



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 18th October, 2018 at 6.30 pm

PRESENT

MEMBERS

Councillors A Khan (Chair), F Cant (Vice-Chair), A Anwar, G Birtwistle, M Brindle, S Graham, J Harbour, A Hosker, M Johnstone, N Mottershead, M Payne, A Raja and C Towneley

OFFICERS

Graeme Thorpe	– Planning Team Manager
Janet Filbin	– Senior Planner
David Talbot	– Senior Solicitor
Emma Barker	– Principal Legal Officer - Litigation & Regulation
Imelda Grady	– Democracy Officer

45. Minutes

The Minutes of the last meeting held on 20th September 2018 were approved as a correct record and signed by the Chair.

46. Declaration of Interest

Councillor Cosima Towneley declared an Other (personal) interest in item APP/2018/0385 – Worsthorne Recreation Ground, Lennox Street, Worsthorne.

47. 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:

Daniel Harper (against)	APP/2018/0385 – Worsthorne Recreation Ground
Simon Goff (for)	APP/2018/0385 – Worsthorne Recreation Ground
Mr McKay - (for)	APP/2018/0385 – Worsthorne Recreation Ground

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

48. APP/2018/0385 - Worsthorne Recreation Ground, Lennox Street, Worsthorne

Full Planning Application

Proposed improvements to recreation ground including clubhouse, changing facilities, car parking/games area, drainage/pitch improvements, creation of swale, new footpath and outdoor fitness equipment

WORSTHORNE RECREATION GROUND LENNOX STREET WORSTHORNE

Decision: That the Head of Housing and Development Control be delegated to grant planning permission subject to the receipt of no further objections from Sport England and subject to the following conditions and any other conditions deemed appropriate by Sport England and/or the Head of Housing and Development Control.

Conditions:

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Loc1 (1:3000 location plan), CX1505/WRG2/K, 18-036-01A, 18-036-02A, 18-036-03, 18-036-04A and TBP5700 Sheet 1 of 1, received on 7 August 2018; WRG10 (Works to access track), received on 3 October 2018, new plan 18-036-02B (New Cabin Buildings) and amended plan CX1503/L01 Rev. M received 17th October 2018.
3. No part of the development hereby approved shall be commenced until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved, in writing, by the Local Planning Authority.
4. No part of the development hereby approved shall be occupied or first brought into use for organised matches until the approved scheme referred to in Condition 3 has been constructed and completed in accordance with the scheme details.
5. The improved playing pitches as indicated on the approved plans shall not be used for football matches other than in accordance with the details which specify the football season, the playing days, the number, frequency and intervals between matches contained within the Design and Access Statement submitted with this application. No

knockout competitions or round robin style games shall at any time be played on the site.

6. None of the proposed playing pitches shall be first brought into use until all the proposed on-site car parking facilities indicated on the approved plans have been constructed, marked out and made available for use. The approved on-site parking facilities shall thereafter be retained at all times.
7. None of the proposed playing pitches shall be first brought into use until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Car Park Management Plan shall provide details of all on and off-site parking arrangements and/or agreements and measures to prevent players/parents from parking on-street in the vicinity of the site and this shall be updated prior to the start of each season to reflect any changes in circumstances and submitted to and approved in writing by the Local Planning Authority prior to the start of a new football season.
8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The measures contained within the approved Statement shall be carried out in their entirety and be adhered to throughout the construction period. The Statement shall provide for the following:
 - a) The parking of vehicles of site operatives and visitors
 - b) The loading and unloading of plant and materials
 - c) The storage of plant and materials used in constructing the development
 - d) The erection and maintenance of security hoarding
 - e) Wheel washing facilities
 - f) Measures to control the emission of dust and dirt during construction
 - g) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - h) Details of working hours
 - i) Routing of delivery vehicles to/from site.
9. Prior to the construction of the proposed swale/pond, sections to show its depth and gentle shelving and planting details shall be submitted to and approved in writing by the Local Planning Authority. The swale/pond shall thereafter be constructed and maintained in accordance with the approved details.
10. Tree protection measures shall be carried out and remain in situ throughout the construction period until its completion in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority prior to any development being commenced.
11. All planting in the approved details of landscaping as indicated on drawing number CX1505/WRG2/K (received on 7 August 2018) shall be carried out in the first planting and seeding seasons following the first use of the approved playing pitches 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.

12. The approved clubhouse and changing rooms shall not be first brought into use until the external elevations of each respectively has been treated and finished in accordance with the details on the application forms.
13. The clubhouse shall be used for purposes ancillary to the use of the playing pitches and recreation ground only and shall not be used for any other purpose.
14. There shall not at any time be any floodlighting of the playing pitches or facilities on the recreation ground.

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 the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure that improvements to the site access which are necessary to mitigate against the traffic generation of the development are agreed, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that a satisfactory scheme can be secured, without which, the development would have a significant impact on highway safety and would be unacceptable.
4. To ensure that the necessary highway improvements agreed under condition 3 are carried out at the appropriate time, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
5. To ensure the satisfactory implementation of the proposal, in order to manage and control traffic generation to the site, in the interests of highway safety and residential amenity, in accordance with Policies IC1 and SP5 of Burnley's Local Plan (July 2018).
6. To ensure adequate on-site parking is provided in order to prevent the need for on-street parking nearby, in the interests of highway safety and residential amenity, in accordance with Policies IC1 and SP5 of Burnley's Local Plan (July 2018).
7. To ensure that potentially complex parking arrangements are adequately provided and appropriately used to prevent congestion and on-street parking in the vicinity of the site, in the interests of highway safety and residential amenity, in accordance with Policies IC1 and SP5 of Burnley's Local Plan (July 2018).
8. To ensure that the safety and amenities of pedestrians, drivers and residents in the vicinity of the development are satisfactorily protected, in accordance with Policy NE5 of Burnley's Local Plan (July 2018). The Construction Method Statement 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.

9. To ensure the drainage and water/habitat feature is suitable for its intended purpose at this location within an area of public open space, in accordance with Policies CC5 and SP5 of Burnley's Local Plan (July 2018).
10. To ensure adequate protection for the long term health of trees which should be retained in the interests of the visual amenities and the biodiversity of the site and its surroundings, in accordance with Policies NE1, NE4 and SP5 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that the agreed measures are carried out at the appropriate time.
11. To ensure adequate compensation for trees that are affected by the development, in the interests of the visual amenities and the biodiversity of the site and its surroundings, in accordance with Policies NE1, NE4 and SP5 of Burnley's Local Plan (July 2018).
12. To ensure a satisfactory appearance to the development, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
13. To ensure the satisfactory implementation of the proposal and to safeguard the residential amenities of nearby dwellings, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
14. To protect the open countryside from excessive illumination and protect residential amenities from lighting glare, in accordance with Policies NE5 and SP5 of Burnley's Local Plan (July 2018).

49. APP/2018/0358 - Land adjacent Angle Street, Burnley
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Full Planning Application
Proposed erection of retail unit
LAND ADJ 7 ANGLE STREET BURNLEY

Decision: 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 hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 437/01 and 437/04 received 25 July 2018. Drawing Nos. 437/02A and 437/03A received 15 October 2018.
3. The parking and manoeuvring area shown on the approved plan, Drawing no. 437/02 received 25 July 2018, shall be surfaced in a porous material and marked out to indicate the proposed disabled parking bay together with a designated pedestrian

route from the highway to the front entrance to the building, before the retail unit hereby approved is brought into use.

4. The parking and manoeuvring area shown on the approved plan, Drawing no. 437/02 received 25 July 2018, shall be retained at all times for the parking and loading / unloading of goods. There shall be no storage of goods or equipment on this area.
5. The off-site highway works to provide vehicular access from North Street shall be carried out in full accordance with Section 278 of the Highways Act, in consultation with the Highway Authority, before the retail unit hereby approved is brought into use.
6. No development shall take place including the removal of the existing walls and structures, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in the constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities and road sweeping as required
 - vi) Measures to control the emission of dirt and dust during construction
 - vii) Details of working hours
 - ix) Routing of delivery vehicles to/from the site
 - x) Contact details of the site manager
7. There shall be no construction works taking place on the development hereby approved, outside the hours of 0800 hours to 1800 hours Monday to Friday; 0800 hours to 1300 hours on Saturdays and not at any time on Sundays and Bank Holidays.
8. The two landscaped areas indicated on the approved plan, Drawing no. 437/02 received 25 July 2018 shall be provided to the satisfaction of the local planning authority and each area shall contain a tree such as a Japanese Maple, Cherry, Magnolia, or similar suitable for a small garden. The areas shall thereafter be maintained in accordance with good horticultural practice.
9. The retail unit shall not open outside the hours of 0800 to 1900, Monday to Saturday; 1000 to 1600 on Sundays and Bank Holidays and no deliveries shall take place outside these hours.

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 the development is implemented in accordance with the approved plans and to avoid ambiguity.
- 3 /4/5 In the interests of highway safety to ensure that adequate facilities are available whilst the use is in operation, having regard to Policy IC3 of Burnley's Local Plan July 2018.

6. The construction method statement is required before the development commences to ensure that the site is managed in such a way as to avoid any impacts on highway safety from the start of the works and throughout the period of construction.
7. In the interests of highway safety and residential amenity, to avoid undue disturbance in the surrounding area during the construction period.
8. To compensate for the loss of planting on the site and to ensure the development harmonises with the surrounding area, having regard to Policy NE4 of Burnley's Local Plan July 2018.
9. To avoid disturbance to neighbouring residential properties at unsocial hours having regard to Policy TC6 of Burnley's Local Plan July 2018.

50. APP/2018/0345 - 5 Clockhouse Court, Burnley
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**Full Planning Application
Proposed 1st floor side extension
5 CLOCKHOUSE COURT BURNLEY**

Decision: 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 application drawing showing existing and proposed plans and elevations; and layout of 3 car parking spaces, received 18 July 2018.
3. Notwithstanding any submitted details on drawings referred to in Condition 2, any vehicle hardstanding shall be formed of permeable material, and means (curbs of other device) shall be provided to prevent any excess surface water (as may arise in storm conditions) from flowing onto the highway or other adjoining land.
4. The facing brick and roof tiles used in the development shall match the corresponding materials of the existing building.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.
3. To ensure provision for sustainable drainage, thereby helping to avoid localised surface water flooding and addition to flooding downstream of the site, in accordance with Policy CC5 of the Burnley Local Plan (2018) and in the interests of Highway Safety.

4. In the interests of visual amenity and high quality development in accordance with Policy HS5 of the Burnley Local Plan (2018).

51. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 3rd to 30th September 2018.