

DEVELOPMENT CONTROL COMMITTEE

Thursday, 18th October, 2018
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 18th October, 2018 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 Monitoring Officer 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:

<http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . 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 - 20

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

21 - 22

To consider reports on planning applications for development permission:

a) **APP/2018/0385 - Worsthorne Recreation Ground, Lennox Street, Worsthorne**

23 - 40

Proposed improvements to recreation ground including clubhouse, changing

facilities, Multi-Use Games Area (MUGA), parking facilities, drainage/pitch improvements, creation of swale, new footpath and outdoor fitness equipment.

- b) **APP/2018/0358 - Land adjacent Angle Street, Burnley** 41 - 50
Proposed erection of retail unit (Class A1).
- c) **APP/2018/0345 - 5 Clockhouse Court, Burnley** 51 - 58
Proposed 1st floor side extension.

7. Decisions taken under the Scheme of Delegation 59 - 64

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

MEMBERSHIP OF COMMITTEE

Councillor Arif Khan (Chair)	Councillor Alan Hosker
Councillor Frank Cant (Vice-Chair)	Councillor Mohammed Ishtiaq
Councillor Afrasiab Anwar	Councillor Marcus Johnstone
Councillor Gordon Birtwistle	Councillor Neil Mottershead
Councillor Margaret Brindle	Councillor Mark Payne
Councillor Saeed Chaudhary	Councillor Asif Raja
Councillor Sue Graham	Councillor Jeff Sumner
Councillor John Harbour	Councillor Cosima Towneley

PUBLISHED

Wednesday, 10 October 2018

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DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 20th September, 2018 at 6.30 pm

PRESENT

MEMBERS

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

OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Graeme Thorpe	– Planning Team Manager
Janet Filbin	– Senior Planner
David Talbot	– Senior Solicitor
Emma Barker	– Principal Legal Officer - Litigation & Regulation
Alison McEwan	– Democracy Officer

35. Apologies

Apologies for absence were received from Cllrs Ishtiaq & Towneley.

36. Minutes

The Minutes of the last meeting held on 26th July were approved as a correct record and signed by the Chair.

37. Declaration of Interest

Cllr Raja declared a discloseable pecuniary interest in Item 6d. He left the meeting and took no part in the discussion or decision.

38. 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:

Lydia Harper (for)	APP/2018/0080 – Land at Barracks Road, Burnley
Lydia Harper (for)	APP/2018/0376 – Phase 4 Station Road Development, Station Road
Paras Miller (for)	APP/2018/0304 – 25 Carlton Road, Burnley

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

39. APP/2018/0080 - Land at Barracks Road, Burnley

**Full Planning Application
Demolish church buildings and public house and erect petrol filling station with shop and separate cafe with drive through and improved access from Barracks Road
LAND AT BARRACKS ROAD, BURNLEY**

Decision: That the Head of Housing and Development Control be delegated to grant planning permission 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: 171161-PL-01(A), 171161-PL-07, 171161-PL-08, 171161-PL-09 and 171211TPP (Tree Protection Plan), received on 13 February 2018; and, CS095757-CAP-TPL-MAN-DR-TP-011RevP01, 171161-PL-03(E) and 171161-PL-04(D), received on 4 September 2018; 171161-PL-02(H) and 171161-PL-06(A), received on 18 September 2018; 3876/01RevE, received on 20 September 2018; and 171161-PL-05(D), received on 21 September 2018.
3. Notwithstanding any indication on the approved plans, no development shall be commenced unless and until a scheme for the construction of the site access, internal layout of the site and off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include all the recommendations contained within the Stage 1 Road Safety Audit Report (carried out by Capita, dated 28th August 2018) and provide for the means to facilitate a Traffic Regulation Order to restrict traffic movements on Lower Accrington Road.
4. Neither the approved Petrol Filling Station/Shop or the approved Coffee Shop shall be first open for use until the approved scheme under condition 3 above has been constructed and completed in accordance with the scheme details.

5. The retail shop hereby approved shall operate as a shop in association with and ancillary to the approved Petrol Filling Station only and shall not at any time function as an independent unit.
6. The tree protection measures as indicated on drawing number 171211TPP (Tree Protection Plan) and contained within the Arboricultural Survey (carried out by Georgina Tearne, dated 11th December 2018) shall be carried out prior to any demolition, ground works or site clearance taking place and shall remain in situ and be adhered to at all times until the completion of the development.
7. All planting, seeding or turfing comprised in the approved details of landscaping as indicated on drawing number 3876/01RevE shall be carried out in the first planting and seeding seasons following the first use of any of the 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.
8. The approved Petrol Filling Station shall not be first open for use until a minimum of two electric car charging points have been provided and are available for use. The electric charging points shall thereafter be retained and remain available for use at all times during the Petrol Filling Station opening hours.
9. Prior to the commencement of development, details of a surface water drainage scheme, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and completed prior to any part of the development being first brought into use. The approved drainage scheme shall thereafter be retained in perpetuity.
10. No part of the development hereby approved shall be first open for business until details of a management and maintenance plan for the sustainable drainage system required by condition 10 which shall cover the lifetime of the development, has been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage system shall thereafter be managed and maintained in accordance with the approved details in perpetuity.
11. The development shall be drained on separate surface water and foul water systems.
12. The approved Petrol Filling Station and ancillary retail shop shall not be open for business apart from between 06:00 and 23:00 hours on any day.
13. The approved coffee shop shall not be open for business apart from between 06:00 and 22:00 hours on any day.
14. No development shall be commenced, including site clearance or demolition works between the period of 1st March and the following 31st July inclusive unless a detailed bird nest survey by a suitably qualified ecologist has been carried out immediately prior to clearance and written confirmation has been submitted to the Local Planning Authority to demonstrate that there are no active bird nests that are present and this has been agreed in writing by the Local Planning Authority.
15. Prior to the commencement of development, details of boundary treatment and works to ensure the safety of the railway embankment shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment and safety measures shall be carried out and completed during the course of the development. The approved boundary treatment shall be retained at all times.

16. Prior to the commencement of the construction of the approved buildings, representative samples and details of external materials of construction to be used on the walls and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved materials.
17. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) wheel washing facilities;
 - vii) details of working hour; and,
 - viii) contact details for the site manager.
18. During the construction phase of the development, no construction work or use of machinery or deliveries to the site shall take place on Sundays and Bank/Public Holidays or outside the hours of 08:00 and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays.
19. No later than three months prior to any part of the development being first open for business, details of the frequency and hours of deliveries and servicing, including details of how these will be managed, shall be submitted to and approved in writing by the Local Planning Authority. Deliveries and servicing to the site shall thereafter only take place in accordance with the approved hours and details of management.
20. No part of the development shall be first open for business until cycle parking has been constructed and is available for use in accordance with details indicated on the approved plans. The cycle parking shall thereafter be retained and remain available for use in perpetuity.
21. The existing redundant vehicle access points into the site shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.
22. Prior to the installation of any external lighting, a scheme for the provision of external lighting which shall include details of lighting levels outside of opening times, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, completed and operated at all times in accordance with the approved scheme.

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 an adequate access and safety within the site and manage the traffic and highway safety impacts of the development, also having regard to the impact on air quality from increased traffic on Lower Accrington Road, in accordance with Policies IC1, IC2 and NE5 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that the required works can be carried out at the appropriate stage of the development.

4. To ensure an adequate access and safety within the site and manage the traffic and highway safety impacts of the development, also having regard to the impact on air quality from increased traffic on Lower Accrington Road, in accordance with Policies IC1, IC2 and NE5 of Burnley's Local Plan (July 2018).
5. To ensure the satisfactory implementation of the proposal, having regard to the sequential test for locating retail development outside of town centres and the limitations of the site in respect of car parking, in accordance with Policies TC1, IC2 and IC3 of Burnley's Local Plan and the National Planning Policy Framework.
6. 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).
7. In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
8. To allow for the charging of electric cars, in the interests of sustainable travel, in accordance with the National Planning Policy Framework.
9. To ensure the adequate drainage of the site and to reduce the risk of flooding, in accordance with Policy CC4 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that the measures identified in the scheme can be carried out at the appropriate stage of construction.
10. To ensure that 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 Policy CC4 of Burnley's Local Plan (July 2018).
11. To ensure adequate drainage and reduce the risk of flooding and contamination of groundwaters, in accordance with Policy CC4 of Burnley's Local Plan (July 2018).
12. To safeguard the occupiers of neighbouring properties from late night and early morning noise and disturbance, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
13. To safeguard the occupiers of neighbouring properties from late night and early morning noise and disturbance, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
14. To ensure adequate safeguards and protection for bird nests which are protected under the Wildlife and Countryside Act 1981 and in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
15. To ensure an appropriate edge to the boundaries of the site and to take into account the risks associated with the railway embankment, in accordance with SP5 of Burnley's Local Plan (July 2018).
16. To ensure a satisfactory appearance to the development, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
17. 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 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.

18. To protect the amenities of local residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).
19. To ensure that deliveries and servicing has adequate regard to traffic, site safety and residential amenities, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
20. To encourage the use of cycles as a sustainable means of travel, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
21. To limit the number of access points to, and to maintain the proper construction of the highway, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
22. To ensure appropriate and not excessive lighting, having regard to the amenity of the local area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

In addition to the above conditions Members requested that a note be added to the permission requesting that the applicant consider installing further electric charging points adjacent to the coffee shop; and also that they consider the proximity and invasive nature of Japanese Knotweed on the nearby railway embankment.

40. APP/2018/0376 - Phase 4 Station Road Development, Station Road

Minor Material Amendment to Planning permission APP/2014/0151 as amended by APP/2018/0273 in respect of variation of layout and house types (Condition 14 - approved plans); and Variation of Condition 6 (materials); 7 (landscaping); tree protection); 10 (surface water drainage); 11 (contamination); 12 affordable housing); 13 (public open space).

Phase 4 Station Road development Padiham Burnley

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

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans Planning site boundaries, drg.no. 1771-02 rev3; Phasing plan, drg.no. 1771-101 rev3; and Illustrative Masterplan, drg.no. 1771-103 rev 3; Materials Schedule; Tree Retention, Protection and Removals Plan received 25 Jul 18.

Street Elevations drg.no. 1771-104 rev3; Site Plan drg.no. 1771-105 rev5; Ground floor Site Layout, drg.no. 1771-106 rev 5; First floor site layout, drg.no.1771-107 rev5; Roof site plan drg.no. 1771-108 rev5; Landscape Plan, drg. no. 1771- 109 rev 5; House types drg nos 115, 116, 120, 121, 125 and 126 received 29 Aug 18.

Drainage Layout Plan SPB-AJP-XX-00-DR-C-1000 revP1 received 11 Sep18.

2. 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 1700 hours on Mondays to Fridays; between 0800 hours and 1300 hours on Saturdays; and at no time on Sundays, Bank Holidays or Public Holidays.

3. The materials to be used in the development of Phase 4 shall be in strict accordance with the approved Materials Schedule (Ainsley Gommon Architects June 18) received 25 July 2018 unless otherwise approved in writing by the Local Planning Authority.
4. The landscaping details shall be carried out in full accordance with Drg.No. 1771-109 rev 5 received 29 August 2018, prior to the occupation of the development, to the satisfaction of the local planning authority.
5. The approved tree protection measures as set out on the Tree Retention, Protection and Removals Plan (drg.3116 101 received 25 Jul 18) shall be adhered to during the construction of the development.
6. The approved Drainage Plan (drawing no. SPX-AJP-XX-00-DR-C-100 P1) received 11 September 18 shall be implemented prior to the first occupation of the dwellings on Phase 4 of the development.
7. Provision shall be made for affordable housing in accordance with Policy HS2 of Burnley's Local Plan (adopted July 18). This shall be provided on site as part of Phase 4 of the development or delivered off-site in accordance with a scheme to be submitted to and approved in writing by the local planning authority, unless a sufficiently robust justification is submitted to demonstrate that such delivery is not a viable option.
8. Prior to first occupation of the development hereby approved a verification plan in respect of the contamination remediation measures on the site, providing details of the data that will be collected in order to demonstrate that the works identified are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted to and approved in writing by the local planning authority before any of the houses are first occupied. Any changes to these components require the express written consent of the local planning authority.
9. Public Open Space requirement in respect of the development hereby approved shall be delivered by the developer, in accordance with the terms of the previous approved Unilateral Undertaking, pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) under planning application APP/2010/0713, given by Renaissance (Padiham) Limited and dated 7 March 2011.
10. Insofar as in relates to Phase 4, the development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (reference 1801/DRS001/Rev4 dated 4/4/14) for the site and the following mitigation measures:
The mitigation measures outlined in the report shall be fully implemented prior to occupation of any of the dwellings and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the local planning authority.

Reasons

1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
2. To safeguard the amenities of the neighbouring residents having regard to Policy NE5 of Burnley's Local Plan adopted July 18.
3. To ensure a satisfactory development which harmonises with its surroundings, in the interests of visual amenity.
4. To ensure that the landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings.
5. In order to protect ensure that the vegetation on the site is adequately protected in the interests of visual amenity
6. To ensure that appropriate drainage is provided to the development.
7. Having regard to Policy HS2 of Burnley's Local Plan (adopted July 18) to ensure appropriate provision of affordable housing in the Borough.
8. To ensure that all risks posed the contamination of the site have been adequately assessed and dealt with.
- 9 To ensure that appropriate provision is made for public open space relating to the site having regard to Policy HS4 of Burnley's Local Plan adopted July 2018.
10. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site having regard to Burnley's Local Plan adopted August 2018).

41. APP/2018/0304 - Carlton Road, Burnley
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**Full Planning Application
Proposed conversion of dwelling into 3no. apartments
25 CARLTON ROAD 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: 01 (1:1250 location plan), 05B, 06, 07B and 08, received on 27 June 2018.

3. No apartment shall be first occupied until its associated off-street parking provision of a minimum of two parking spaces for Apartment 1 (ground floor) and a minimum of one car parking space for each of Apartments 2 and 3 (first floor) have been constructed and are available for use in accordance with the approved plans. The approved car parking spaces shall be retained at all times for purposes of car parking.
4. No apartment shall be first occupied until its associated refuse and recycling storage has been provided and is available for use, as indicated on the approved plans. The approved bin and refuse storage provision shall be retained for the purposes of each apartment at all times.
5. No apartment shall be first occupied until a scheme of soundproofing to protect against internally generated noise has been carried out and completed in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority.
6. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday and from 8am to 1pm on Saturday and shall not take place at all on Sundays and Bank Holidays.

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 adequate off-street parking, in the interests of highway safety and street amenity, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
4. To ensure adequate refuse and recycling storage away from public views, in the interests of visual amenity, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
5. To provide adequate levels of amenity for the adjoining property and future occupiers, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
6. To protect the amenities of nearby residents, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

42. APP/2018/0392 - Market Hall, Curzon Street, Burnley

**Regulation 3 Application
Proposed 3no. extract flues to Market Hall roof**

MARKET HALL CURZON 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: 1:1250 Location plan, 1:500 Site plan, BMH 01/01 and BMH 01/02 received 14th August 2018.
3. The approved extract ventilation system and odour control equipment indicated on the above drawings shall be maintained in good working order at all times. The extract ducting shall be removed as soon as possible when no longer required.

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 protect the surrounding environment, including occupiers of nearby premises, from nuisance from cooking odours.

43. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 11/06/18 to 02/09/18

44. Appeals and Other Decisions

Members received for information the outcome of an appeal in relation to:

APP/2016/0427 Appeal against the refusal of planning permission for the development of the land as a traveller site, the siting of 5 static caravan pitches and erection of one new dwelling.

Land at Spa Wood Farm, Billington Road, Burnley

The Inspector considered the main issues to be:

Regarding the gypsy and traveller site:

1. whether or not the site is reasonably located in relation to services and facilities;
2. whether the proposal is acceptable in highway safety terms
3. any other matters in support of the proposal including, the general need for, and provision of, gypsy and traveller sites in the area.

The site is currently in a lawful use as a traveller site for 6 mobile homes. It is occupied by the Appellant, his wife and his extended family, as well as his adult children and their dependents. The appeal site comprises a rectangular area of land located to the south-west of Burnley town centre, just outside the smaller settlement of Hapton.

Local Plan policy H16 confirms that where there is an identified need for sites. Three proposals for gypsy and traveller sites will be permitted where a number of criteria are satisfied. The Council accepts that it has an identified need for sites and that the appeal site is suitable for its intended use and can provide acceptable living conditions. It is also located relatively close to shops, schools and other facilities both in Hapton and in Burnley town centre which is approximately 1.6 km away. The site is well designed and landscaped and contained by mature boundary planting such that the Inspector was satisfied it causes no material harm to landscape character.

The only contentious issue in relation to the criteria in policy H16 is the question of the suitability of the access road to the site, as raised by a number of local residents and others. The site is accessed via Billington Road which runs off the main road and through an industrial estate before becoming an unmade track running into the rural area beyond. The unmade private track comprises a section of approximately 900 metres which runs to the site entrance and which also serves a handful of other residential developments and farms in the vicinity.

In addition a public footpath route runs along the unmade track which is single width and is rutted and uneven along its surface. Any vehicle travelling along the track must proceed at low speeds due to the uneven surface. The track is located in a wide and open landscape such that any walkers proceeding along its length would have ample notice of vehicles proceeding in either direction along the track and would have the opportunity to step aside on the grass verges which line it.

The mobile homes are permanent structures and the touring caravans are smaller units which would move onto and off the site. The track serves the appeal site and a small number of other agricultural and equestrian uses. As such, it is already used by a handful of properties and of course there is the now lawful established use of the site for 5 gypsy pitches.

Therefore it is evident that the appeal proposal would not materially increase the use of the access road over and above the current level of use. The Inspector noted that the Highways Authority, Lancashire County Council, did not raise any objections to the proposal.

Having regard to all of the above matters, the Inspector was satisfied that the appeal proposal is satisfactory in highway terms and concluded that the gypsy and traveller element of the appeal proposal is in conformity with Local Plan policy H16 given that all of the criteria are satisfied.

The National Planning Policy Framework (the Framework) identifies one of the core principles of the planning system as recognising the intrinsic character and beauty of the countryside. The Framework advises that it should be read in conjunction with the PPTS which explains how gypsy and traveller accommodation needs should be assessed, and sets out relevant policies and criteria for considering such proposals. Policy C of the PPTS advises that the scale of development in rural areas should not dominate the nearest settled community. There is no suggestion that this would be the case here.

Paragraph 25 of the PPTS directs authorities to very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Two points are relevant here: firstly the proposal would not represent new traveller site development given that there is an established lawful use as a traveller site. Secondly, whilst the site is in the open countryside, the Inspector did not consider it to be remote or 'away from existing settlements'.

The general need for sites

The Framework advises that it should be read in conjunction with the PPTS which explains how gypsy and traveller accommodation needs should be assessed, and sets out relevant policies and criteria for considering such proposals. Policy B of the PPTS requires local planning authorities, in preparing local plans, to set targets which address the likely permanent and transit site accommodation needs of gypsies and travellers in their area. Local planning authorities are encouraged to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets, whilst protecting local amenity and the environment.

The Council accepts that it does not currently have a five year supply of gypsy and traveller sites. It is already noted that the emerging LP now relies upon a commitment to produce a Site Allocations DPD in relation to gypsy and traveller site provision. Paragraph 25 of the PPTS provides that where a Council cannot demonstrate an up-to-date five year supply of sites, this should be a significant material consideration when considering applications for the grant of temporary planning permission. In this case, the Inspector concluded that the Council does not have a five year supply. In the first instance the Appellant is seeking a permanent planning permission. In these circumstances, she considered that the lack of a five year supply and the general unmet need attracts moderate weight in support of a permanent permission.

In relation to the consideration of a permanent planning permission, she found that the proposal would be contrary to LP policies H1 and H2 which seek to control development in the open countryside. However the policies predate the Framework and PPTS and are now somewhat dated. It is noted that PPTS confirms that rural sites should respect the scale of, and not dominate, the nearest settled community as well as avoiding placing an undue pressure on local infrastructure. For all of these reasons The Inspector attached limited weight to the harm by virtue of the contravention of these policies.

The site is in a relatively accessible location with regard to the distance to services. There is also an accepted current general, unmet need for sites, to which she attributed moderate weight. In addition the 2018 LDC and existing use of the site is a significant material consideration. In coming to an overall conclusion she found that the limited harm identified is not outweighed by the other factors in support of the grant of a permanent planning permission in relation to the gypsy and traveller site component of the appeal.

Regarding the new dwelling:

4. Whether the new development is acceptable, having regard to national plan policies in relation to new dwellings in the open countryside.
5. Whether or not the new dwelling is acceptable having regard to highway safety considerations.

As a new dwelling in the rural area it does not fit within any of the categories listed in Local Plan policy GP2. It is therefore contrary to this policy.

Paragraph 55 of the Framework sets out criteria for the assessment of new houses in rural areas and cautions against allowing isolated new homes in the countryside unless there are special circumstances. The Inspector bore in mind that the Council has accepted that the appeal site constitutes previously developed land and there is the established residential use as a gypsy and traveller site conferred by the 2018 LDC.

The new dwelling would not be isolated and would complement the existing residential use. It would sit within a well-screened site and would cause no material harm to landscape character. She had already concluded that the site is in a relatively accessible location, with local services and facilities nearby. Having regard to all of these matters she was satisfied that the special circumstances required by paragraph 55 are met. Whilst the proposal for a new dwelling is contrary to LP policies she concluded that the proposal would be in conformity with this later national policy.

The appeal proposal in combination would result in 5 mobile homes, 5 touring caravans and one modest new dwelling. There is already an established residential use for 6 mobile homes. The difference in traffic generation terms, between what is already established as lawful and what is proposed, would in the Inspector's view be negligible. As such she concluded that the proposal would be acceptable in highway terms.

Other matters

In respect of the concerns raised about flooding around the small bridge over a watercourse which sits at the end of Billington Road at the entrance to the countryside, she already concluded that the appeal proposal would not generate materially more traffic than that which is generated by the existing lawful use.

She appreciated that the local plan process is the mechanism by which future gypsy and traveller sites will come forward but that is some time in the future.

The Inspector has assessed the proposal against the current policy framework and light of the existing lawful use and other material considerations.

She has read other concerns about poor levels of water pressure and the ability of existing infrastructure to cope with the proposal. Again, having regard to the existing lawful use I am satisfied that the proposal would not materially increase demands on these services.

Appeal Decision –

The appeal was allowed and planning permission was granted subject to conditions as set out at the end of this report.

Approximate cost of appeal: £7,100.00

Gypsy and traveller site

- 1) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 to the Planning Policy for Traveller Sites.
- 2) There shall be no more than 5 pitches on the site and on each of the 5 pitches hereby approved no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed at any time of which only one caravan shall be a residential mobile home.
- 3) There shall be no burning of waste or other materials on the site.
- 4) There shall be no external lighting on the site (whether affixed or freestanding) unless details of any such lighting have been previously submitted to and approved in writing by the Local Planning Authority.
- 5) No commercial activities shall take place on the land, including the storage of materials or plant relating to any commercial activity.
- 6) No more than one commercial vehicle per plot shall be kept on the land for use by the occupiers of the caravans hereby permitted, and they shall not exceed 3.5 tonnes in weight.

The new dwelling

- 7) The development in relation to the new dwelling must be begun within two years of the date of this decision.
- 8) The development shall be carried out in accordance with the following approved plans: site location plan, existing site plan, proposed site plan dated January 2017 drawing number 3A, proposed elevations and floor plan dated January 2017 drawing number 4A.
- 9) No development in relation to the new dwelling shall commence until such time as the structure described on the existing site plan as 'Main dwelling' has been removed in its entirety from the site.
- 10) No works of demolition or construction in connection with the new dwelling shall take place outside the hours of 0800 hours to 1800 hours Mondays to Fridays inclusive; 0800 hours to 1300 on Saturdays and there shall be no works on Sundays, Public Holidays and Bank Holidays.
- 11) Prior to the commencement of development on the new dwelling details of the external materials to be used in the external faces of the new dwellings shall be

submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development within Classes A, B, E or F of Part 1, of Schedule 2 of that Order shall be carried out in relation to the dwelling hereby permitted.

13) No development in relation to the new dwelling hereby permitted shall take place until drainage plans for the disposal of surface water and foul sewage in accordance with paragraph 20 of the Planning Practice Guidance have been submitted to and approved in writing by the Local Planning Authority.

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BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for
Committee consideration

18th October 2018

Housing and Development

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Housing & Development
19 Parker Lane

Ref.

APP/2018/0385

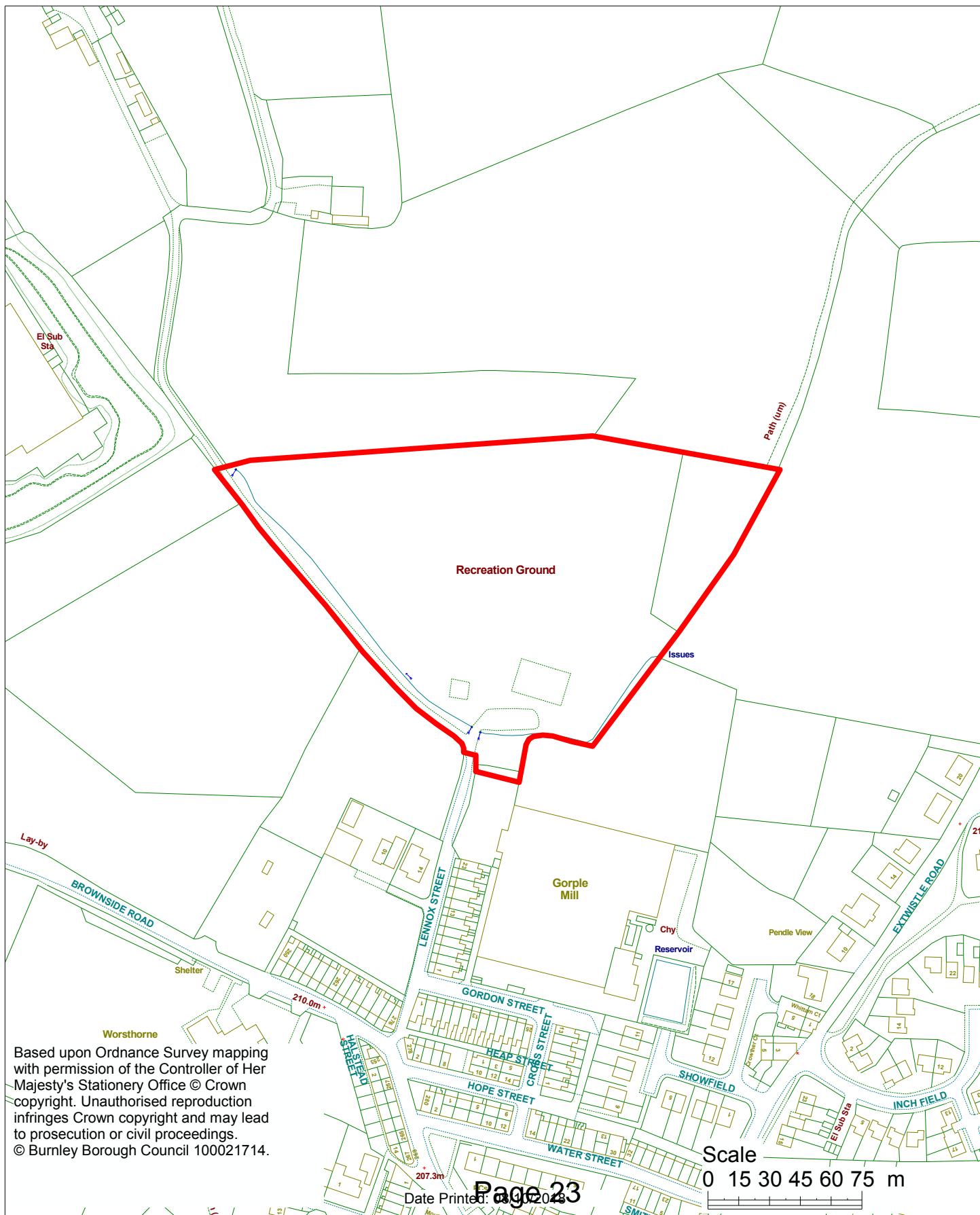
Paul Gatrell Head of Housing and Development

Location:



Worsthorne Recreation Ground, Lennox St. Worsthorne

1:2500



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Application Recommended for Delegation
Cliviger with Worsthorne Ward

APP/2018/0385

Full Planning Application

Proposed improvements to recreation ground including clubhouse, changing facilities, Multi-Use Games Area (MUGA), parking facilities, drainage/pitch improvements, creation of swale, new footpath and outdoor fitness equipment

WORSTHORNE RECREATION GROUND LENNOX STREET WORSTHORNE

Background:

The proposal is for a range of improvements to develop the Worsthorne recreation ground which comprises approximately 2.5ha to the north of the village, accessed from Lennox Street which is a private road serving residential properties, a number of farms and the recreation ground. The recreation ground is managed and maintained by Burnley Borough Council and is leased from the Worsthorne Estate.

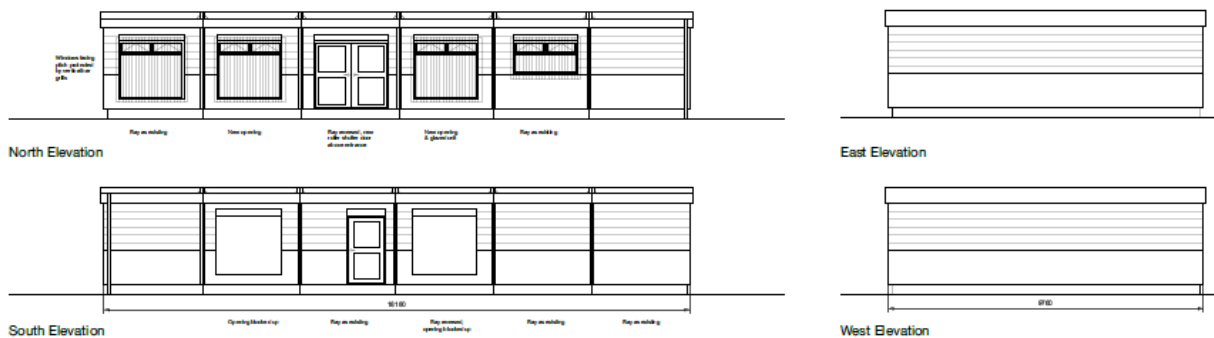


The current open space consists of mown grass, currently unused football pitches, a BMX track, a small tarmac games area, a youth shelter and informal parking. The pitches were played on until the early 2000's after which they have not been in regular use. The development is intended to improve the recreational value of the site for the whole community of Wosrthorne and to provide facilities and playing pitches for Fulfilled Colts Junior Football Club which is accredited by the Lancashire Football Association as a Chartered Standard Community Football Club and has more than 450 children playing in 32 teams. The applicant states that the club attracts most children from the east of Burnley with a significant number from the Worsthorne area.

The proposals involve the following:-

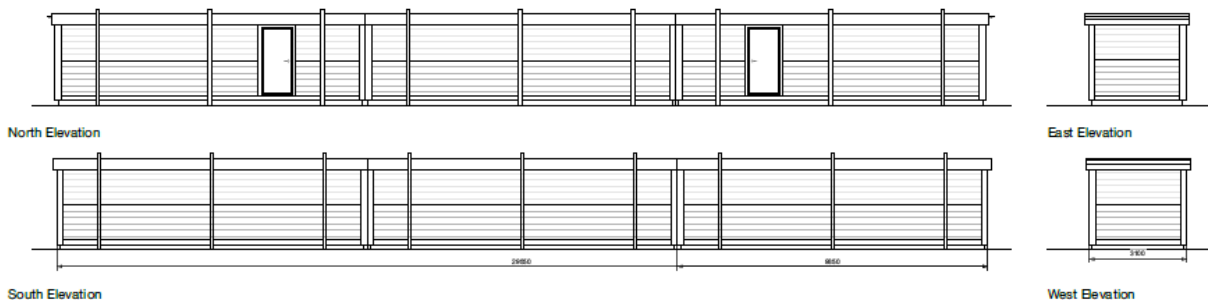
- Drainage improvements and localised regrading of sports pitches – the ground previously had two full sized adult pitches – the space would be used to provide the following junior pitches:-
 - 1 x 11v11 youth pitch
 - 1 x 9v9 junior pitch
 - 1 x 7v7 junior pitch
 - 1 x 5v5 junior pitch
- Construction of a swale/shallow pond to an average depth of 150-200mm in the western corner of the site which will drain to a stream along the site's edge. The swale would regulate the flow of water into the stream to manage the run-off from the pitches and would also be beneficial in creating a wetland habitat.
- Install a modular club house building, changing rooms and toilets for use by the club and wider community use. These are portable buildings, previously used at the Gawthorpe training ground. The proposed clubhouse measures 18.1m long x 9.7m wide with a flat roof up to 2.9m high and would be used to provide refreshments and toilet facilities for parents and team coaches.

Clubhouse Elevations



Changing facilities and toilets for players would be in a separate modular building measuring 39.4m long x 3.1m wide with a flat roof to 3.2m high. The modular buildings would be faced with pebble-dash rendered panels on their lower half and panels above which would be painted green. Windows and doors would be protected by vertical metal bars, painted green to match the building.

Shower & Changing Room Elevations



- A tarmac surfaced Multi-Use Games Area (MUGA) would be formed by extending an existing tarmac surfaced games area to create a larger MUGA

surrounded by 3m high green weldmesh fencing which would also function as a temporary car park for up to 32 car parking spaces at the times when football games area played. Parking on the MUGA would be reserved for use by the parents of away teams and their coaches only and would be managed by the club.

- A 2m wide stone multi-use path is proposed around the perimeter of the recreation ground to provide an all-weather route for walking, running and cycling.
- Provision of outdoor fitness equipment (a collection of 4/5 items of equipment) to be sited to the west side of the site.
- A stone surfaced car park with 12 car parking spaces (including one designated disabled space) to be open at all times for recreation ground users to be located at the entrance to the recreation ground. A 1.9m high height barrier would prevent its use by larger vehicles and caravans. A lockable barrier would also enable the car park to be closed if required.
- Native oak, lime and field maple trees will be planted along the northern boundary of the recreation ground to compensate for an equivalent number of trees that would be removed on the site of the proposed car park and the route of the path construction. Five trees (all rated as Class C trees) would be removed; one Class B tree replanted, one Class tree have a stem removed and some crown lifting.

Proposed Site Layout



The youth and junior pitches would be used for competitive games on Saturdays and Sundays throughout the football season (late August to early May). The pitches would not be used for regular training or for matches on weekdays with the exception of re-scheduled matches at the end of the season due to any previously cancelled matches). The football club, Fulfilled Colts, would manage the use of the Worsthorne Recreation Ground under the terms of a lease with the Council. The lease would set out the maximum number of games that can be played. The applicant states that the following would apply:-

11v11 youth pitch – maximum of 2 games per day

9v9 junior pitch – maximum of 3 games per day

7v7 junior pitch -- maximum of 3 games per day

5v5 junior pitch – No competitive games played

The kick-off times of matches would be spaced out during the day between 9.00am and 2.45pm to allow players from match to leave before the arrival for players of a later match. A schedule of kick-off times has been provided to demonstrate how this would work.

The applicant states that the players/parents of the away team park on the recreation ground car park and that players/parents of the home team will park at Worsthorne's school car park (permission for this has been obtained from the school).

Relevant Policies:

Burnley's Local Plan (July 2018)

SP1 – Achieving sustainable development

SP4 –Development strategy

SP5 – Development quality and sustainability

SP6 – Green infrastructure

NE1 – Biodiversity and ecological networks

NE4 – Trees, hedgerows and woodland

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

IC5 – Protection and provision of social and community infrastructure

National Planning Policy Framework

Burnley Playing Pitch Strategy 2015-2025

Site History:

None.

Consultation Responses:

LCC Highways

We would not wish to raise any objections to the principle of the development, however there are a number of concerns regarding the access road which could be overcome by way of suitable conditions.

The section of Lennox Street between no 23 and the proposed development is unmade and has no provision for pedestrians. Additionally, the final section of the access is over a stream that has been culverted in a pipe. This is exposed in some parts and may be in need of some attention.

In light of this we would wish to condition that the section of the street previously detailed should be made up as detailed in the further plan provided by the Applicant (WRG11 Worsthorne Recreational Ground Lennox Street Improvements VA3) including the culverting of the stream and a footway. The original site plan made reference to a gate and height barrier it is expected that these will be installed and suitably marked with regards to the height clearance. It is expected that some of this improvement work will be carried out as part of the Construction Management Plan.

There have been a number of objections raised by local residents in relation to the amount of traffic that is to be generated by the application. The volume of traffic claimed by the residents differs from the volumes indicated by the applicant in the access statement. The design and access statement makes reference to an arrangement with the local primary school regarding some 'Home Team' parking, no details of this arrangement have been provided. Confirmation as to how this arrangement is to be managed should be provided. It is not felt that this arrangement can be guaranteed to be sustained for the perpetuity of the application.

The access statement refers to the traffic volume expected for a number of league or cup matches spread across the day in order to control the traffic volume we would wish to condition the number of games that can be played at any one time and the number over the day in line with the details set out in the access statement. Additionally, we would also wish to limit the usage to league or cup matches only, knockout or round robin style, multi team tournament style competitive competitions should not be permitted. This is to limit the number of games and teams that are present on the application site at any one time rather than multiple teams being present and playing each other over the course of a day.

Whilst it is expected that the general amenity of the area such as the shared use footpath, the BMX Track, additional small park Gym equipment, will also be used by other residents not directly linked to the football club. It is expected that the proposed car park of 12 spaces would support this usage.

There have been a number of concerns raised regarding the access to the site from Brownside Road along Lennox Street. It is noted that the area is within the Brownside and Worsthorne 20 M.P.H. Zone and that there have been no recorded collisions in the last 5 years, within the vicinity of the junction. Although Lennox Street is narrow there are a number of informal passing places such as the entrance to Gordon Street and Nos 12 & 14 Lennox Street. The expected use of the site by the football club is not expected to coincide with the traffic peaks generated by the local primary school. Conditions are recommended to require a scheme of off-site works of highway improvement (to improve the width and surfacing of the un-made up section of Lennox Street) and a Construction Method Statement.

Public Rights of Way Officer (LCC)

No objection to the proposed development subject to the footpath diversion (Public Footpath No. 17) being completed prior to the development taking place.

Sport England

A holding objection is raised until the following details can be provided:-

1. Revised pitch layouts showing pitches including run offs to FA recommended sizes.
2. Floor plans for the proposed clubhouse and changing rooms.
3. Sport England do not support the potential for the MUGA to serve as overflow parking, therefore we would request that this element of the application is removed so the MUGA surface is protected for sporting use. Clarity is therefore needed that proposed car parking without this overflow is adequate.
4. Details of the proposed drainage and localised regrading of sports pitches.

The applicant is addressing these matters and a further response will be reported in late correspondence prior to the meeting.

Worsthorne with Hurstwood Parish Council

1. The Parish Council does not oppose in principle the application made to develop the recreation ground, but has serious reservations regarding traffic management and access issues. The Parish Council believes these issues have not been properly addressed and consequently we are reluctant to support the application while they remain unresolved, and would request that prior to any approval being given a proper traffic survey/simulation/impact assessment is carried out.
2. The concerns relate to the proposed access to the ground, the parking arrangements, and the suggested traffic management solutions.
3. The following points should be addressed:-
 - i. Lennox Street is a narrow residential street. It has not been adopted as yet by Burnley Borough Council or the Highways Authority. Along its first part there are houses and residents' parked cars. This effectively makes the road single track with little prospect of two cars passing each other on it. The latter part of the road to the recreation ground is unmade and in a poor state of repair. If it is to be used to any significant extent, it needs to be properly surfaced and brought up to adoption standard, and thereafter maintained accordingly by the Local Authority.
 - ii. The access to Lennox Street from Brownsie Road is narrow with very poor sight lines. It was indeed an unsurfaced road until comparatively recently, never intended for much use. When approaching from the north west (i.e. from Burnley) traffic already on Lennox Street cannot be seen until the turn into Lennox Street has been commenced. Similarly, traffic emerging from Lennox Street cannot see traffic on Brownsie Road until it is actually emerging from Lennox Street. The potential for a collision or at the very least frayed tempers at this junction is significant.

- iii. The surrounding streets (Gordon Street, Cross Street, Hope Street and Water Street) are all narrow and particularly at weekends are full of parked cars from residents. Again, two cars passing on those streets would be difficult.
4. The Council's submissions concerning traffic management and traffic flow are based on assumptions that cars will arrive in a given window of time, will leave in another given window of time, and hence there should be no congestion or traffic arriving meeting traffic leaving. With respect, this is something entirely beyond their control, in reality people will arrive late, and they will stay on after the end of a game. The assumption is also there that there will be no additional spectators which will add additional cars to the flow of traffic.
5. There are concerns that the effect of the congestion will be such as to render Lennox Street and surrounding streets unable to receive, for example, shopping deliveries or parcel deliveries during match days and that the congestion could prevent the emergency services getting into this area.
6. We submit that the traffic management and access aspects of this application need to be considered in further detail and alternatives advanced.
7. The wood yard opposite Worsthorne Primary School is for sale, presently with outline planning permission for residential development. Maybe as part and parcel of that development, an access road and/or car parking could be provided for.
8. Another alternative would be to make Lennox Street and surrounding streets resident only parking at weekends, with an effective marshalling/policing strategy to regulate traffic flow and parking.

Publicity

22 letters of objection have been received from local residents, mainly residents living on Lennox Street. The main points of objection are summarised below:-

Access and parking

- Access is poor, single track and unadopted
- Residents own up to half the width of Lennox Street; there would be no enforcement of any parking restrictions
- No turning point on Lennox Street
- Would lead to an 80% increase in traffic on Lennox Street
- Volume of traffic - estimated that there will be 200+ cars using Lennox Street which would increase with the success of the club
- There is no footpath to the bottom of Lennox Street
- Restricted visibility at junction of Brownside Road and Lennox Street
- Disruption of traffic flow on Brownside Road
- Would affect access for emergency vehicles
- There is already congestion and competition for parking
- Inadequate parking arrangements
- Residents will be unable to park near their houses
- Residents will have to plan their weekends around the football matches in order to keep/find a parking space
- Safety for children on Lennox Street; risk of accidents
- Surrounding roads are double parked

- People would park where it is convenient to leave from after matches
- Traffic marshals are unsuitable on a residential street
- People do not follow parking guidelines
- Damage to residents' parked cars – scratched cars/mirrors damaged
- May also be summer competitions
- The Coaches' cars have not been taken into account
- Limited/no access for agricultural vehicles
- Impact of wagons of building materials
- The village is a destination for walkers and cyclists

Character

- Will remove the rural character of the village
- The development is too close to a small community
- The community has had minimal influence on its design and facilities
- The use of metal bars on windows is out of keeping with the village

Impact on noise and local amenities

- Will affect quality of life for residents
- Will disrupt evenings and weekends
- Disruption and noise from the scale of the development
- Noise from car doors slamming, traffic noise, people noise from children, parents and spectators shouting
- Increase in litter and fouling
- Traffic fumes
- Loss of privacy
- Light pollution

Wildlife/trees

- Will have a negative impact on wildlife
- Loss of trees, some of which were planted in the 1980's and many are older, including oak trees
- Will remove habit and affect deer which are frequently sighted grazing on the recreation ground as well as badgers and foxes

Other points

- The development is for the benefit of Fulledege Colts Junior football club, not for the village of Worsthorne
- Other sites not as close to housing or with such restricted access should be considered instead
- Facilities already exist and should be made use of at Towneley Park
- Concerns that other sports groups would make use of the site at any time of the day/week
- Would attract illegal campers, vans and lorries
- The recreation ground is already well used and local people would be effectively prohibited from using it.

Planning and Environmental Considerations: Principle of proposal

The proposal seeks to improve the facilities and use of an existing under-used recreation ground which lies in the open countryside just outside the Worsthorne development boundary. Policy NE4 of Burnley's Local Plan seeks to protect and make provision for social and community infrastructure which includes playing fields and sports pitches. Policy SP4 of Burnley's Local Plan states that development in the open countryside will be strictly controlled. Given that the proposed development relates solely to the recreation use of an existing recreation facility, there is no objection in principle to the proposed improvements. Notably, the recreation ground is identified in Burnley's Playing Pitch Strategy as a playing field and as such, works to improve the playing field and provide facilities to support its use and its overall recreational use would normally be appropriate. The main considerations in this case relate to the impacts of the proposal on parking and highway safety, residential amenities and visual amenity.

Impacts on car parking and highway safety

The National Planning Policy Framework (2018) states that proposals should provide appropriate opportunities to promote sustainable transport modes, provide safe and suitable access to the site and mitigate against any significant impacts in a cost effective manner. It also states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy IC1 requires, amongst other things, for development to promote sustainable travel by locating in areas well served by walking, public transport and cycling; to provide safe pedestrian, cycle and vehicular access. The recreation ground is convenient for pedestrian access from Worsthorne village and by cycling and a limited public transport service. The use of the playing fields for junior playing pitches by Fulledege Colts Football Club would generate home and away players and parents from Worsthorne and the wider eastern area of Burnley. It is anticipated that there would therefore be an increase in car traffic. A substantial number of objections have been received from residents on this basis. A key concern is congestion and the take-up of the limited amount of available on-street parking, as well as the restricted width and condition of Lennox Street and its junction with Brownside Road.

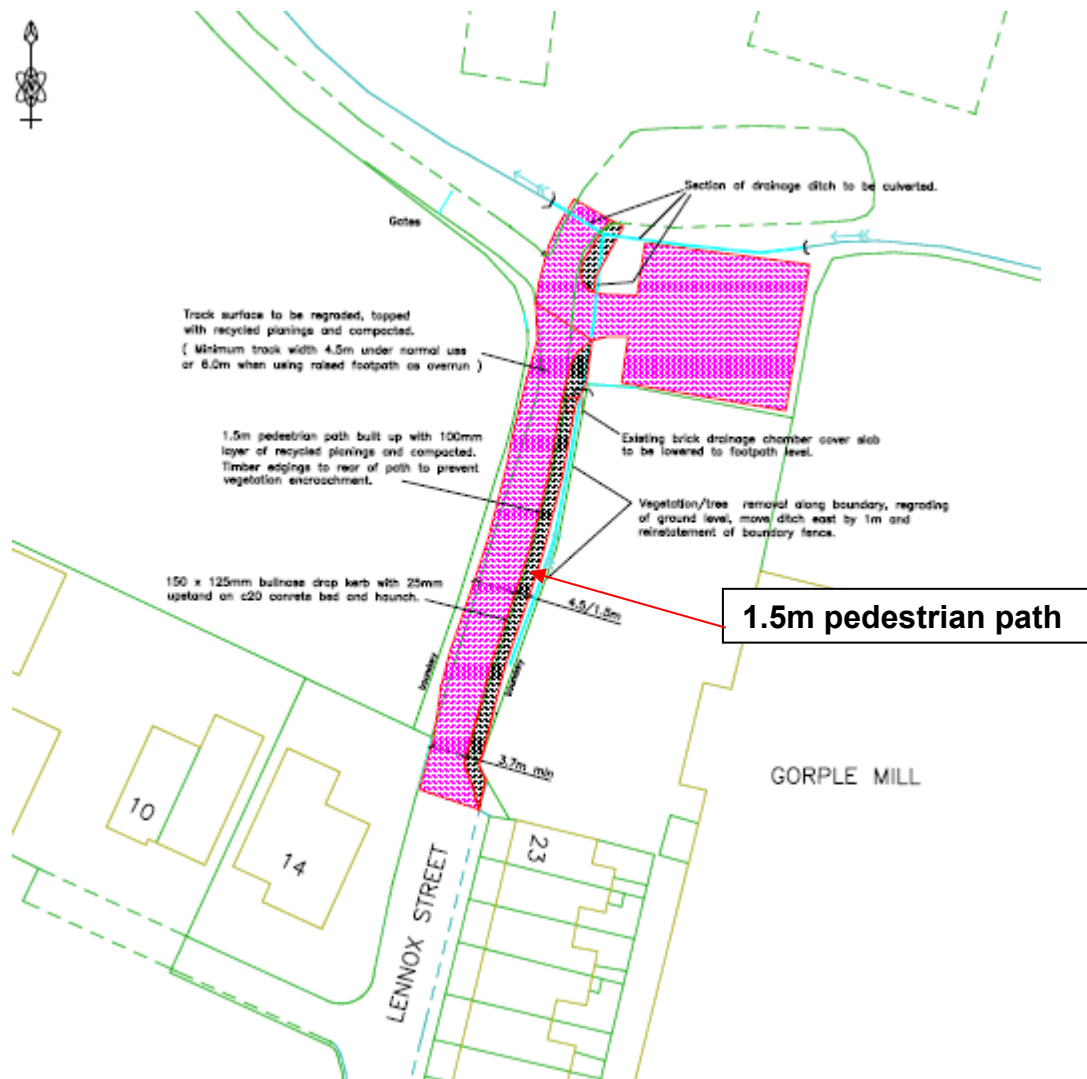
The proposal provides some off-street parking - a permanent 12 space car park and a 32 space car park to be used on match days (the latter to be reserved for away teams). The applicant has also agreed with the nearby primary school to use the school car park for home teams and a licence agreement will be made between the school and Fulledege Colts Football Club. The permanent 12 space car park at the entrance to the recreation ground would be available at all times for general use. The Design and Access Statement submitted with this application indicates that when all three match pitches are in use there would be a maximum of up to 30 car parking spaces required (based on one in five away team players sharing a car and one official) from the away team which would fall to a minimum of 18 during the course of the playing time (between 9am and 2.45pm). The rise and fall of these figures is due to staggered match finishing and starting times - for example, two matches per day (Saturdays and Sundays) would be played on the youth pitch (11 a side) and these would kick off at 9.30 and then 1.00pm. This would enable the on-site car park for away teams to operate efficiently without causing congestion or the need for away teams to seek on-street parking. In respect of home teams, making a reasonable allowance for walking (20%), there would be a maximum car parking demand for 25

spaces which would similarly fall to a minimum of 15 spaces over the course of the match day. It is expected that this demand will be catered for at the local primary school which is convenient to the site. A licence arrangement would be made between the football club and the school to formalise this. LCC Highways is satisfied with this arrangement which would provide some certainty but less than 'in perpetuity' certainty which is unlikely to be practicable. A Car Park Management Plan could be required however to detail the car parking arrangements as well as any future arrangements to adjust to any new circumstances. This would also take into account that the proposal provides 12 additional on-site parking spaces at the site entrance.

In these circumstances, the likely traffic generated by the use of the youth and junior pitches for competition football can, subject to restrictions and controls that can be conditioned, be accommodated without adversely affecting on-street parking. It is noted that Sport England has commented on the dual use of a MUGA and car park. Given, however, that the on-site car park is required to mitigate the impacts of an increased demand for car parking, the applicant asserts that the use of the site as a car park would prevail.

The applicant has proposed improvements to the un-made up stretch of Lennox Street to make allowance for its increased use by vehicular traffic and to improve safety for pedestrians.

Proposed improvements to Lennox Street



The surface of the track would be reggraded and topped with recycled planings and compacted. Vegetation clearance to widen the track to provide a footway would be carried out and some thinning back of trees but none of the trees along the side of the track would be removed.

LCC Highways has considered the impact of increased traffic at the junction of Lennox Street and Brownside Road which falls within a 20mph zone and notes that the football generated traffic would not coincide with school peak hours and is unlikely to significantly increase the risk of accidents.

Public Footpath Nos. 11 and 17 are routed along eastern and western edges of the recreation ground. In the case of the latter, the definitive route of the footpath which is undefined on site passes through the proposed MUGA (and across an existing area of tarmacadam). The applicant has provided a plan to show a proposed diversion route which skirts around the site boundaries and would involve no significant harm in terms of inconvenience or amenity. The Public Rights of Way Officer at LCC raises no objection to this. The applicant will need to make a separate application for a Public Footpath Diversion Order to deal with this matter.

Subject therefore to the conditions recommended by LCC Highways, inclusive of restrictions on the number of matches and playing days, a Car Park Management Plan and improvements to Lennox Street, the proposal would not significantly affect parking conditions or highway safety.

Impact on residential amenities

Policy SP5 requires development to ensure there is no unacceptable impact on the amenity of neighbouring occupants or adjacent land users. Objections from neighbouring properties refer to a number of concerns, including noise and disturbance. Noise generated on the recreation ground would be during daytime hours (9am to 2.45pm) on weekends and may at times be audible from nearby properties but is a reasonable distance from the nearest property and is unlikely to significantly affect background noise levels. Noise from additional traffic movements would be managed by the scale of the car parks and the staggering of match times. No illumination is proposed of the pitches or the car parks. Residential amenities would not therefore be significantly impacted on.

Impact on visual amenities

Policy SP5 seeks high standards of design in development. The proposed modular buildings are of a simple design, being functional and portable. They are however suitable for their intended use and would be neatly presented by the use of a dark green colour on the upper walls. Sited towards the southern edge of the site, the modular buildings would be reasonably unobtrusive and screened by tree cover. The proposed buildings are therefore suitable for the site and would not significantly affect the character or appearance of the village or surrounding countryside.

Impact on ecology and trees

Policy NE4 states that development should provide for the protection and integration of existing trees and hedgerows for their wildlife, landscape and/or amenity value. Policy NE1 requires all development proposals to seek opportunities to maintain and actively enhance biodiversity. The recreation ground consists mainly of mown grass which is of little habitat value. Some neighbour objections refer to sightings of wildlife on the playing fields which is not unexpected given the close proximity of open countryside. The proposal provides for the creation of a swale which would have gentle shelving and suitable planting to attract wildlife. The proposal involves a minimal amount of tree removal, all of which are trees of a lower amenity value (Class C trees), one Class B tree (a young oak) would be dug up and replanted. New tree planting inappropriate native species on the site's northern boundary would adequately compensate against the limited loss of trees which would also be beneficial to local biodiversity.

Other issues

In respect of safety around water, the applicant states that the proposed swale will not have open water and the presence of emergent vegetation and shallow approaches will deter children from entering and so provide a safe wetland feature. A condition can be imposed to require detailed profile drawings and planting details for this feature.

Sport England has raised a holding objection whilst their comments regarding the details and specifications of the scheme can be addressed. An update on this matter will be reported in late correspondence.

Conclusions

The proposal would make significant improvements to an existing recreation ground which already contains two adult football pitches which have not for some time been

used in an organised manner. The Burnley Playing Pitch Strategy identifies that there is an overall shortfall in provision of football pitches across the borough and in East Burnley and Cliviger, there is a shortfall of junior 9v9 and 7v7 pitches. This proposal would make efficient use of the existing facility and bring about improvements to allow it to be used for junior league matches, occurring at weekends during the football season (late August to early May). This would be a benefit to Worsthorne village and the wider local area. At other times and weekdays the recreation ground would provide enhanced facilities which are likely to be used by just residents and benefit the village. The impact of an increased use of the recreation ground on car parking, traffic and residential amenities has been carefully considered. In this case, the applicant has sought to manage these impacts by the provision of car parking facilities and the scheduling of matches. Subject to conditions to make provision for improvements to Lennox Street, to require compliance with the details set out in the submitted Design and Access Statement, to require a Car Park Management Plan and restrictions on types of matches played on the site, it is accepted that the proposed impacts can be satisfactorily mitigated. Other impacts such as the effect of the proposal on residential amenities have been considered but the likely noise and disturbance from a greater use of the recreation ground is not considered to be unreasonable or to significantly detract from living conditions. The proposal therefore represents a sustainable form of development; it complies with the development plan policies set out in this report and there are no material considerations which outweigh this finding.

Recommendation: Delegate authority to the Head of Housing and Development Control to approve subject to the receipt of no objections from Sport England and subject to the following conditions and any other conditions deemed appropriate by Sport England:-

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/WRG2/6J, 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; and, WRG10 (Works to access track), received on 3 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).

JF
09/09/2018

Part One Plan

Housing & Development
19 Parker Lane

Paul Gatrell Head of Housing and Development

Agenda Item 6b

Ref.

APP/2018/0358

Location:



Land Adj. 7 Angle Street, Burnley

1:1250



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Full Planning Application
Proposed erection of retail unit
LAND ADJ 7 ANGLE STREET BURNLEY

Background:

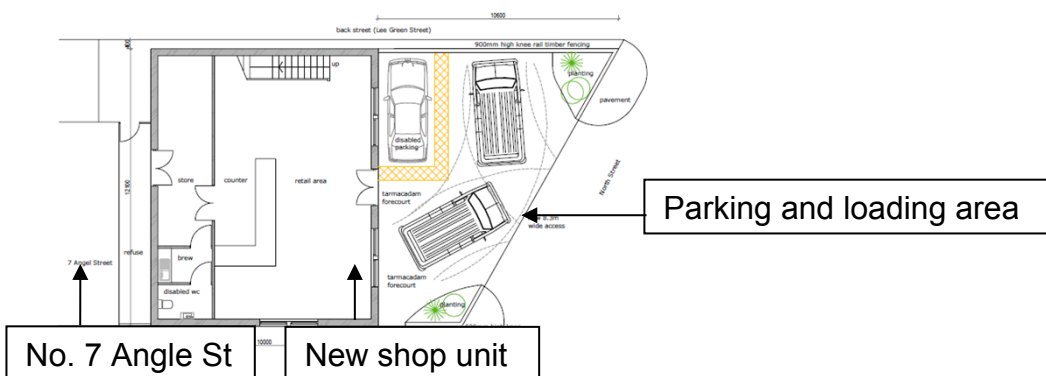
It is proposed to construct a new retail unit on a Council-owned landscaped area at the end of a row of terraced residential properties on Angle Street.



Existing landscaped area.

The land, measuring approximately 200 sq. metres, is the site of terraced houses which were demolished around the 1960's. A landscaped amenity area containing raised flower beds and small trees was constructed following the demolition.

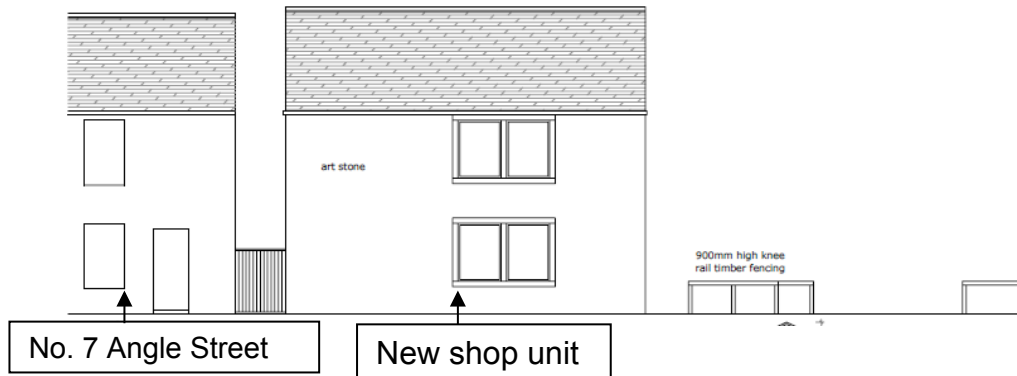
The proposed retail unit would be detached and adjacent to No. 7 Angle Street. It would be two storey with each floor comprising approximately 110 sq. metres of floor area. It would face North Street with a small forecourt for loading and unloading to the front of the building, accessed from North Street. The forecourt would contain one disabled parking space.



Proposed layout

The raised planting beds and four small would be removed with provision made in the proposed layout for two small planted areas within the forecourt.

The building would be of a similar scale to the terraced houses and would be constructed in artificial stone to the North and Angle Street elevations with render to the back street and against the gable of No. 7 Angel Street. There would be an enclosed 1.4 metre wide area between the gable of No. 7 and the rear of the building which would be used for refuse storage.



Elevation facing Angle Street



Elevation facing North Street

Objections have been received to the application.

Relevant Policies:

Burnley's Local Plan

- SP1 – Achieving Sustainable Development
- TC1 – Retail Hierarchy
- TC6 – District Centres
- TC8 – Shopfront and Advertisement Design
- NE4 – Trees, Hedgerows and Woodland
- IC3 – Car Parking Standards

Consultation Responses:

1. Lancashire County Council (Highway Authority) comment that there is no objection to the application, but concerns are raised regarding the off-street car parking. It is noted the car park on adjacent land is not available as it is private and signed for the use of private hire vehicles only.

The new access will need to be constructed under a Section 278 Agreement which may require the installation of a drainage gully, the strengthening and lowering of a cable TV inspection chamber and the provision of tactile paving.

It is recommended that conditions are imposed providing for:

- the marking out of the car parking area and preventing the storage of goods or materials from being stored on it;
- the off-site highway works to be carried out in line with an appropriate Section 278 Agreement
- the approval of a construction method statement providing for the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials used in construction; erection and maintenance of security hoarding; wheel washing and road sweeping facilities; measures to control dust and dirt during construction; a scheme for recycling and disposal of waste resulting from demolition and construction works; details of working hours; routing of delivery vehicles to/from the site.

The appropriate conditions may be imposed on any permission granted.

2. Lancashire Constabulary (Designing Out Crime Officer) advises that a range of security measures are incorporated into the development in order to mitigate the risk of crime to the proposed retail unit.

The comments of the Designing Out Crime Officer will be reported to the applicant.

3. Environmental Health Officer: raises no objections to the application subject to conditions relating to the a restriction in the hours of construction work on the site and requiring that no process is carried out or machinery installed to the detriment of the amenity of the area.

It would be appropriate to control the hours of construction to prevent disturbance at unsocial hours for the resident. A Construction Method Statement will set out the measures to control nuisance to neighbouring properties during construction.

4. One letter from a neighbouring business comments that there is a major issue in the area in respect of parking. There is a local mosque opposite the site, an Islamic School and other businesses along Colne Road. It is a very congested and busy area which is gridlocked around school times and Friday prayers. People park on the private car park adjacent, which is not a public car park for the use of the wider public.

There is only one disabled space to be provided and the small forecourt is not sufficient to facilitate delivery vans, which will result in further congestion. It is suggested that at least five off-street spaces are required.

5. A neighbouring resident comments that this will have a negative impact on daily life. It will create parking issues and could be dangerous for children and elderly in the neighbourhood. With on street parking. There will be an increase

in noise and disturbance connected with people using the shop . It will result in the loss of plants and trees from the site.

Planning and Environmental Considerations:

The main issues relate to the loss of the landscaped amenity area; the principle of a retail use in this location; car parking issues; the design and appearance of the unit and; its impact on the amenity of the surrounding neighbourhood.

Loss of the landscaped amenity space

The amenity space was provided following the demolition of terraced houses around the 1960's. It is partially enclosed by a low level stone raised planting beds and there are four small trees on the land. It provides a sense of space and openness in the close knit terraced area.

However, the land has been poorly maintained and is overgrown and untidy. It does not appear to be well used. The trees on the site are attractive in the area, but they are not of a size suitable for Tree Preservation Orders. It would be difficult to justify the refusal of the development based on the loss of the amenity area.

The proposal shows two small replacement landscaped areas on the forecourt and these will provide some planting to compensate to some extent for the loss of the area.

Principle of the retail use in this location

The site is directly adjacent to the District Centre and in an area of mixed use as shown on Burnley's Local Plan and in principle the development for retail use is acceptable.

Policy TC1 sets out that retail development should be of an appropriate scale according to its location with the retail hierarchy. Policy TC6 sets out that within and adjacent to District Centres development for appropriate commercial and community uses will be considered acceptable in principle providing it satisfies the other policies of the Local Plan, and it is of an appropriate scale and does not unreasonably harm the amenities of local or adjoining residents or users

The site is immediately adjacent to the designated District Centre on the Local Plan and the principle of retail is therefore acceptable in principle in this location, in line with Policy TC6. The scale is acceptable - it is a relatively small unit with a gross floorspace on around 220 sq.m. and it would not unreasonably harm the amenity of neighbouring residents or users, as set out in more detail later in this report.

Car parking Issues

The area to the front of the unit would be used for the loading and unloading of goods and it would provide for one off-street parking area for disabled use.

The Highway Authority does not object to the lack of off-street parking provision. There is some on-street parking around the area and the site is in a sustainable location close to the District Centre and public transport routes. It would be

appropriate to require provision for a minimum of two cycle stands located in a secure and convenient area close to the shop entrance and this may be achieved by condition. Conditions requested by the Highway Authority requiring that the car park is marked out and not used for the storage of goods would be appropriate.

In line with Policy CC5 of the Local Plan, it would be appropriate to ensure that the car parking area is surfaced in porous materials, notwithstanding the details showing it to be tarmac in the application documents. A condition may be imposed in this respect.

Design and appearance

The unit is reasonably in scale with the surrounding terraced properties. It is of similar height to the adjacent terrace and laid out so that the main frontage faces North Street. The facing materials are artificial stone with a dark grey tile roof which are in keeping with the surrounding area. The window openings would have artificial stone surrounds to reflect the details of the surrounding properties in the area.

The window openings facing North Street are intended to be the main shop windows. There are side shop windows facing Angle Street and the applicant has been asked to consider amendments to these windows to reflect the style of the terrace.

There would be an enclosed area set aside to the rear of the building designated for refuse storage. The front forecourt would include small areas of landscaping.

The design and materials are acceptable in this location

Impact on Residential Amenity

The area is mixed with commercial, community and residential properties. There is a mosque and school adjacent to the application site, business premises close by and there are residential properties on Angle Street and North Street close to the site.

The use is unlikely to be a source of undue nuisance and disturbance to residents over and above existing activity in the area. It would be appropriate to restrict the opening hours of the shop to that applied for, i.e. Monday to Saturday 8 a.m to 7 p.m. and 10 a.m. to 4 p.m. on Sundays and Bank Holidays, to minimise the impact on the neighbouring properties.

It is proposed to impose a condition requiring a construction method statement to include any potential issues in relation to the construction period in terms of construction working hours, and emissions of dust, etc.

Recommendation:

That the Head of Housing and development Control be delegated to grant planning permission for the development subject to the following conditions, on receipt of satisfactory amended plans which show an acceptable elevational treatment to the Angle Street elevation.

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; 437/02; 437/03 and; 437/04 received 25 July 2018 (*as may be amended*)
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.

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.

CMR

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Housing & Development
19 Parker Lane

Ref.

APP/2018/0345

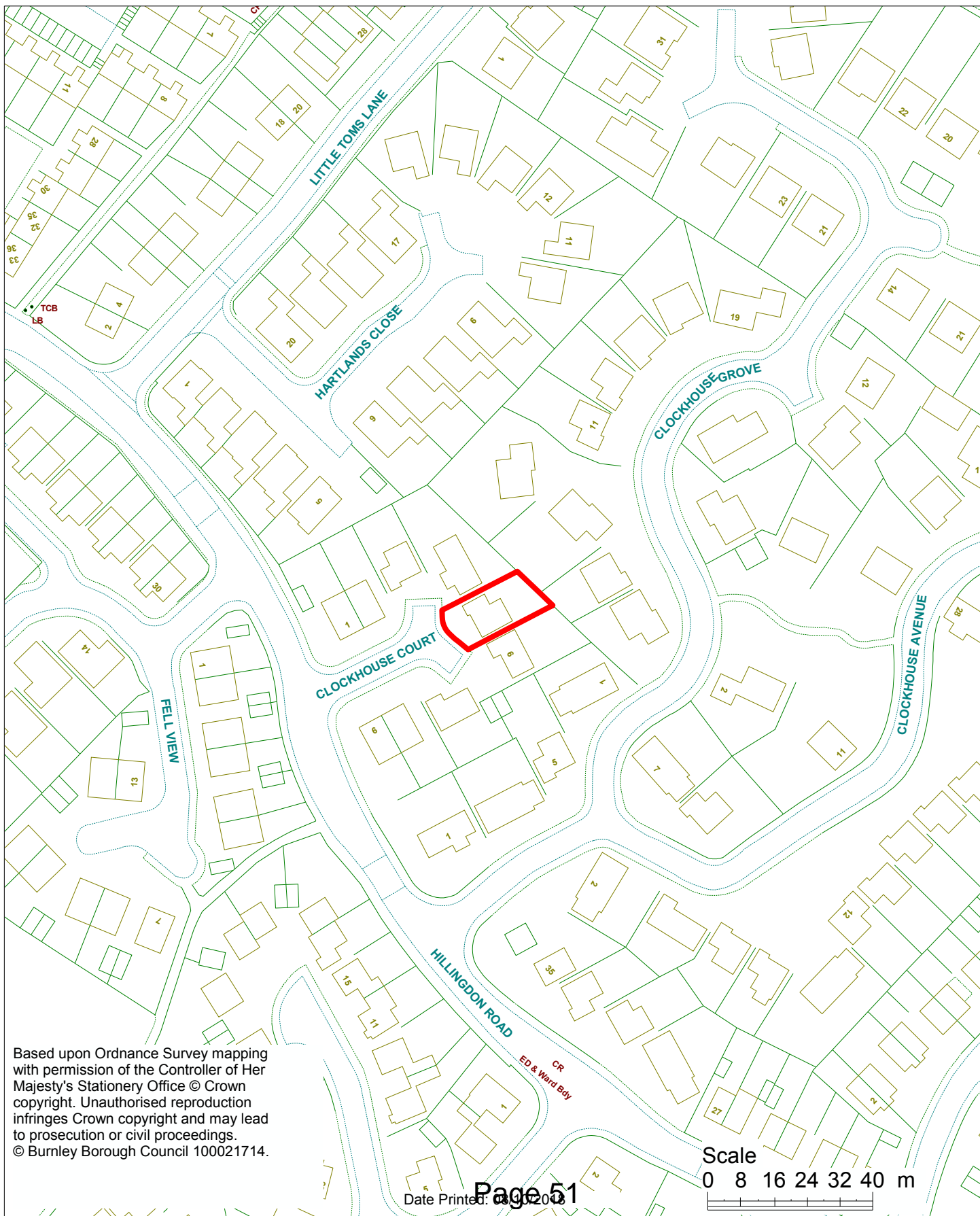
Paul Gatrell Head of Housing and Development

Location:



5 Clockhouse Court, Burnley

1:1250



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Full Planning Application
Proposed 1st floor side extension
5 CLOCKHOUSE COURT BURNLEY

Background:

The application relates to a detached house.

Objections have been received.

Relevant Policies:

National Planning Policy Framework
Burnley Local Plan
HS5: House Extensions and Alterations
IC3: Car Parking Standards
CC5: Surface water Management

Site History:

APP/2014/0169: Proposed single storey extension - Granted

Consultation Responses:

Neighbouring residents – Letters from 3 neighbouring residents. Two, from residents at the rear make objections, summarised as follows:

- Loss of privacy; overlooking
- Over-looking back garden and conservatory.
- Over-shadowing; loss of sunlight
- Noise and disturbance.

One letter from a side neighbour expressing concern about possible rain-water run-off from proposed hardstanding/parking space at the front of the dwelling.

Planning and Environmental Considerations:

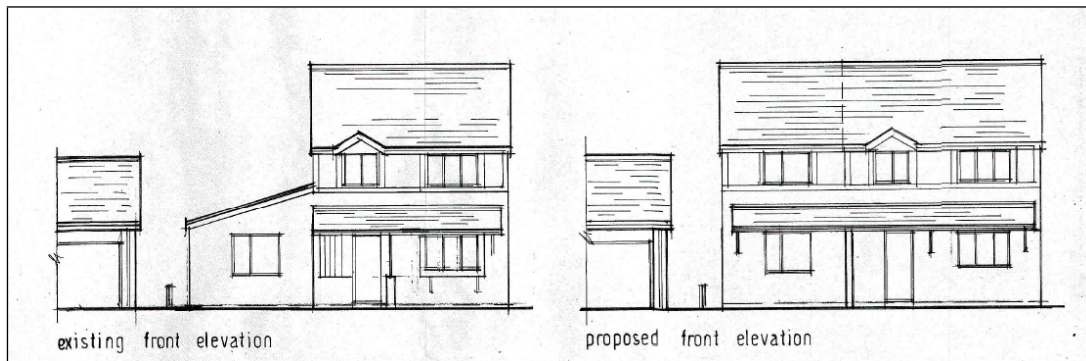
The application relates to a detached house at the head of a cul-de-sac. The house is two-storey; there are similar houses to the rear and single storey houses to either side.

Due to the hill-side location, the houses to the rear are at a higher level, with floor levels around one metre higher than the application site.

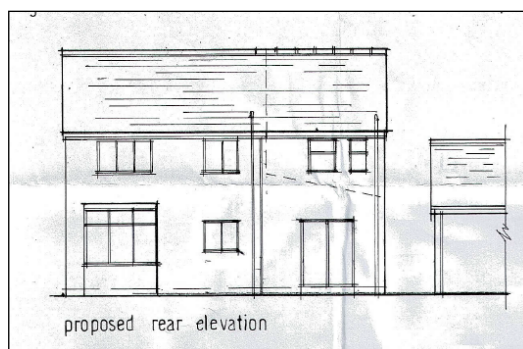
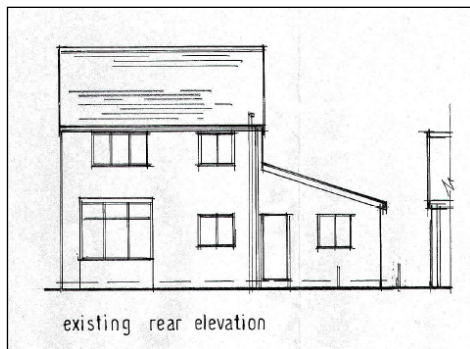


Application site

The house has a single storey side extension, set just inside the side boundary. The present proposal is to build a first floor extension above the existing side extension in design that lengthens the existing building in the same form, materials and window pattern.

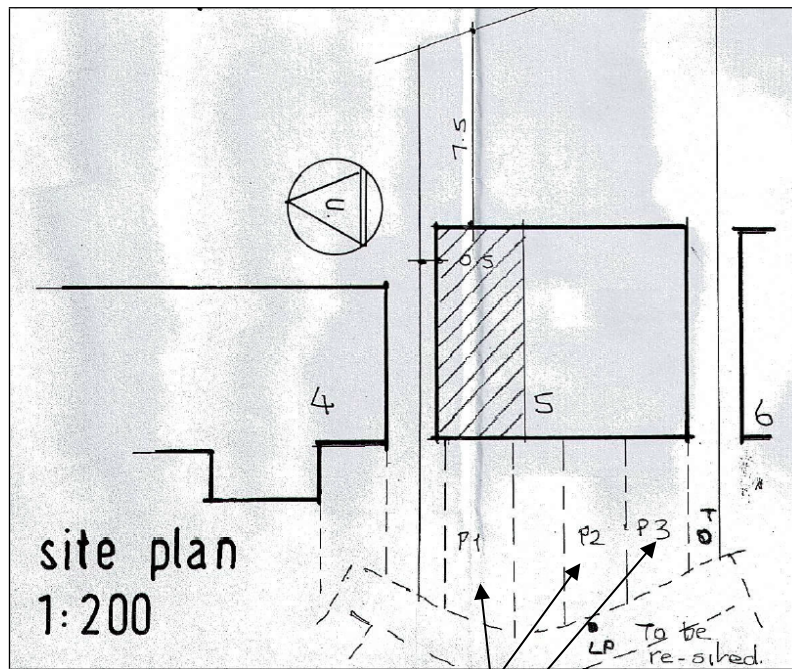


Existing Front Proposed



Existing Rear Proposed

An additional car parking space would be created in the forecourt.



Policies and Assessment

Policy HS5:

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.

The proposed extension would be built in materials of a suitably high quality to match the existing building.

The Council will permit extensions and modifications to existing residential properties where:

- (a) *The extension is subordinate to the existing building, to allow the form of the original building to be clearly understood;*

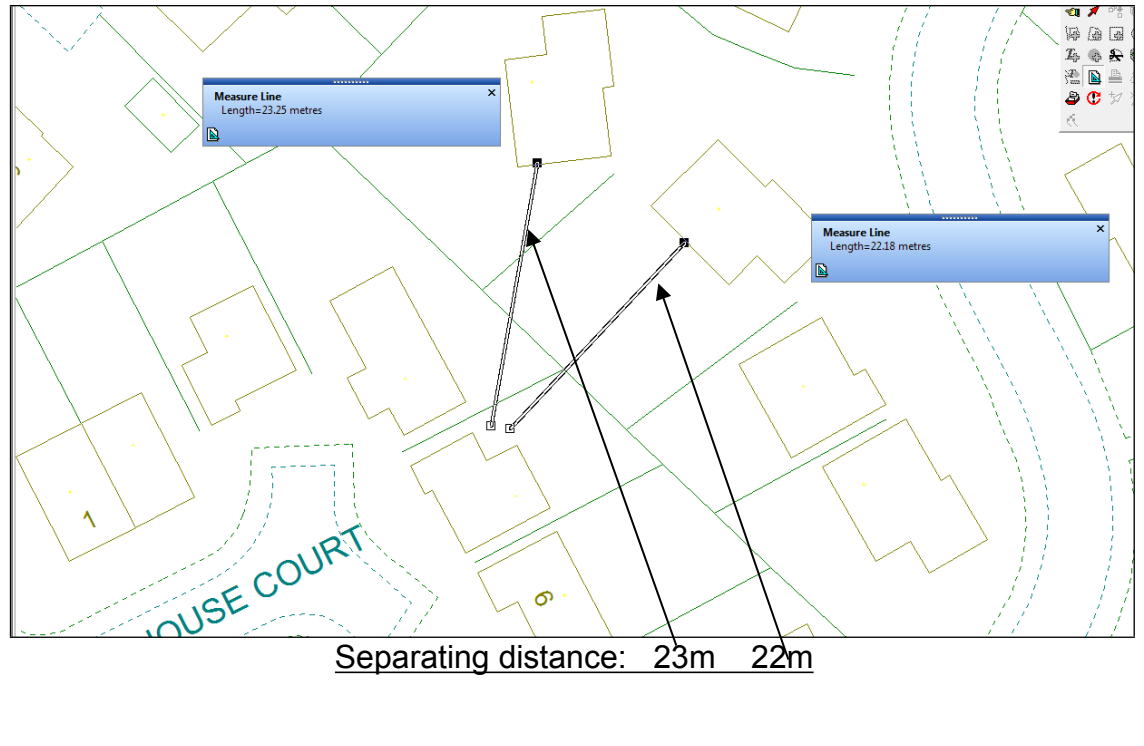
The proposed extension would not be subordinate, however, the proposal would create a building having a reasonable degree of symmetry and proportion which would enhance the street scene.

- (b) *The design respects the architectural characteristics, scale and detailing of the host building and its setting. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. This would not preclude proposals that are innovative or contemporary where these are of an exceptional design quality;*

Design, style, materials and general external appearance would match the existing building and surroundings.

- (c) *The proposal will not have a detrimental impact on the amenity reasonably expected to be enjoyed by the occupants of neighbouring properties through overlooking, lack of privacy or reduction of outlook or daylight, using the distances set out in Policy HS4 3)c);*

The separating distance set is 20m (privacy); 15m (outlook). These are exceeded in this proposal, which is therefore in accordance with the policy. The relationship of the dwellings is shown below.



- (d) *The proposal does not lead to an unacceptable loss of parking, both in curtilage or on street and does not create a danger to pedestrians, cyclist or vehicles;*

Policy IC3 sets a requirement for 3 spaces for the now four-bedroom house, which would be complied with by provision of the additional, forecourt car space.

and

- (e) *The proposal does not lead to an unacceptable loss of useable private amenity space.*

Generous rear garden space would remain.



Rear garden

Other matters

Vehicular hard-standings have the potential to exacerbate problems associated with surface water run-off and the concerns of the neighbour are understood. A condition is recommended to require attention to this matter. And, to ensure appropriate quality of external appearance, a condition is recommended in relation to matching materials.

In conclusion the proposal would enable the creation of four-bedroom dwelling house with minimal (if any) harm to residential amenity.

Recommendation:

That planning permission be Granted subject to the following conditions:

Condition

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 or 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.

Reason

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).

AR
8.10.2018

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BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

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

18th October 2018

Housing and Development

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Delegated Decisions from 03/09/18 to 30/09/18

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
Lawful Development Certificate (S192)		
Lawful Development Certificate Granted		
APP/2018/0443	50 SCARLETT STREET BURNLEY BB11 4LQ	Lawful Development Certificate for use of dwelling house to small house in multiple occupation (3-6 occupants) sharing same facilities
Compliance with conditions		
Conditions partially discharged		
APP/2018/0312	6 BARLEY TOP HAMELDON ROAD HAPTON BURNLEY BB11 5QP	Approval of details reserved by Condition on Planning Permission APP/2017/0320: Condition 3 (Part of) (Details of external wall materials)
APP/2018/0370	6 BARLEY TOP HAMELDON ROAD HAPTON BURNLEY BB11 5QP	Approval of details reserved by Condition on Planning Permission APP/2017/0320: Condition 3 (part of) (Details of roof materials)
APP/2018/0425	LAND WEST OF KIDDROW LANE BURNLEY	Application for approval of details reserved by conditions 9 (access), 13 (site investigation), 16 & 17 (drainage), 18 (foul water), 20, 21 & 22 (bats), 27 (archaeology) and 31 (pond/swale) of planning permission APP/2018/0003
Full Planning Application		
Full Planning Permission Granted		
APP/2018/0265	20 SCHOOL LANE CLIVIGER BB10 4RJ	Proposed 2 storey extension to side and rear and formation of access and parking area
APP/2018/0289	40 GREENCLIFFE LANE CLIVIGER BURNLEY BB10 4RH	Proposed single storey extension
APP/2018/0303	80 MANCHESTER ROAD BURNLEY BB11 2HH	Proposed change of use of building from use class B1 General Industrial to use class B2 Business Offices and external alterations with partial demolition works
APP/2018/0308	122 RICHMOND AVENUE CLIVIGER BURNLEY BB10 4JL	Proposed single storey extensions to side and rear elevations
APP/2018/0313	12 SUNNYFIELD AVENUE CLIVIGER BB10 4TE	Erection of 1st floor extension to rear and external alterations
APP/2018/0316	2 WESTWOOD ROAD BURNLEY BB12 0HR	Proposed single storey extensions to both side elevations of dwelling

Delegated Decisions from 03/09/18 to 30/09/18

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
APP/2018/0325	93 GORDON STREET BURNLEY BB12 0AX	Proposed extension of existing kitchen to form wet room
APP/2018/0327	387 BROOKSIDE BURNLEY ROAD CLIVIGER BB10 4SU	Proposed single storey extension to rear of house
APP/2018/0332	SAINSBURYS SUPERMARKET SAINSBURYS ACTIVE WAY BURNLEY BB11 1BS	Erection of a canopy shelter within existing service yard
APP/2018/0335	LAND TO THE REAR OF 143-153 BURNLEY ROAD PADIHAM BB12 8BA	Erection of detached residential dwelling
APP/2018/0338	45 RICHMOND AVENUE CLIVIGER BURNLEY BB10 4JL	Proposed single storey extension to front elevation
APP/2018/0341	8 SEFTON TERRACE BURNLEY BB11 4PZ	Proposed dormer to front elevation
APP/2018/0350	OAKMOUNT VETERINARY TRAFALGAR STREET BURNLEY BB11 1TP	Removal of existing roof covering, roof structure and boundary walls and installation of steel railings on concrete coping stones
APP/2018/0351	MUSTY HAULGH BARN GRANVILLE STREET BRIERCLIFFE BB10 2RA	Rebuilding and extension of existing garage to create games/leisure room/gym
APP/2018/0354	28 PARK ROAD CLIVIGER BB10 4SL	Proposed single storey extension to rear
APP/2018/0367	41 SANDIWAY DRIVE BRIERCLIFFE BB10 2JS	Proposed porch to front
APP/2018/0381	14 WELL STREET PADIHAM BB12 8LE	Proposed first floor extension
APP/2018/0382	57 SPRINGFIELD ROAD BURNLEY BB11 3LR	Proposed conversion of single residential dwelling to 2no flats
APP/2018/0383	8 FAIRBAIRN AVENUE BURNLEY BB12 0LW	Retention of extension to front and single storey side and rear extension
APP/2018/0388	40 EMILY STREET BURNLEY BB11 2HR	Single storey rear extension
APP/2018/0389	68 PARLIAMENT STREET BURNLEY BB11 3JY	Proposed change of use of ground floor shop to residential and conversion of same to one bed flat

Delegated Decisions from 03/09/18 to 30/09/18

<u>APPLICATION NO</u>	<u>LOCATION</u>	<u>PROPOSAL</u>
Full Planning Permission Refused		
APP/2018/0315	11 STEPHENSON DRIVE BURNLEY BB12 8AJ	Proposed two storey side extension and single storey rear extension
APP/2018/0326	2 HASLAM COURT BURNLEY BB10 1JR	2 storey and single storey extension to side and erection of front porch
APP/2018/0355	6 CURZON STREET BURNLEY BB11 1BB	Proposed door guarding to existing staff entrance/exit

Work to trees covered by Tree Preservation Order

Work to TPO trees granted

APP/2018/0309	OSBORNE GROVE 367 COLNE ROAD BURNLEY BB10 2LB	Proposed various works to Trees covered by the Burnley (367 Colne Road) Tree Preservation Order 2003
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