area of functional Public Open Space is central to the site which will be landscaped for use as informal open space. This provides views from the spine road across the open space to the canal and so adds to the quality of the space and its enjoyment. Other open space is afforded through the retention of woodland and green buffers along the southern boundary and canal bank. Connectivity between the site through adjacent woodland (in the ownership of the Council) would be provided by a woodland path that is secured through the outline permission. A s106 Agreement which forms part of the outline permission also secures a contribution towards improving off-site open space and play facilities (based on £350 per bedroom) and is to be used to improve Barden Gardens on the opposite of the railway line.

### Central area of Public Open Space



The design of the scheme has taken into account the distinctive character of the local area through use of well proportioned elevations, a majority of gable roofs, heads and cills, chimneys to key plots along the main estate road and use of materials with a predominance of reconstituted stone (and render). The number of terrace rows has been reduced and replaced by mainly semi-detached houses which improves access to rear gardens for storing bins and improves the quality of the street scene. The submitted details for the siting of bins away from public views are appropriate.

Positions of electric car charging points to be provided for each dwelling as required by the outline permission are acceptable.

The submitted scheme would provide in excess of the minimum 20% of dwellings to be constructed as adaptable homes under the optional technical standards of Part M4(2) of the Building Regulations 2010.

An Energy Statement has been submitted which sets out a mainly fabric first approach to energy efficiency, stating that all homes will meet the minimum requirement of part L of the Building Regulations (came into force 2023) which will deliver a 31% reduction in the part L requirements of the former Regulations (2013). This is likely to involve the use of PV panels to roofs. Given that there are no details of these, a condition is required to ensure that the details are appropriate and sensitive to the design of the scheme.

The layout of the scheme, with formal fronts to Barden Lane and the canal, street trees, open space and well designed houses, would provide a good quality development and place to live and complies with the expectations of Policies SP5 and HS4.

### 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.

Lodge Canal Bridge on Barden Lane stands to the north western corner of the application site and is a Grade II listed building. The key feature of its setting is the canal. The layout and design of the scheme would maintain a green buffer along the canal and present a formal frontage of houses with the use of reconstituted stone/render which would be sensitive to the canal setting and is unlikely to lead to harm to the setting of the Grade II listed stone bridge.

The proposal would not therefore significantly affect historic assets and complies with Policy HE2.

#### Impact on residential amenities

Policy SP5 requires proposals for development to ensure there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users or result in unacceptable conditions for future occupiers of the development. Policy HS4 requires a minimum of 20m separation between elevations with habitable windows and 15m between a blank gable and an elevation with habitable windows.

The development site is overlooked across the canal by the rear of bungalows on Garswood Close with a separation distance of approximately 35-40m which is sufficient to maintain a satisfactory outlook and privacy for occupants. Apartments on the former site of Barden Mill would be a minimum of 30m separation which would also be sufficient to protect outlook and privacy. This would satisfy Policies SP5 and HS4.

The layout of the proposed plots and elevations has been improved since the application was submitted to increase separation distances through the orientation, and positioning of plots. There are still some instances where the separation distance is less, such as 17m between the Plot 20 and 50/51 but these are located at a corner landmark position where it makes a positive visual impression. Some detached houses (Mountford house type) have a gable elevation to the road but have no overlooking first floor windows and the distances are sufficient to provide satisfactory outlook and privacy. The spacing, orientation and distances between all dwellings would provide satisfactory levels of privacy, outlook and amenity.

An Addendum to the Noise Assessment that was considered with the outline application has been submitted and demonstrates that glazing and fence detail specifications for the plots adjacent to the railway would be sufficient to mitigate against noise from passing trains.

Objections to the proposal refer to increased noise from the traffic that would be generated by the development. The number of dwellings to be built on the site has already been approved as part of the outline permission. Barden Lane is a key traffic route with a considerable amount of passing traffic between Burnley and the A6068 in which case the additional traffic noise is unlikely to be significant.

The proposal would therefore safeguard the existing amenities of neighbours and provide adequate amenity for new occupiers which complies with Policy SP5.

#### Traffic and access

Policy IC1 requires safe access to be provided in new developments and Policy IC3 requires adequate car parking. Neighbour objections have been received relating to



the traffic issues on Barden Lane, caused by a give way traffic management system over the railway and canal bridges. These issues were considered at the time of the outline application (OUT/2021/0443) where the position of the local authority that the development can be accommodated on the existing highway network was accepted. Outline planning permission has been granted for a development of the proposed number of dwellings (73no.), including approval for access from Barden Lane which is not a Reserved Matter and not therefore for consideration.

The proposed internal access road and parking does form part of the layout of the scheme that is for consideration as a reserved matter. The highway authority is satisfied with the layout of the estate roads and driveways and level of car parking.

The proposal therefore satisfies Policies IC1 and IC3.

#### Other issues

Woodland, tree and ecology issues were considered in detail as part of the outline application. The s106 Agreement provides some off-site mitigation measures to compensate for on-site losses towards the southern portion of the site. On-site retention of woodland and trees as required by the outline permission is consistent with this detailed scheme. Conditions on the outline permission protect trees, birds, badgers, bats and to secure appropriate management of habitat and do not need repeating.

The site falls within the Flood Zone 1 which is the lowest risk to flooding. Conditions on the outline permission require details of drainage to be approved by the Council before development is commenced.

Affordable Housing at 5% of the scheme is secured through the s106 Agreement that forms part of the outline permission. The applicant has indicated that the amount of affordable housing will be increased but this would not be a planning requirement.

#### Conclusion

The proposed development provides a high quality scheme that is consistent with the approved outline planning permission and should therefore be approved.

### **Recommendation: Approve Reserved Matters**

#### **Conditions**

1. 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.

2. No development shall be commenced, including any earthworks, until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey that identifies the exact location of the water main, the potential impacts on the water main from construction activities (including any construction compound), the impacts post completion of the development on

the water main infrastructure that crosses the site and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

In the event that the survey of the water main identifies the buildings/plots as within a 3m standoff either side of the main (6m in total), the developer shall submit evidence to the Local Planning Authority that a diversion has been agreed in writing with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development.

Reason: In the interest of public health and to ensure protection of the public water supply, in accordance with Policies NE5 and CC4 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to avoid any potential risk to water infrastructure on the site.

3. Prior to the installation of any PV panels or equipment at any part of the development, details of the PV panels and their siting shall first be submitted to and approved in writing by the Local Planning Authority. The PV panels shall thereafter only be installed as approved.

Reason: To ensure that the details and appearance of the PV panels is satisfactory, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

Janet Filbin  
3rd October 2023

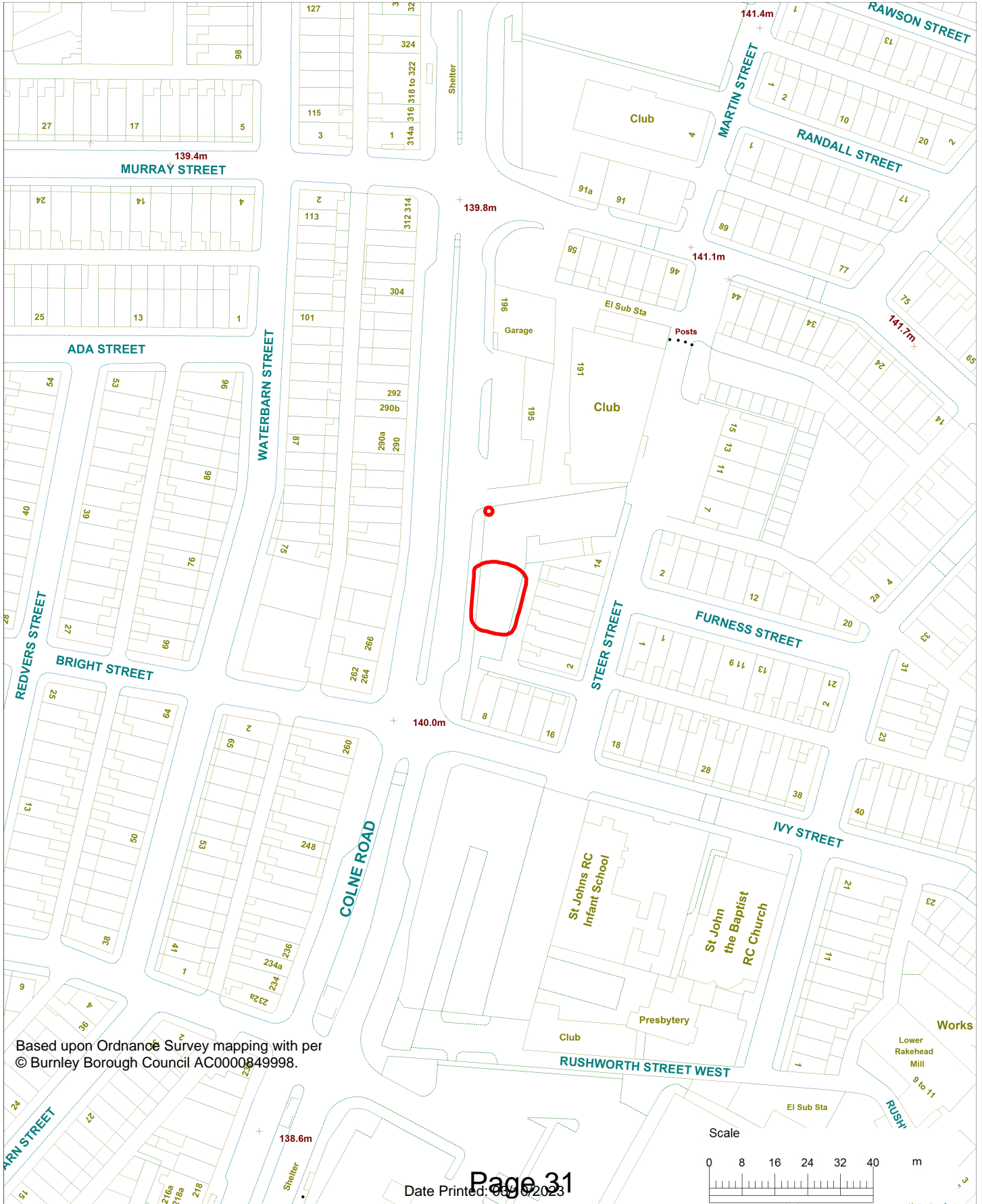


Housing & Development Control  
Town Hall, Manchester Road

Paul Gatrell Head of Housing and Development Control

## Location: Tree Preservation Order B140 (L) Colne Road & Steer Street - Location Plan

1:1250



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## REPORT TO DEVELOPMENT CONTROL COMMITTEE



<b>DATE</b>	<b>12<sup>th</sup> October 2023</b>
<b>PORTFOLIO</b>	<b>Environment</b>
<b>REPORT AUTHOR</b>	<b>Lesley Blakey</b>
<b>TEL NO</b>	<b>01282 475817</b>
<b>EMAIL</b>	<b>lblakey@burnley.gov.uk</b>

## CONFIRMATION OF TREE PRESERVATION ORDER

## PURPOSE

- 1 To seek authority to confirm a Provisional Tree Preservation Order.

## SUMMARY OF KEY POINTS

- 2 The Council were informed that land at Colne Road/Steer Street, which was owned by Lancashire County Council, was up for sale by auction; the auction was to take place on the 18<sup>th</sup>/19<sup>th</sup> July 2023. As the trees on the site are prominent in the streetscene and make a valuable contribution to the visual amenity of the area it was considered that a provisional Tree Preservation Order should be placed on the trees to ensure their retention. A Provisional Tree Preservation Order was served in relation to one individual Maple tree and a group of four trees consisting of one Maple, two Lime and one Poplar on the 11<sup>th</sup> July 2023. The Council has six months to confirm the Order or let the Order lapse.
- 3 Following the making of the TPO one of the Maple trees within G1 was felled and the Poplar tree within G1 was pruned by a tree contractor who was carrying out the work on behalf of Lancashire County Council. The tree contractor that was working on site said that an officer from LCC had met him on site that morning with regard to the tree work and that he had been told that the tree was an Ash tree with Ash Dieback, however, he agreed that in fact it was a Maple.

Objection letters have been received to the order from the purchaser of the land together with their solicitor and an arboricultural consultant employed by the purchaser. The objections are as follows;

- a) The purchaser of the land who is an adjoining landowner objects for the following reasons;
- *We were not informed of the Order.*
  - *The Auctioneers should have been informed and a site notice should have been installed.*
  - *The reason for the Order is unrealistic and an unfair and biased approach to take.*
  - *The correct procedures have not been followed.*
  - *The amenity value of the trees is of very little public benefit and value; there is a negative amenity value of the trees as the site suffers from extensive fly tipping and the tree coverage provides shelter for the fly-tippers.*
  - *The trees are potentially a major health and safety risk to members of the public and highway users, for e.g., the Poplar tree overhangs the road.*
  - *One of the trees within G1 was felled and another pruned after the TPO was made without consent. The TPO is therefore invalid and misleading.*
  - *The tree that was removed and other remaining trees on the site are also leaning and diseased and at risk of collapse and causing serious injury.*
  - *The TPO has been made without seeking the opinion of a qualified tree specialist.*
  - *The trees were under good arboricultural management as they were being managed and pruned by the local highway authority and landowner.*
  - *There are significant costs associated with future applications to carry out work to the TPO trees.*
  - *We request that the TPO is withdrawn with immediate effect, otherwise the local authority will be liable for any damage or injury/death as a result of issues with the trees in the future.*
  - *If the TPO remains you need to prosecute LCC for felling a protected tree and for pruning others without consent.*
- b) The purchaser's solicitor;
- *Our client did not receive any notice of the proposal to create a TPO; if they had they would have objected.*
  - *LCC have already chopped down one of the trees and our client believes the others present a danger to the public.*
- c) The purchaser's arboricultural consultant;
- *There was no evidence provided to confirm that the trees are likely to be felled. Therefore, stating that 'the land is currently up for sale by auction and there is concern that the trees may be felled' appears pure speculation.*
  - *The Order is incorrect in that there are only three trees within Group G1, not four as indicated. It is understood that the*

*fourth tree may have been removed by LCC after the Order was made.*

- *The Poplar has also been heavily thinned.*
- *If these works were undertaken without consent, we would welcome advice as to any enforcement action that is being taken against LCC as this could impact my client's future use of the site.*
- *The Auctioneers should have been made aware of the TPO.*
- *Our client purchased the land in good faith and was only made aware of the Order at a later date.*
- *It would be reasonable to request details of the officers' assessment of the Poplar tree and if any information was sought from LCC regarding their regular inspections.*
- *The trees are not of a high amenity value and the long-term viability of the Poplar tree is questionable.*

5

### **Who must the local authority inform when making a TPO?**

The 'persons interested in the land affected by the Order' are every owner and occupier of the land on which the protected trees stand and every other person the authority knows is entitled to carry out certain works to any of those trees or in relation to the affected land.

The authority may decide to notify other people, groups, authorities, and organisations (such as parish councils and the Forestry Commission). It can also consider displaying site notices.

The local authority therefore served the Order on the owners of the land who were Lancashire County Council. It was not considered to be prudent to inform the Auctioneers as that was under the jurisdiction of the landowners i.e., LCC, and not considered appropriate for the local authority to interfere in such matters.

- 6 It is understood that this piece of land had been maintained by Burnley Borough Council for some time as Greenspaces and Amenities were unaware that the land had been transferred to LCC. Any necessary maintenance work to the trees was therefore carried out by the Burnley Borough Council tree team. Greenspaces and Amenities were due to carry out pruning work to the Poplar tree overhanging the highway when it was confirmed that LCC were now responsible for the land/trees.

Greenspaces and Amenities had been looking at reducing the overall weight of the branch (of the Poplar tree) which overhung Colne Road to reduce any chance of failure of the branch onto the highway. The tree had in general appeared in a healthy condition albeit quite a large size compared to the other trees on the site. The other trees on the site all appeared healthy and did not appear to be of any concern. There are no trees on the site that are leaning to a degree which could cause concern and there is no obvious evidence of the trees being unstable or signs of any disease of concern.

Greenspaces and Amenities are not aware of any work to the trees ever being carried out by LCC Highways or the owner (LCC) until the current work was carried out i.e., the felling of the protected Maple tree by LCC.

Burnley Council officers are not aware of any fly tipping issues on the site.

There is no fee involved for the submission of applications to carry out work to protected trees.

- 7 It is considered that the trees the subject of the TPO are/were healthy with no concern apart from the need to prune the Poplar tree as mentioned above. Officers from LCC state that they were unaware of the TPO when they felled a Maple tree within G1 and pruned the Poplar tree also within G1. It appears that they were under the impression that the Maple tree was an Ash tree with some Ash Dieback; which was not the case.
- 8 It is considered that the tree that was felled should be replaced with another Maple tree; which should be at least an extra heavy standard with a girth of at least 14-16cm. This should be planted as close as possible to the position of the tree that was felled and will be protected by the original TPO.
- 9 The trees are considered to be of significant amenity value and are prominent when travelling along Colne Road.

It is considered that the decision to place a provisional TPO on the trees was the correct one to secure the retention of tree cover in the interests of amenity.

## RECOMMENDATION

- 10 That the Tree Preservation Order be confirmed (with the removed tree being replaced by another Maple that will be protected by the Original Order).



**REASONS FOR RECOMMENDATION**

11 In order to protect the trees which contribute to the visual amenity of the area.

**FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

12 None

**POLICY IMPLICATIONS**

13 None

**DETAILS OF CONSULTATION**

14 Greenspaces and Amenities  
Governance, Law, and Regulation

**BACKGROUND PAPERS**

15 File B140 (L)

The above papers are available for inspection at Housing and Development Control, Town Hall, Burnley.

**FURTHER INFORMATION****PLEASE CONTACT:****ALSO:****Housing and Development Control****Lesley Blakey 01282 475817**



**THE BURNLEY (COLNE ROAD / STEER STREET)**  
**TREE PRESERVATION ORDER 2023**

**FIRST SCHEDULE**

**TREES SPECIFIED INDIVIDUALLY**

<u>No. on Map</u>	<u>Description</u>	<u>Location</u>
T1	Maple	SD84693433

**TREES SPECIFIED BY REFERENCE TO AN AREA**

<u>No. on Map</u>	<u>Description</u>	<u>Location</u>
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**None**

**GROUPS OF TREES**

(encircled in a black dashed line on map)

<u>No. on Map</u>	<u>Description</u>	<u>Location</u>
G1	Consisting of one Maple, two Lime, and one Poplar.	SD84693431

**WOODLANDS**

**None**



BURNLEY BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON  
PLANNING APPLICATIONS



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

12<sup>th</sup> October 2023

Housing and Development

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## List of Delegated Decisions

Application Number	Applicant	Location	Proposal	Decision	Decision Date
FUL/2022/0703	The Larkfleet Group	The Yard Holme Road Burnley Lancashire BB12 0BQ	Installation of battery energy storage system to provide grid balancing services to the National Grid.	Approve with Conditions	25th September 2023
TPO/2023/0144	Ms Odette Stockell	Electricity Sub Station 6M From 1A, Priory Court 9M From Priory Court Priory Court Burnley Lancashire BB11 3RN	Application to carry out works to 3 Trees (G1) Covered by the Burnley (Todmorden Road) TPO 1974	Application Withdrawn	7th September 2023
S106/2023/0211	Neil Lewis - Senior Planning Manager	Barden Lane Burnley	Modification of Section 106 Agreement (pursuant to outline planning permission OUT/2021/0443) to remove provisions relating to affordable housing.	Application Withdrawn	15th September 2023
CND/2023/0194	Monte Blackburn Ltd	Land at Accrington Road, Burnley, BB11 5QJ	Proposed Partial Discharge of Condition 11 (Biodiversity enhancement measures) and Condition 12 (Landscape and Ecological Management Plan) in respect of Phases 2A and 2B of Outline Planning Permission VAR/2023/0150 for employment development (Conditions 12 and 13 respectively of original outline planning permission OUT/2020/0366).	Conditions part discharged	6th September 2023



<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CND/2023/0262	North West Portfolio Limited	Adlington House Adlington Street Burnley BB11 2SQ	Discharge of Condition 6 for FUL/2022/0524: Construction of the site access and off-site works of highway mitigation scheme.	Conditions part discharged	14th September 2023
CND/2023/0292	Mr J Byrom	Land At Southern Court Burnley	Proposed discharge of Condition 3 (External materials), Condition 4 (Arboricultural method statement and tree protection plan), Condition 5 (Scheme of landscaping), Condition 7 (Biodiversity enhancement measures), Condition 8 (Scheme of junction improvements), Condition 9 (Estate road construction and maintenance details), Condition 10 (Construction Management Plan), Condition 14 (Boundary treatment details), Condition 15 (Surface water drainage), Condition 16 (drainage management and maintenance plan), Condition 18 (Land contamination) and Condition 20 (Finished floor levels) of planning permission FUL/2022/0277.	Conditions part discharged	28th September 2023
HOU/2023/0223	Mr William O'Brian	14 Brooklands Road Burnley Lancashire BB11 3PR	Provision of 2 no. off-road car parking spaces, vehicular crossing, and associated works, including the felling of one Maple tree.	Approve with Conditions	29th September 2023

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
FUL/2023/0299	Mr Nick Rumboll	East Barn Holt Hill Halifax Road Briercliffe Lancashire BB10 3QS	Creation of vehicular access from Classified Road, construction of access track and domestic parking area within a field, and subsequent change of use of land from agricultural to residential.	Refuse	30th August 2023
TPO/2023/0355	Mr Malcom Stringer	20 Lowerhouse Fold Burnley Lancashire BB12 6LS	Application to fell T7 (Sycamore) protected by the Burnley (Lowerhouse Fold, Lowerhouse Lane) TPO 2000.	Approve with Conditions	7th September 2023
VAR/2023/0369	Mr Danny Ewert	Hapton Boatyard Simpson Street Hapton Lancashire BB12 7LJ	Variation of condition no.2 of FUL/2019/0552 to vary the design and layout of Plots 8 and 9.	Approve with Conditions	7th September 2023
TPO/2023/0351	Mr John Bailey	21 Rochester Drive Burnley Lancashire BB10 2BH	Four trees to reduce by approx 15% (maintaining the overall shape rather keep reducing the laterals). The trees are protected by the Burnley (Marsden Hospital, Burnley) Tree Preservation Order 1994F	Approve with Conditions	14th September 2023
TPO/2023/0373	Mr David Gledhill	43 Thanet Lee Close Cliviger Lancashire BB10 4TX	Application to fell one Sycamore tree and crown lift four trees located within W1 of the Burnley (Thanet Lee Wood, Cliviger) Tree Preservation Order 1981.	Approve with Conditions	7th September 2023
HOU/2023/0295	Mr Mark Darlington	17 The Chase Burnley Lancashire BB12 0EY	First floor extension over existing garage	Approve with Conditions	4th September 2023

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
PAR/2023/0387	Messrs Chadwick & Leaver	Windle House Farm Halifax Road Briercliffe BB10 3QX	Class Q conversion of an agricultural building to one dwellinghouse and associated operational development.	Prior Approval refused	1st September 2023
FUL/2023/0406	Mr Smith	243 Burnley Road Cliviger Lancashire BB10 4SP	Replacement semi-detached dwelling following the demolition of the existing house	Refuse	14th September 2023
NMA/2023/0404	Mr Arif Master	Unit 1 54 Church Street Burnley Lancashire BB11 2DL	Application for non-material amendment to planning permission FUL/2023/0212 to move the extractor flue to the side.	Non-Material Minor Amendment Granted	30th August 2023
FUL/2023/0425	Mr Ramy Mottalib	84 Westgate Burnley Lancashire BB11 1RY	Proposed change of use from single dwelling to 6 bedsit HMO with up to 9 occupants (sui generis). Installation of two roof lights, expansion of front window area for lower ground floor, removal of rendering to expose original brickwork.	Refuse	11th September 2023
COU/2023/0421	Mr & Mrs Ahmed	17 Towneley Street Burnley Lancashire BB10 1UJ	Change of use from dwelling to childrens care home and rear single storey extension and new window to front elevation	Refuse	14th September 2023
ADV/2023/0382	Mr Ian Atack	98 - 102 St Jamess Street Burnley Lancashire BB11 1NJ	Replacement of existing signage.	Approve with Conditions	4th September 2023

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
FUL/2023/0381	Mr Ian Atack	98 - 102 St James Street Burnley Lancashire BB11 1NJ	Replacement of existing entrance lobby aluminium shopfront and door with new aluminium shopfront and doorway in white.	Approve with Conditions	4th September 2023
HOU/2023/0429	Mr Javad Saddique	61 Windermere Avenue Burnley Lancashire BB10 2AB	Proposed double storey side and rear extension with associated internal alternal and site works	Refuse	4th September 2023
FUL/2023/0347	Mrs Janet Middleton	Land Adjacent To 344 Burnley Road Cliviger Lancashire BB10 4ST	Proposed parking space with access onto Burnley Road.	Refuse	27th September 2023
TIC/2023/0436	Mr Haydn Williams	The Old Chapel Brooklands Road Burnley Lancashire BB11 3PR	Notification of intention to fell two Cherry trees and prune one Beech tree located within the Burnley Wood Conservation Area.	No Objection	11th September 2023
HOU/2023/0413	Mr Patrick Stansfield	14 Sefton Terrace Burnley Lancashire BB11 4PZ	Rebuild gable wall with front and rear dormers	Approve with Conditions	14th September 2023
HOU/2023/0457	Mr Mohammed Hussain	25 Croasdale Avenue Burnley Lancashire BB10 2DN	Proposed conversion of exisiting garage to habitable room.	Approve with Conditions	14th September 2023

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CEU/2023/0451	Mr Neil Worswick	Land Off Hurstwood Lane Hurstwood Lane Hurstwood Burnley BB10 3LF	Agricultural track.	Lawful Dev Cert not issued	8th September 2023
PAG/2023/0430	Mrs Mandy Riley	Lymefield House Burnley Road Dunnockshaw Lancashire BB11 5PP	Agricultural building/lambing shed.	Prior Approval refused	27th September 2023
TPO/2023/0444	Mr Shaun Bradshaw	15 Kingsland Road Burnley Lancashire BB11 3PU	Application to fell one tree and prune four trees protected by The Burnley (Kingsland Road) Tree Preservation Order1989 and fell four trees and prune two trees located within the Burnley Wood Conservation Area.	Approve with Conditions	21st September 2023
HOU/2023/0456	Mr Adam Williams	12 Ruskin Grove Hapton Lancashire BB11 5RE	Demolition of existing single storey extension to rear and erection of new single storey extension to rear.	Approve with Conditions	14th September 2023
HOU/2023/0428	Thornton	Blue Hills Todmorden Road Briercliffe Lancashire BB10 3QG	Proposed front and rear extensions.	Approve with Conditions	29th September 2023
HOU/2023/0435	Mr Andy Nicholls	2 Stirling Court Briercliffe Lancashire BB10 3QT	Proposed two storey side extension.	Approve with Conditions	27th September 2023

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CEA/2023/0471	Mr & Mrs Wyatt	Afonwen Ightenhill Park Lane Burnley Lancashire BB12 0RW	Erection of Outbuilding Incidental to the Enjoyment of the Dwellinghouse See Planning Statement and Drawing Nos. 01, 02 and 03	Lawful Dev Cert issued	1st October 2023
PAH/2023/0496	Mr F Jones	1 Darnley Street Burnley Lancashire BB10 4PG	Single storey pitched roof rear conservatory style extension which will extend: 3.60 metres beyond rear wall of dwelling; 3.40 metres maximum height; 2.30 metres height at the eaves.	Prior Approval not required accept	14th September 2023
CND/2023/0519	Mr S Rigby	Land At Wytham Street Padiham BB12 7DY	Discharge of Condition 3 Materials; of Application FUL/2022/0431	Conditions part discharged	4th September 2023

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BURNLEY BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON  
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part III: Appeal and other decisions  
**For Information**

12<sup>th</sup> October 2023

Housing and Development

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**APPEALS RECEIVED**  
**25.08.2023 – 03.10.2023**

Date:

File Ref	Location	Proposal	Date Appeal Determined	Decision
FUL/2023/0327	Cold Soil Ruins Kebs Road Off Long Causeway	Retention of building for use as holiday let including car parking, landscaping and ancillary works (proposal affects Public Footpath No. 81).		

ALC - Appeal Allowed with Conditions

ALLOW - Enforcement Appeal Allowed

ALW - Appeal allowed

ATVCST - Appeal allowed with costs

APPABY - Appeal held in abeyance

ASP - Appeal allowed in part

AWD - Appeal withdrawn

DIS - Appeal dismissed

DISCST - Appeal dismissed with costs

DISMIS - Enforcement Appeal Dismissed

FEEDUE - Appeal Allowed, Awaiting Fee Payment

HCLOG - High Court Appeal Lodged

INPROG - Appeal In Progress

LODGED - Appeal Lodged

QUASH - Quashed on Appeal

REMIT - Remitted to Secretary of State

VALID - Appeal Valid

WITHDR - Enforcement Appeal Withdrawn

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**APPEAL DECISIONS**  
**25.08.2023 – 03.10.2023**

Date:

File Ref	Location	Proposal	Date Appeal Determined	Decision
HOU/2022/0714	39 Fairfield Drive Burnley Lancashire	Retrospective application for erection of outbuilding.	01.09.2023	DIS
HOU/2023/0069	4 Daisy Bank Crescent Worsthorne-with-hurstwood Lancashire	Proposed raising of existing ridge and new dormer to rear.	01.09.2023	ALW

ALC - Appeal Allowed with Conditions

ALLOW - Enforcement Appeal Allowed

ALW - Appeal allowed

ALWCST - Appeal allowed with costs

APABY - Appeal held in abeyance

APP - Appeal allowed in part

AWD - Appeal withdrawn

DIS - Appeal dismissed

DISCST - Appeal dismissed with costs

DISMIS - Enforcement Appeal Dismissed

FEEDUE - Appeal Allowed, Awaiting Fee Payment

HCLOG - High Court Appeal Lodged

INPROG - Appeal In Progress

LODGED - Appeal Lodged

QUASH - Quashed on Appeal

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