



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 30th May, 2019 at 6.30 pm

PRESENT

MEMBERS

Councillors C Towneley (Chair), G Birtwistle (Vice-Chair), F Cant, S Chaudhary, A Fewings, S Graham, J Harbour, A Hosker, M Ishtiaq, M Johnstone, G Lishman, N Mottershead, M Payne and J Sumner

OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Janet Filbin	– Senior Planner
Emma Barker	– Principal Legal Officer - Litigation & Regulation
Imelda Grady	– Democracy Officer

1. Apologies

Apologies for absence were received from Councillor Anwar.

2. Minutes

The Minutes of the last meeting held on 30th April 2019 were approved as a correct record and signed by the Chair.

3. 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:

1.	Jean Cunningham (against)	APP/2018/0397 – Former Padiham County Primary School, Victoria Road, Padiham
2.	Stephen Clinch (against)	APP/2018/0397 – Former Padiham County Primary School, Victoria Road, Padiham
3.	Tom Garwell (for)	APP/2018/0397 – Former Padiham County Primary School, Victoria Road, Padiham

RESOLVED

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

4. APP/2018/0397 - Former Padiham County Primary School, Victoria Road, Padiham
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Full Planning Application

Proposed new petrol filling station, shop, forecourt parking, service bay/wash bay and community garden at

FORMER PADIHAM COUNTY PRIMARY SCHOOL VICTORIA ROAD PADIHAM

Decision:

That planning permission be refused.

Reason:

- (1) The proposed development would by reason of its appearance, nature, scale and illumination have a detrimental impact on the setting of a Grade II* listed building (Stockbridge House) and a Grade II listed building (Stockbridge Lodge), contrary to Policy HE2 of Burnley’s Local Plan (July 2018) and the National Planning Policy Framework.

- (2) The proposed development would by reason of its proximity to neighbouring properties and the noise, activity and illumination associated with the proposal, have a negative and unacceptable impact on the amenities and living conditions of the neighbouring occupiers on Spenser Street, Victoria Road and Burnley Road, contrary to Policy SP5 of Burnley’s Local Plan (July 2018).

As this decision was contrary to officer recommendation, a named vote was taken as follows:

To refuse APP/2018/0397 - Former Padiham County Primary School, Victoria Road, Padiham (Motion)	
Councillor Cosima Towneley	Abstain
Councillor Gordon Birtwistle	For

Councillor Frank Cant	Abstain
Councillor Saeed Chaudhary	Abstain
Councillor Andy Fewings	For
Councillor Sue Graham	For
Councillor John Harbour	For
Councillor Alan Hosker	For
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	Abstain
Councillor Gordon Lishman	For
Councillor Neil Mottershead	For
Councillor Mark Payne	For
Councillor Jeff Sumner	For
Carried	

5. APP/2019/0009 - 106 Wellfield Drive, Burnley

Erection of new dwelling on present side garden of existing dwelling 106 WELLFIELD DRIVE BURNLEY

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

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the application drawings, namely: Drawings number: 1810-LP01; 1810-SP01; 1810-SP02; 1810-PL05; 1810-PL01; 1810-PL02; 1810-PL03; 1810-PL04, received 2 January 2019; 1810-LP10 (Site Plan with Visibility Splays) received 29 May 2019.
3. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.
4. Any external lighting provided at the dwelling shall be so angled and/or shrouded/screened to prevent light spill to neighbouring dwellings.
5. Any external hardstanding, pathways or other hard surface shall be formed of a permeable material unless otherwise approved in writing by the Local Planning Authority.
6. The visibility of drivers entering Wellfield Drive from the site access shall be provided as follows: From the height of one metre above the driveway level at the access (being 2.4m from the edge of carriageway) clear visibility, without obstruction, shall be maintained across all the land within the site and within the

applicant's control, between the sight lines (identified by chain-dotted lines on drawing number 1810-LP10) and Wellfield Drive.

7. Samples of external materials of construction shall be submitted to and approved in writing by the Local Planning Authority before their use in construction.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.
3. To safeguard the amenities of nearby residents from noise, dust, and general disturbance during the construction period, in accordance with Policy NE5 of the Burnley's Local Plan (2018).
4. To safeguard nearby residents from light pollution, in accordance with Policy NE5 of the Burnley's Local Plan (2018).
5. In the interests of proper surface water management and to avoid localised surface water flooding in accordance with Policy CC5 of the Burnley's Local Plan (2018).
6. In the interests of highway safety.
7. In the interests of visual amenity in accordance with Policy SP5 of the Burnley Local Plan (2018).

6. APP/2019/0150 - 113 Lyndhurst Road, Burnley

Full Planning Application

Refurbishment of existing ground floor fish and chip shop unit and first floor residential unit with single storey flat roof extension, together with new shop fronts and roller shutters to both front and side elevations.

113 LYNDHURST 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: drawing Nos: 1908-PL01 & 1908-PL02, received 22 March 2019, Amended Drawing Nos: 1908-LP01 (location plan) and 1908-PL10A received 17 May 2019; and amended drawing no. 1908-PL11B received on 24

May 2019

3. The roller shutter housing for the approved roller shutters shall be contained internally within the shopfronts and shall have a powder coated finish as indicated on the approved plans.
4. The flat roof of the single-storey extension shall not at any time be used as a balcony/sitting area.

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. In the interests of visual amenity and in accordance with policy TC8 of Burnley's Local Plan 2018.
4. In the interests of residential amenity and in accordance with policy HS5 of Burnley's Local Plan 2018.

7. APP/2018/0489 - Hunters Oak Farm, Ightenhill Park Lane, Burnley

Full Planning Application

Proposed change of use from agricultural to equestrian, formation of riding arena and erection of stables

HUNTERS OAK FARM IGHTEHILL PARK LANE BURNLEY

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

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the application drawings, namely: Location Plan received 27th February 2019; drawings number 02A (excluding superseded Location Plan) (showing plan layout of the development); 03A (Proposed Stables), received 12 October 2018.
3. There shall be no floodlighting erected or operated at the site in respect of the approved riding area at any time. This shall not exclude low level and low intensity lighting required elsewhere.
4. The horse riding arena and stables shall be for private use only, and shall not at any time be used for livery, as a riding school, for gymkharna, or for any other

commercial purpose.

5. There shall be no vehicular or pedestrian access to the development direct from Ightenhill Park Lane, at any time.
6. The development shall be operated at all times in accordance with the measures set out in the Design and Access Statement under the sub-heading *Collection, storage and removal of manure*.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.
3. In the interests of the visual amenities of the area, in accordance with Policy NE5 of the Burnley's Local Plan (2018).
4. To enable consideration of any public/commercial use in relation to the development plan, in particular Policy EMP7 of the Burnley's Local Plan (2018).
5. For the avoidance of doubt as no such access was proposed in the application; and any such proposal should be considered in relation to the development plan (in particular Policies EMP7, NE3 and NE4 of the Burnley's Local Plan (2018)); and, the need to provide for highway safety.
6. In the interests of amenity and to minimise ground and water pollution in accordance with Policy NE5 of the Burnley's Local Plan (2018).

8. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 15th April to 12th May 2019.