

DEVELOPMENT CONTROL COMMITTEE

Thursday, 17th October, 2019
6.30 pm





DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 17th October, 2019 at 6.30
pm

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm three days before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at: [Request To Speak form](#). You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

A G E N D A

1. Apologies

To receive any apologies for absence.

2. Minutes

5 - 22

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

23 - 24

To consider reports on planning applications for development permission:

a) **OUT/2019/0340 Land associated with the former Bull and Butcher Pub Manchester Road Burnley**

25 - 44

b) **FUL/2019/0191 14 Higham Road Padiham**

45 - 54

c)	COU/2019/0346 5 Albert Street Burnley	55 - 66
d)	HOU/2019/0442 34 Marsden Road Burnley	67 - 74
e)	APP/2019/0056 & 0057 The Stackhouses Bank Parade Burnley	75 - 86
f)	OUT/2019/0047 Land at Lawrence Avenue Burnley	87 - 96
7.	Decisions taken under the Scheme of Delegation	97 - 106

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

MEMBERSHIP OF COMMITTEE

Councillor Alan Hosker (Chair)	Councillor Sue Graham
Councillor Mark Payne (Vice-Chair)	Councillor John Harbour
Councillor Afrasiab Anwar	Councillor Mohammed Ishtiaq
Councillor Gordon Birtwistle	Councillor Marcus Johnstone
Councillor Frank Cant	Councillor Gordon Lishman
Councillor Saeed Chaudhary	Councillor Neil Mottershead
Councillor Ivor Emo	Councillor Asif Raja
Councillor Andy Fewings	Councillor Jeff Sumner

PUBLISHED

Wednesday, 9 October 2019

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DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 19th September, 2019 at 6.30 pm

PRESENT

MEMBERS

Councillors A Hosker (Chair), A Anwar, G Birtwistle, I Emo, A Fewings, S Graham, J Harbour, M Johnstone, G Lishman, A Raja and J Sumner

OFFICERS

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

43. Apologies

Apologies for absence were received from Councillors Saeed Chaudhary, Neil Mottershead and Mark Payne.

44. Minutes

The Minutes of the last meeting held on 21st August 2019 were approved as a correct record and signed by the Chair.

45. Additional Items of Business

In accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972, the Chair decided that the item relating to Minute 58 should be considered in view of the circumstance outlined in the report.

46. 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.	Judith Douglas (FOR)	FUL/2019/0255 – Springbank Street West Padiham
2.	Tracy Townsend (FOR)	FUL/2019/0260 - Ivy Mount Cottage 376 Brunshaw Road Burnley
3.	Ian Snowden (AGAINST)	FUL/2019/0371 – 7-9 Yorke Street Burnley
4.	Linda Wright (FOR)	FUL/2019/0408 – 79 Church Street Burnley

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

47. APP/2019/0110 Causeway Farm The Long Causeway Burnley

**Proposed agricultural storage building
Causewayside Farm The Long Causeway Burnley Lancashire**

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 9/4/19 and shall not be varied without the prior written approval of the Local Planning authority

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

4. The building hereby permitted shall be used for agricultural purposes only (as defined in Section 336 (1) of the Town and Country Planning Act 1990.

Reason: To ensure that the building is used solely for agricultural purposes and to safeguard the open countryside in accordance with policy SP4 of Burnley's adopted Local Plan

5. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

48. FUL/2019/0255 Springbank West Street Padiham

**Residential development of six semi-detached houses and nine detached houses and access road (demolition of garages attached to electricity substation)
Springbank West Street Padiham Lancashire**

Decision: That delegated authority be given to the Head of Housing and Development Control to approve the development subject to the completion of a s106 Agreement to secure a contribution towards the improvement of existing public open space and 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 listed on this notice below.
3. Prior to construction work commencing on the approved dwellings, details and representative samples of the 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.
4. 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) measures to control noise during construction;
 - vii) wheel washing facilities;
 - viii) details of working hours;
 - ix) details of phasing of the development and timescales for completion of stages of the development;
 - x) routing of delivery vehicles to/from the site; and,
 - xi) contact details for the site manager.

5. No construction of the approved dwellings shall be commenced until a scheme for the construction of the site access has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved scheme has been carried out and completed in accordance with the approved details.
6. Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:-
 - a) A desktop study to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.
 - b) If necessary following the recommendations of a) above, a site investigation designed for the site using the information obtained from (a) above; and,
 - c) a site investigation and associated risk assessment; and,
 - d) a Method Statement and remediation strategy, based on the Information obtained from c) above.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale which shall be agreed in writing by the Local Planning Authority.
7. Prior to the construction of any built development, a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained and details of new planting shall be submitted to and approved in writing by the Local Planning Authority.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of any of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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.
9. No works to trees or shrubs shall be carried out between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.
10. Prior to any earthworks taking place, a method statement detailing eradication and/or control and/or avoidance measures for Wall cotoneaster should be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall thereafter be implemented and adhered to in full throughout the course of the development.
11. 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.

12. No dwelling shall be first occupied unless and until its associated car parking has been constructed, drained, surfaced and is available for use in accordance with the approved plans. The car parking spaces associated with each dwelling shall thereafter be retained for the purposes of car parking at all times in the future.
13. No detached dwelling shall be first occupied until it has been provided with an electric car charging point which uses a three-pin 13-amp electrical socket in a suitable position to enable the recharging of an electric vehicle using a 3m length cable.
14. During the site works and 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 other than between 08:00 and 18:00 hours Monday to Friday and between 08:00 and 13:00 hours on Saturdays.
15. No dwelling hereby approved shall be first occupied until refuse and recycling storage facilities have been provided in accordance with details that shall be previously submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage facilities shall thereafter be retained at all times.
16. Prior to the commencement of the construction of any dwelling, a scheme of boundary treatment which shall include design and material specifications, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall thereafter be carried out and completed prior to the first occupation of any dwelling to which that part of the approved boundary treatment relates and shall be retained at all times thereafter.
17. The development shall be carried out at all times in accordance with Reasonable Avoidance Measures (RAM's) in accordance with the recommendations at section 5.7 of the Ecological Appraisal submitted with the application (prepared by Bowland Ecology, dated January 2018).
18. The development shall be carried out at all times in accordance with Reasonable Avoidance Measures (RAM's) for the protection of mammals as listed below:-
 - All excavations on the site shall be covered at night or a ramp provided to allow hedgehogs/mammals to exit excavations;
 - All excavations shall be checked for hedgehogs/mammals each morning prior to the re-commencement of any works;
 - All stored building materials that could be used as temporary resting places by hedgehogs/mammals shall be stored off the ground on pallets or similar; and,
 - If any hedgehogs/mammals are found then they should be carefully moved to a safe area.
19. No development shall be commenced until a scheme for the means of protecting the woodland to the north of the site and the trees to be retained indicated on

drawing number 17-149/PL01RevF, which shall be in accordance with BS 5837 (2012) and include the protection of root structures from injury or damage prior to and during the development works, has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also provide for no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees or hedges. The approved scheme of protection measures shall be implemented in its entirety before any works are carried out, including any site clearance work, and thereafter retained during building operations until the completion of the development.

20. No external lighting during the construction process shall at any time be directed towards the adjacent woodland or trees on the application site. No other external lighting shall at any time thereafter be installed that directly illuminates any part of the adjacent woodland or trees within the site.
21. Prior to the commencement of built development, a scheme for the enhancement of biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:-
 - Bat brick and/or tubes within the new development;
 - Bird boxes; and
 - Native tree and shrub planting.
 - Details of the timing and timescales for the implementation of the scheme.The approved scheme shall thereafter be carried out and completed in accordance with the approved details.
22. Notwithstanding the provisions of Article 3 and Part 1 of the second schedule of the Town and Country Planning General Permitted Development (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no development as specified in Class B of Part 1 of Schedule 2 of that Order shall be carried out at Plot 6 without express planning permission first being obtained from the Local Planning Authority.
23. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
24. The new estate road/access between the site and Sycamore Avenue shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
25. Prior to the commencement of built development, details of finished floor levels for all 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 details.

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 a satisfactory appearance to the development, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
4. To ensure that the safety and amenities of residents in the surrounding area are satisfactorily protected and disturbance is minimised, in accordance with Policies NE5 and IC1 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.
5. To ensure the minor changes to the highway that are necessitated by the development are agreed and carried out in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
6. To ensure the site is made suitable for residential use, in accordance with Policy NE5 of the Burnley's Local Plan (July 2018). The investigation and report is required prior to the commencement of development to ensure that measures that are necessary to make the development acceptable can be carried out at an appropriate stage in the development.
7. In the interests of the visual amenities and the ecology of the site, to ensure adequate mitigation for the loss of semi-natural habitat, in accordance with Policies HS4, SP5 and NE1 of Burnley's Local Plan (July 2018).
8. To ensure the satisfactory implementation of the approved landscaping scheme, to ensure a satisfactory appearance to the development and the effective mitigation against the loss of habitat for birds and wildlife, in accordance with Policies HS4, SP5 and NE1 of Burnley's Local Plan (July 2018).
9. 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).
10. In order to prevent the spread of an invasive species, in accordance with the Wildlife and Countryside Act 1981 and Policy NE1 of Burnley's Local Plan (July 2018).
11. 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.
12. To ensure adequate off-street parking, in the interests of highway safety and amenity, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).

13. To encourage the use of electric vehicles in order to reduce emissions and protect the local air quality in accordance with Policy IC3 of Burnley's Local Plan (July 2018), the National Planning Policy Framework and the Burnley Green Infrastructure Strategy 2013-2031.
14. To protect the amenities of local residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).
15. To ensure adequate refuse and recycling storage for the approved dwellings in order to cater for the needs of the development and to protect the visual amenities of the area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
16. To ensure a satisfactory edge to the development and a satisfactory appearance within the street scene, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
17. To ensure adequate protection to bats, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
18. To ensure adequate protection to hedgehogs and other mammals, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
19. To ensure adequate protection for the long term health of the adjacent woodland and trees on the site which should be retained in the interests of the visual amenities and biodiversity of the site and its surroundings, in accordance with Policies NE4 and NE1 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.
20. To protect bats and birds that may nest in trees due to the harmful impact of artificial light on wildlife, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).
21. To ensure the scheme provides opportunities for biodiversity enhancement, in accordance with Policy NE1 of Burnley's Local Plan (July 2018) and the National Planning Policy Framework.
22. To allow the Local Planning Authority to assess the impact of any future changes relating to the enlargement within the roof at Plot 6 having regard to its relationship with existing dwellings on East Street and their residential amenities, in accordance with Policies SP5 and HS4 of Burnley's Local Plan (July 2018).
23. To prevent stones and mud being carried onto the public highway to the detriment of road safety, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).
24. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

25. To ensure the satisfactory implementation of the proposal, having regard to the appearance of the development and its surroundings, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

49. FUL/2019/0260 Ivy Mount Cottage 376 Brunshaw Road Burnley

**Proposed new dwelling with access from Brunshaw Road (amended scheme)
Ivy Mount Cottage 376 Brunshaw Road Burnley Lancashire**

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 17/6/19 and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

4. 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 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 constructing the development
- iv) The erection and maintenance of security hoarding
- v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

5. The development shall not be occupied until the car parking areas to serve the development have been laid out and hard surfaced in accordance with approved drawings and made available for use and retained as such thereafter.

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification):
- (i) no external alterations, including roof alterations, or extensions shall be carried out to the building
 - (ii) no garages or outbuildings shall be erected within the curtilage of the building; unless planning permission for such development has been granted by the Local Planning Authority.

Reason: Reason: To enable the local planning authority to consider future development having regard to policies SP5 and HS5 of Burnley's adopted Local Plan.

7. 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 and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan.

50. FUL/2019/0317 Hill Crest Higher Timber Hill New Road

Extension of stables, creation of muck midden and formation of new horse track to stables.

Hill Crest Higher Timber Hill New Road Burnley

That planning permission be granted subject to the following conditions

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 3/7/19 and shall not be varied without the prior written approval of the Local Planning authority

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

4. The stable building hereby permitted shall be for private use only and shall not be used in connection with any commercial enterprise such as livery stables or riding school.

Reason: For the avoidance of doubt as the more intensive commercial use of the development could be detrimental to the appearance and character of the locality, the amenities of nearby residents or highways safety contrary to policy SP 5 of the adopted Local Plan.

5. Before the access is used for equestrian purposes, any gateposts erected at the access shall be positioned 5m behind the back edge of the verge. The gates shall open away from the highway.

Reasons: To permit horses to stand clear of the carriageway when entering and exiting the site and to ensure the swing of the gates do not affect the availability for a horse and rider to wait off the adopted verge.

6. Before the access is used for equestrian purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmac, concrete, block pavements, or other approved materials.

Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

7. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences. For the avoidance of doubt the scheme shall include the surfacing details and provision of bollards to prevent vehicle parking.

8. 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 and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy NE5 of the adopted Local Plan.

9. The horse track hereby approved, shall at no time be used vehicles including the loading and unloading of horses.

Reason: In the interests of highway and pedestrian safety, in order to comply with Policy IC1 of Burnley's adopted local Plan

51. FUL/2019/0371 7-9 Yorke Street Burnley

**Proposed change of use of sandwich shop and nightclub to retail use (Class A1) or gin bar (Class A4) and install new shop frontage
7-9 Yorke Street Burnley Lancashire BB11 1HD**

Amended Plan

An amended plan regarding the proposed location of the refuse and recycling bin stores was provided (CROS/01 Dwg 02A, received on 17th September 2019), showing an internal bin store within the application site.

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

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. 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 and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities

4. No combustion of any materials likely to result in smoke or other nuisance by atmospheric pollution shall take place on the site.

Reason: In order to not significantly pollute the environment in accordance with policy NE5 of the adopted Local Plan.

5. The development hereby approved shall be used solely for purposes falling within Class A1 and/or Class A4 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

6. Prior to any work on the shopfront, full and precise joinery details (at a scale of no more than 1:20 as appropriate) shall be submitted to and approved in writing by the Local Planning Authority. The joinery details should carefully match patterns and profiles traditional to the area. Once approved by the Local Planning Authority the shopfront should be constructed in accordance with the approved details and shall be retained as such thereafter.

Reason: As insufficient information has been submitted and in order to ensure a satisfactory appearance to the development and to protect the character and appearance of the Conservation Area in accordance with Policies TC8, HE2 and SP5 of Burnley's Local Plan (July 2018)

7. Prior to the removal of any existing window frames on the building precise details of replacement windows including scaled elevation and profile plans of the new windows at 1:20; detailed window sectional plans at 1:5 and full scale 1:1 details showing any moulding details shall be submitted to and approved in writing by the Local Planning Authority. Once approved by the Local Planning Authority the windows shall be installed in accordance with the approved details and shall be retained as such thereafter

Reason: As insufficient information has been submitted and in order to ensure a satisfactory appearance to the development and to protect the character and appearance of the Conservation Area in accordance with Policies HE2 and SP5 of Burnley's Local Plan (July 2018).

8. Customers shall only be permitted on the premises between the following hours: Mondays to Saturdays 08:00 - 01:00 the following morning and on Sundays between 09:00 and 00:00 midnight

Reason: To protect the amenities of nearby residents, in accordance with SP5 of Burnley's Local Plan (2018).

9. Prior to the permitted Class A4 use being first commenced, soundproofing shall be carried out and completed in accordance with a scheme of soundproofing which shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents, in accordance with SP5 of Burnley's Local Plan (2018).

52. FUL/2019/0408 79 Church Street Burnley

**Change of use from offices to 13 person house in multiple occupation
79 Church Street Burnley Lancashire BB11 2RS**

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

Conditions

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

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

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received on 6/819 and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018.

4. 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 and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy NE5 of the adopted Local Plan.

5. The external doors shall be fitted with a self-closing mechanism, which shall be maintained in working order, and shall be kept closed at all times when not being used for purposes of access into, or egress from, the building.

Reason: To ensure that the emission of noise is controlled in the interests of the amenity of nearby residents in accordance with policy NE5 of the adopted Local Plan.

6. No combustion of any materials likely to result in smoke or other nuisance by atmospheric pollution shall take place on the site.

Reason: In order to not significantly pollute the environment in accordance with policy NE5 of the adopted Local Plan.

7. Prior to the occupation of development, a detailed scheme showing the external treatment of the bin store shall have been submitted to the Local Planning Authority for approval. The approved bin storage shall be made available prior to first use/occupation of the development hereby approved and thereafter retained.

Reason: In the interests of visual amenity and to accord with Policy SPF of Burnley's adopted Local Plan

Reason: To ensure adequate provision for bin storage in the interests of the visual amenities of the area, in accordance with the Policies SP5 and HS4 of Burnley's Local Plan (July 2018).

8. No part of the approved scheme shall be first occupied until secure cycle storage provision has been provided on site. The approved secure cycle provision shall thereafter be retained in perpetuity.

Reason: In order to encourage alternative methods of travel and a wider choice of transport modes, in accordance with policy IC1 of the adopted Local Plan.

9. The premises shall be occupied by a maximum of 13 persons.

Reason: To control the intensity of use, having regard to the limited availability of offstreet parking at the premises and the potential impact of increased numbers on the residential amenities of neighbouring occupiers, in accordance with Policies SP5 and IC3 of Burnley's Local Plan (2018).

53. FUL/2019/0421 St Stephens C of E School Woodgrove Road Burnley

Proposed single story extension to the front (west) elevation of the school

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

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

252-02	Elevations - Proposed	13th August 2019
252-04	Floor Plans - Proposed	13th August 2019
252-07	Location Plan	13th August 2019
252-07	Site plans	13th August 2019

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 14/8/19 and shall not be varied without the prior written approval of the Local Planning authority

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

54. HOU/2019/0331 30 Dovedale Drive Ightenhill Burnley

Proposed single storey side extension (east elevation)
30 Dovedale Drive, Burnley

An amended plan was received showing the new dwarf wall/timber fencing to the side of driveway/footpath (D.D 30/1C received 18th September, 2019).

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 12/7/19 and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

55. HOU/2019/0397 428 Rossendale Road Habergham Eaves Burnley

Proposed two storey extension 428 Rossendale Road, Burnley

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below. All windows and door positions shall be as per the approved drawings.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 23/7/19 and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

56. HOU/2019/0399 155 Brownside Road Worsthorne

**Proposed two storey extension to side and single storey extension with roof lantern to the rear (following the removal of existing conservatory)
155 Brownside Road Worsthorne-with-Hurstwood**

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

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

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

3. The materials to be used in the new development shall be carried out in accordance with drawing no. R.A 40/1A date stamped 3rd August 2019. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development.

57. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 13/08/2019 to 10/09/2019

58. Confirmation of a Tree Preservation Order

Consideration was given to a provisional tree preservation order at St John's Church, Worsthorne

RESOLVED

That the Tree Preservation Order (TPO) 2019 be confirmed.

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

Part I: Applications brought for
Committee consideration

17th October 2019

Housing and Development

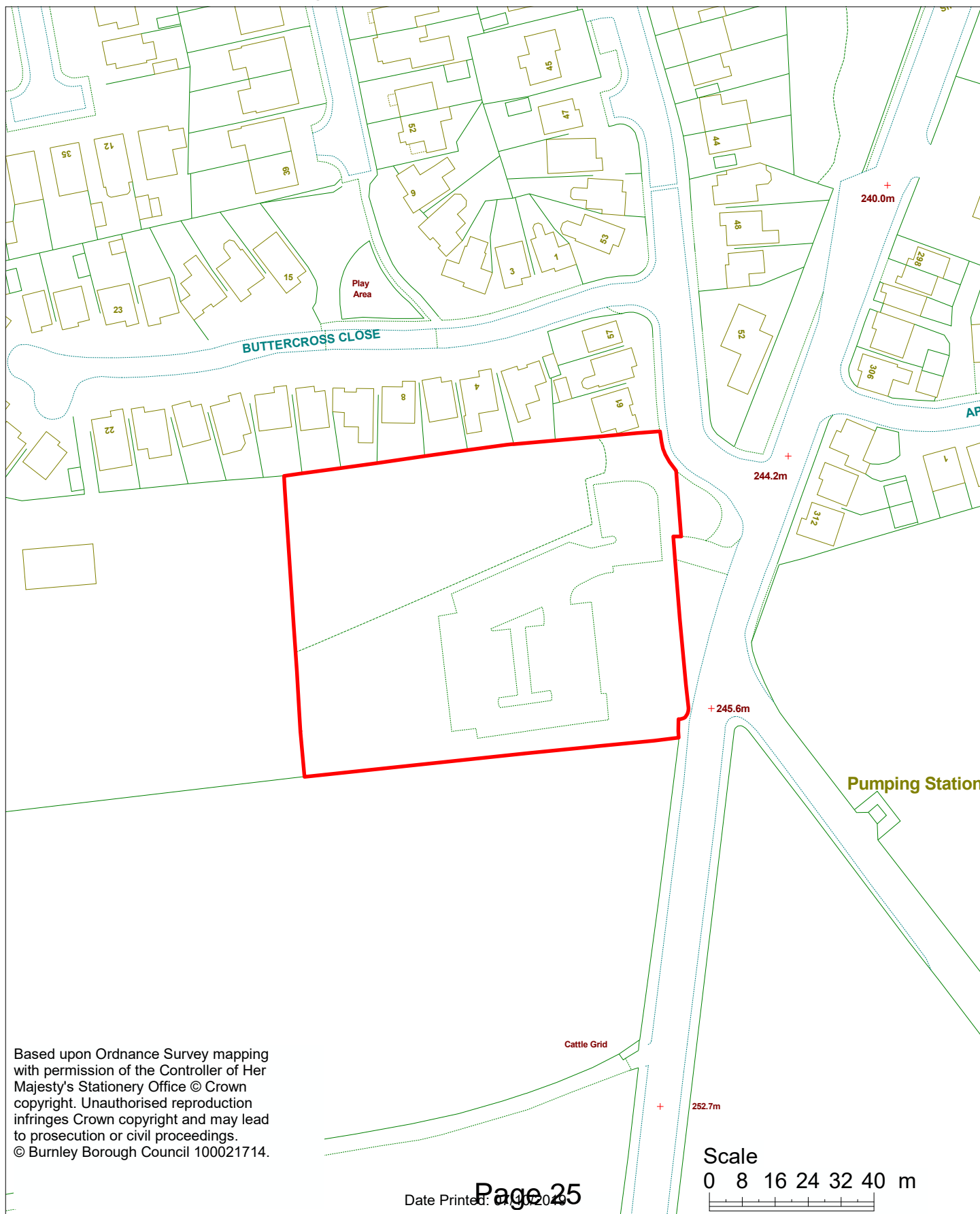
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Location: Paul Gatrell Head of Housing and Development



Land Associated With The Former Bull & Butcher Pub, Manchester Road, Burnley

1:1250



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Application Recommended for Approve with Conditions OUT/2019/0340

Town and Country Planning Act 1990

Outline up to 20 no. dwellings with access from Rossendale Avenue (all other matters reserved for future approval)

Land Associated With The Former Bull And Butcher Pub Manchester Road Burnley
Habergham Eaves

Background:

The site is located to the south of the borough accessed from Manchester Road (A682) a key route into the town from the south. The majority of the site is located within the defined development boundary (SP4), its southern boundary forming the edge of the defined settlement boundary which opens beyond to open countryside. The application boundary forms only half of the allocated housing site HS1/23.

The remainder of the site to the eastern boundary is the former Bull and Butcher building which is now demolished and falls outside the settlement boundary in an area open countryside. The site also forms a designated gateway into the town in which policy SP5 applies.

The site is approximately 0.7 hectares and is relatively flat with visible areas of hardstanding from the former Bull and Butcher. To the northern boundary is a higher level grassed bund with some mature trees, which serves as a buffer to properties on Buttercross Close. To the east the site meets Manchester Road which formed the frontage of the former Bull and Butcher PH. Adjacent to the eastern boundary, is an area of open space which serves as a community garden which is maintained by the Parish Council and falls outside the development site. The other side of Manchester Road is a housing development Apex Close. To the south the land starts to rise gradually and opens to open countryside.

The application has been brought to Planning Committee as there have been several objections received.



The landscape bund with Buttercross Close



The remains of the car park of the PH.



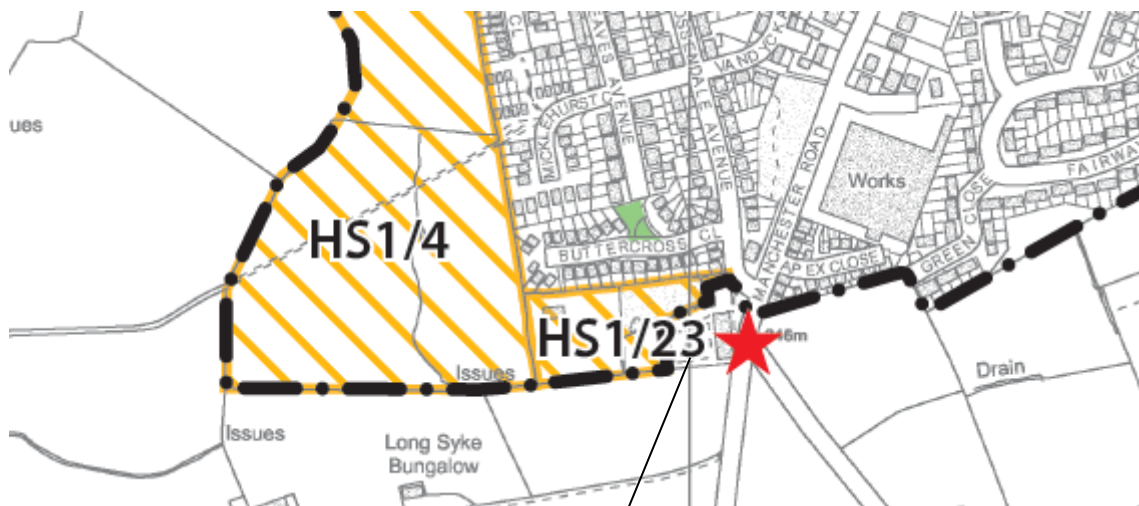
Properties next to the site on Rossendale Rd



Properties adjacent to the site on Manchester Rd



Image taken from google street view approaching the site from the south, the image still shows the former Bull and Butcher PH.



Extract from the adopted Policies Map showing the element which falls outside the settlement boundary in defined open countryside.

Policy HS1/23 sets out the key additional requirements for the site:

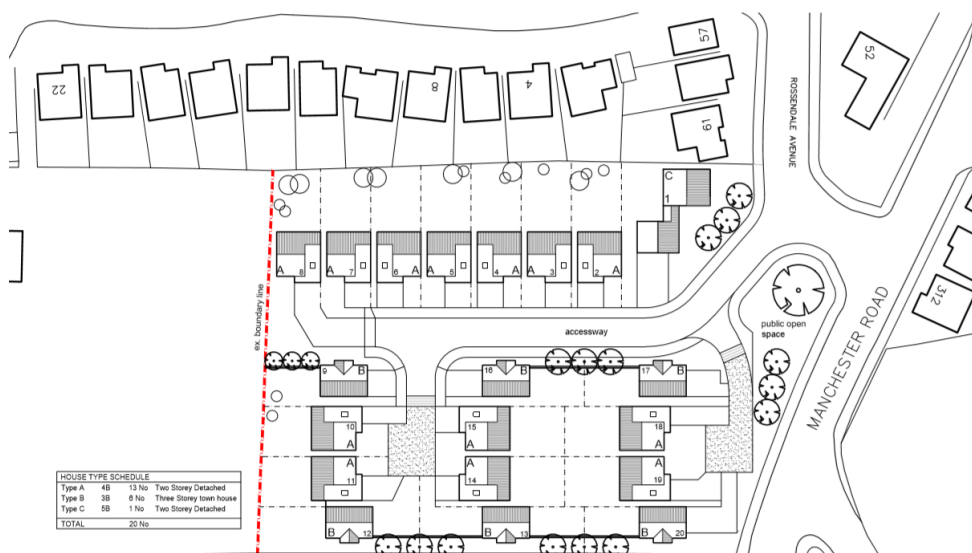
HS1/23 – Land to rear of Bull and Butcher	
Housing Delivery	The site is acceptable for around 24 dwellings.
Additional and Site Specific Policy Requirements and Design Principles <ol style="list-style-type: none"> 1) A mix of dwelling types including a minimum of 60% 3+bedroomed detached or semi-detached will be expected; 2) Vehicular access should be from a single point onto Manchester Road; 3) Protected species have been recorded on the site. An ecological survey will be required to accompany any planning application which identifies and addresses this issue in accordance with Policy NE1; and 4) Appropriate landscaping and boundary treatment should include screening to the southern boundary to reduce the impact on the wider landscape. New planting on the site will need to accord with Policy NE3. 	

Proposal

The application seeks outline consent for 13 x 3 bedroom houses, 6 x 4 bedroom and 1 x 5 bedroom homes with access from Rossendale Avenue. The application boundary forms only half of the allocated housing site HS1/23. As this is an outline application, no details on the design, layout, appearance and landscape can be made and will be considered as part of a reserved matters application. The application has been supported with the following documents:

Arboricultural Impact Assessment
Preliminary Ecological Assessment
Flood Risk Assessment
Preliminary Risk Assessment
Transport Statement
Planning Statement

Proposed site plan – indicative layout



Relevant Policies:

Burnley's Local Plan 2018

SP1 – Achieving sustainable development
SP2 – Housing requirement 2012-2032
SP4 – Development strategy
SP5 – Development quality and sustainability
HS4 – Housing developments
NE1 – Biodiversity and ecological networks
NE5 – Environmental protection
CC4 – Development and flood risk
IC1 – Sustainable travel
IC3 – Car parking standards
IC4 – Infrastructure and Planning Contributions

National Planning Policy Framework 2019

Site History:

NOT/2016/0376 – Prior approval for demolition following fire

APP/2015/0110 – single storey rear extension and internal alterations. Approved

APP/2013/0390 – residential development for 10 dwellings. Refused

Consultation Responses:

LCC Highways

With respect to the proposed outline application we would not wish to raise any objections. Whilst it is not assumed that the housing layout shown on the plan is a final draft of any proposed plans it should be noted that the following points should be taken in to account during the design stages.

The access will need to be formed via a section 278 agreement. The associated highway is expected to be adopted by way of a Section 38 agreement. All dwellings are expected to have sufficient off road parking in line with Burnley's Local Plan with particular care being taken to ensure that the car parking spaces do not overhang any footways and that single garages are built to be 3m x 6m internally. Where the driveway is a shared pedestrian access an additional width of 0.8m should be provided for pedestrian access to each dwelling. The footway outside Plot 17 should be extended to meet the rumble strip.

A swept path will be required for a refuse collection vehicle at both the entrance and the turning head. The public open space will be conditioned to have all planting maintained at less than 1m in height.

The developer should be aware that the any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 5334332. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves

the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works.

The applicant is advised that the new site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 agreement".

No development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private Management and Maintenance Company has been established.

LCC Education Contribution

Summary and Final Calculations

The latest information available at this time was based upon the 2019 School Census and resulting projections.

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 8 primary and 3 secondary school places.

Calculated at the current rates, this would result in a claim of:

Primary places:

$(£12,257 \times 0.97) \times \text{BCIS All-in Tender Price (324 / 240) (Q1-2019/Q4-2008)}$

= £16,050.54 per place

$£16,050.54 \times 8 \text{ places} = £128,404.32$

Secondary places:

$(£18,469 \times 0.97) \times \text{BCIS All-in Tender Price (324 / 240) (Q1-2019/Q4-2008)}$

= £24,185.16 per place

$£24,185.16 \times 3 \text{ places} = £72,555.48$

This assessment represents the current position on 16th August 2019. LCC reserve the right to reassess the education requirements taking into account the latest information available.

No significant ecological issues were identified by the developer's ecological consultant. Issues relating to nesting birds and landscaping can be resolved via condition and or informative.

Protected Species

The site was assessed for all likely statutory protected species, bats, badgers, great crested newts, reptiles, otter and water vole. No evidence or suitable habitat was found for any such species and all reasonably discounted. I have no reason to doubt the findings of the report. The only species that could theoretically utilise the site would be badger, which would be relatively easy to detect on a site of this scale and nature. No further information or measures are required.

Nesting Birds

The development will result in the loss of young trees and shrubs, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The development as already noted will result in the loss of a moderate number of young trees and shrubs, many of which are native species and the associated bird nesting habitat. The proposed site layout indicates a number of landscape trees within gardens. Whilst I support this planting, I would also endorse the recommendations of the ecological report and provide mitigation through boundary planting. I recommend a native hedgerow in keeping with the adjacent farmed landscape along the southern and western boundaries. I would also recommend inclusion of bird and bat bricks in the new build for species such as swift. As this is an outline application and there is clear scope for adequate mitigation, I am happy for the detail to be provided at reserved matters.

Burnley Borough Council – Open Space Department

There is an existing area of open space on the junction of Manchester Road and Rossendale Rd and the plans indicate that this will be extended northwards to create what appears to be an open grass verge with three new trees. This will create an attractive gateway and the Council will adopt this verge for maintenance.

However, this open space has no recreational value as it is a narrow strip alongside a busy main road.

The Council's adopted standard for provision of amenity and play space is 1 hectare per 1,000 population and so for a development of this size, provision of 750m² of open space is required. As this is below the minimum 1,000 acceptable size of public open space, a S106 contribution in lieu of open space provision is required to the value of £20,000 and this will be allocated to the refurbishment of Buttercross Close play area which is very close to the proposed development.

There are some trees indicated on the plan, but no details of species and specified size. These details are required and there is an opportunity to provide additional tree

planting on the western boundary of the site and within gardens of plots 14,15,18 & 19.

It is not clear what the boundary treatment will be along the northern and western boundaries of the site. A native hedge, with access both sides to allow the occupants to maintain it would be suitable and provide some habitat & biodiversity benefits.

Publicity

Habergham Eaves Parish Council

- Quality, design and appearance must be to a high standard
- Potentially there could be 40 vehicles on the development
- Access road appears narrow
- The boundary edge and garden/triangle are not included in the access and plant and machinery entering or existing the site avoid any damage to the area
- How would emergency vehicles access the site

Other Neighbour comments - a total of 8 letters of objection have been received with the following points summarised:

- Impact on traffic and road safety for pedestrians
- The development sprawls beyond the current brownfield site onto greenbelt land
- No mention of the loss of green belt
- Too many houses on the site
- Would create serious traffic issues
- Detrimental to environmental amenity including; noise, disturbance, overlooking, loss of privacy, over shadowing
- 3 storey dwellings will be out of character with the adjoining Buttercross Close
- Road is not wide enough and there are already overspill parking from Apex Close
- Conflicting information regarding the number of bedrooms
- Poor attempt to design a scheme a key gateway into Burnley
- The former Bull and Butcher was a local listed building and non-designated heritage asset,
- Any new design must present a bespoke building of exceptional quality especially on the main road frontage to Manchester Road
- Potential loss of trees

Planning and Environmental Considerations:

The principle of development

Paragraph 59 of the Framework states, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF.

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

Policy SP4 4) states that development within Open Countryside will be strictly controlled. This policy should be read in conjunction with para 79 of the NPPF.

Policy HS1/23 sets out the more detailed requirements for the development of the site. In terms of housing delivery the whole site is put forward for around 24 units and details as follows:

- 1. A mix of dwelling types including a minimum of 60% 3+bedroomed detached or semi-detached will be expected;*
- 2. Vehicular access should be from a single point onto Manchester Road;*
- 3. Protected species have been recorded on the site. An ecological survey will be required to accompany any planning application which identifies and addresses this issue in accordance with Policy NE1; and*
- 4. Appropriate landscaping and boundary treatment should include screening to the southern boundary to reduce the impact on the wider landscape. New planting on the site will need to accord with Policy NE3.*

The principle of development on the element of the site which forms part of the designated housing allocation is acceptable in principle. There is a policy conflict with the small element which is the former Bull and Butcher which lies outside the settlement boundary. However as this is only a small element of the whole site and would be classed as previously developed land, within a sustainable location then the site presents an opportunity to improve a key gateway into the town. On balance, the scheme is therefore considered to be acceptable in principle.

Main issues

The main issues in the consideration of this application are;

- Design and Appearance
- Residential Amenity
- Traffic and Parking
- Impact on Ecology
- Affordable Housing
- other considerations

Design and Appearance

Specific detail on design and appearance is not an issue for consideration and would be covered as part of a reserved matters application.

Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking.

Based on the indicative layout, properties will be located to the rear of Buttercross Close by approximately 22m. Any future layout design would need to comply with the privacy distances set out in policy HS4 of Burnley's adopted Local Plan.

It is considered that two storey dwellings can be erected without having an adverse impact upon the level of residential amenity residents enjoy by virtue of a loss of light, privacy and/or overbearing impact. Final detail will be dealt with under reserved matters application.

Traffic and Parking

Paragraphs 108 and 109 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy IC1 seeks to promote sustainable travel by locating development where it is or can be well served by walking, cycling and public transport and ensure that development is provided with safe and convenient access. Policy IC3 sets out the car parking standards for development, requiring two car parking spaces for each three bedroom dwelling and three car parking spaces for each dwelling with four or more bedrooms.

The application is supported with a Transport Statement which presents a main spine road through the development which runs from Rossendale Avenue.

LCC highways have provided comments on the application and do not object to the principle of development, subject to conditions and information being submitted as part of a reserved matters application.

Impact on Ecology

Policy NE1 states that all development proposals should, as appropriate to their nature and scale, seek opportunities to maintain and actively enhance biodiversity in order to provide net gains where possible.

The application has been supported with a preliminary Ecological Assessment and Arboricultural Impact Assessment. There are no Tree Preservation Orders on the site but there are a range of established trees some of which will be proposed to be removed (refer to Arboricultural Impact Assessment). An indicative landscape plan

has also been submitted with the application. Formal approval of the landscape plan will be sought at reserved matters application.

GMEU has examined the ecological appraisal submitted with the application and makes comments and recommendations for conditions which are detailed in their consultation response. The recommended conditions are necessary to protect wildlife and to ensure opportunities are created for biodiversity gains. Subject to these conditions, the proposal would not significantly affect local biodiversity or protected species.

Affordable Housing

Policy HS2 seeks to ensure there is a sufficient supply of good quality affordable housing by, amongst other things, requiring the provision of affordable housing through all housing developments of over 10 units. The policy states that the exact amount of financial contribution/number and tenure of affordable units will be determined by economic viability having regard to individual site and market conditions.

Final details of the affordable contribution for the site will be covered as part of a Section 106 Agreement.

Boundary detail, fencing and landscaping

No details have been supplied of boundary treatment to form the residential curtilage, this will be dealt with under reserved matters.

Comments from neighbours

Concerns about the overall design, appearance and layout including landscape treatment will be treated as part of Reserved Matters applications. Appropriate conditions have been attached for landscape, ecology, parking and treatment of highways. This will ensure that the finer details of the development can be given further consideration.

A Transport Statement has been submitted with the application and LCC highways have considered the application and do not have any objections to the principle of the development of the site. Further details of access and highways across the site will be covered as part of reserved matters.

For clarification, that part of the housing allocation site is considered to be 'greenfield' having not been previously developed. The element of the site which is outside the settlement boundary is considered to be brownfield land having been previously developed by the Bull and Butcher Ph. This should not be confused with Green Belt to which the site is not located within or adjacent to any designated Green Belt land.

The majority of the site is covered by a housing allocation which has been tested through the Local Plan Examination in 2017. The development of the site will make a valuable contribution to the Borough's housing supply.

Recommendation: **Delegate authority to the Head of Housing and Development Control to approve the development subject to the completion of a s106 Agreement to secure a contribution towards the improvement of existing public open space, education and affordable housing subject to further details at reserved matters applications:**

Conditions:-

- 1 a) Details of the reserved matters set out below (the reserved matters) shall be submitted to the Local Planning Authority for approval within three years from the day of this permission:
 - i) layout
 - ii) scale
 - iii) appearance
 - iiii) landscaping
b) The development hereby permitted shall begin not later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

2. The outline permission (access) hereby approved shall relate to the development as shown on drawings:

Proposed Site Plan: 3309/010

Indicative Landscape Proposal C-1711-01

Reason: To ensure the development accords with the agreed general principles in relation to overall layout and arrangement.

3. 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 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 constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

4. A programme of works shall be submitted to the Local Planning Authority detailing the following:

- a) The specific processes/activities which will be carried on during the construction phase(s)
- b) The proposed timescales for the processes/activities in a)
- c) The proposed noise mitigation measures for the processes/activities in a)

Reason: To identify and reduce the potential for nuisance to the occupiers of nearby buildings and dwellings in accordance with policy SP5 of Burnley's adopted Local Plan

4. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway.

The roads adjacent to the site shall be mechanically swept or kept free of debris resultant from the construction works associated with the proposal as required during the full construction period.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

5. Applications for the approval of reserved matters shall include the finished floor levels of the dwellings in relation to the existing and proposed site levels, the adjacent highway, together with details of levels of all accesses to include pathways and driveways shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details

Reason: In order to achieve a satisfactory form of development with regard to the topography of the site having regard to policies NE3 of the adopted Burnley's Local Plan.

6. 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 08:00 hours and 17:00 hours on Mondays to Fridays and between 08:00 hours and 13:00 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan (July 2018).

7. Foul and surface water shall be drained on separate systems. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with policy CC5 of Burnley's adopted Local Plan.

8. The reserved matters planning application shall provide 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.

Reason: 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.

9. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. Thereafter the site access and off site highway works shall be completed prior to the occupation of the first dwelling on the site.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

10. Details of a scheme of electric vehicle charging to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to first occupation.

Reason: In accordance with policy IC3 of Burnley's adopted Local Plan.

11. The reserved matters planning application shall ensure full compliance with Council's adopted car parking standards as set out in Appendix 9 of Burnley's adopted Local Plan (or any other standards that replace it).

Reason: In order to ensure that there is adequate car parking on the site in the interests of highway safety and in order to comply with the Council's adopted car parking standards in accordance with policy IC3 of Burnley's adopted Local Plan.

12. The reserved matters application shall detail a plan for refuse and recycling storage facilities for each dwelling. No dwelling shall be first occupied until the plan has been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage facilities shall thereafter be retained at all times.

To ensure adequate refuse and recycling storage for the approved dwellings in order to cater for the needs of the development and to protect the visual amenities of the area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

13. The new access road serving the site shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads

to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

14. Applications for the approval of reserved matters shall be accompanied by elevational and locational details including the height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development.

Reason: To ensure a satisfactory edge to the development and a satisfactory appearance within the street scene, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).

15. The reserved matters application shall detail:

- a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;
- b. An investigation has been carried out in accordance with the approved strategy;
- c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

Reason: To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecology systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with policy NE5 of Burnley's adopted Local Plan.

16. The development shall not begin until an intrusive investigation has been carried out in accordance with the considerations of report BEK-19549-1, (dated May 2019). A written report detailing the findings of the investigation,

assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, shall be submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use, including validation to be provided which indicates the site is suitable for its intended use

Reason: To ensure that contamination pathway receptor links are all broken and/or removed in accordance with policy NE5 of Burnley's adopted Local Plan.

17. There shall be no burning of construction-derived waste or other materials within the curtilage of the premises.

Reason: In the interest of residential amenity and to prevent air pollution in accordance with policies NE5 and SP5 of Burnley's adopted Local Plan

18. Prior to development commencing on site a scheme for noise mitigation and dust suppression shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken wholly in accordance with the approved scheme.

Reason: In order to mitigate any adverse impact on the environment and protect residential amenity in accordance with policy SP5 of Burnley's adopted Local Plan.

19. As part of reserved matters, a landscape plan shall be submitted to and approved in writing by the LPA, prior to commencement of development. The content of the plan should include the following elements; areas of hard and soft landscaping, areas of planting including types of species. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and to comply with policies

20. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason: To ensure the satisfactory implementation of the approved landscaping scheme, to ensure a satisfactory appearance to the development and the effective mitigation against the loss of habitat for birds and wildlife, in accordance with Policies HS4, SP5 and NE1 of Burnley's Local Plan (July 2018).

21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of any of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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.

Reason: In the interests of the visual amenities and the ecology of the site, to ensure adequate mitigation for the loss of semi-natural habitat, in accordance with Policies HS4, SP5 and NE1 of Burnley's Local Plan (July 2018)

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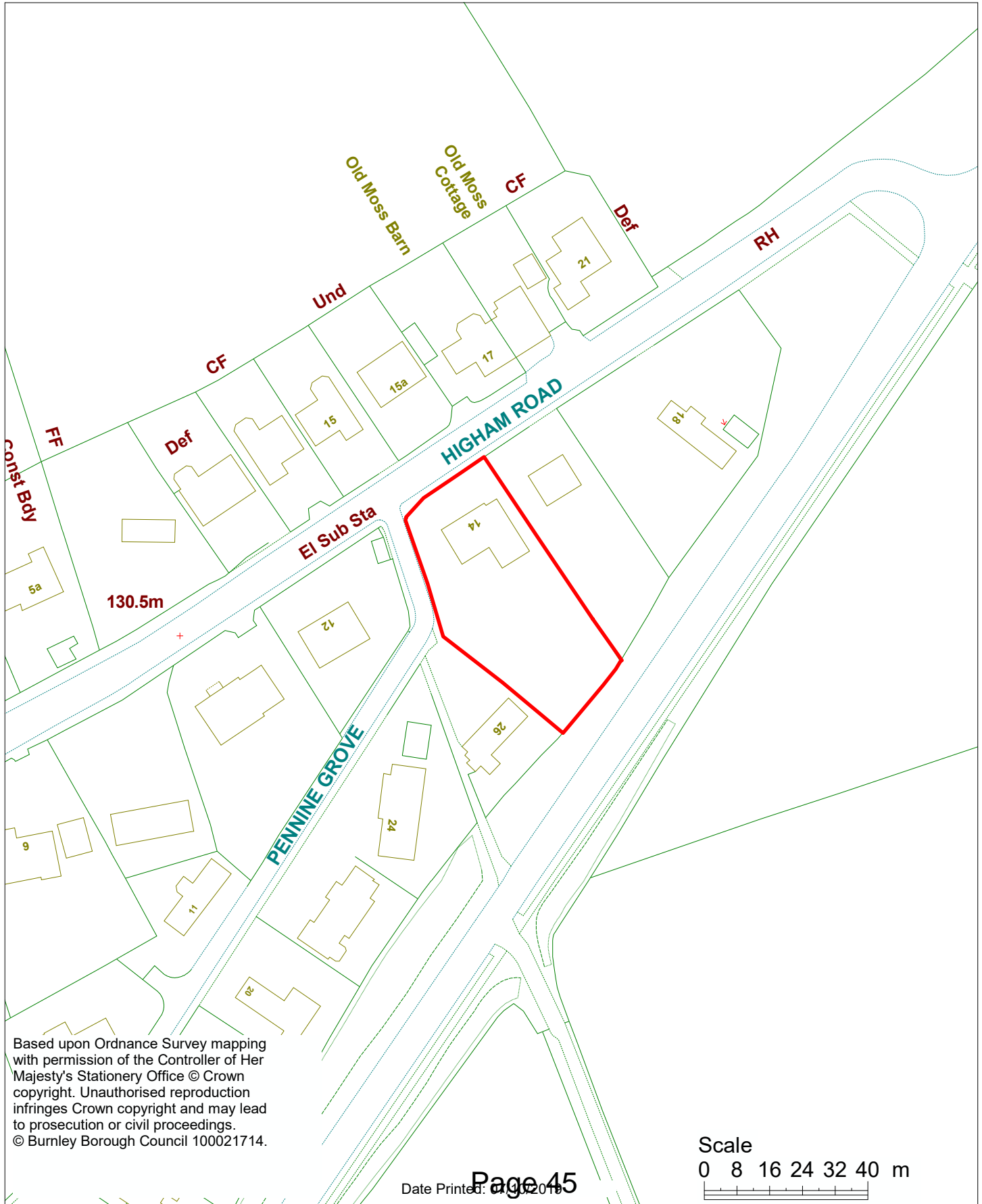
Paul Gatrell Head of Housing and Development

Location:



14 Higham Road, Padiham

1:1250



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**Application Recommended for Approve with
Conditions**
Gawthorpe

FUL/2019/0191

Town and Country Planning Act 1990

Proposed development of detached house with new access from Pennine Grove
14 Higham Road Padiham Lancashire BB12 9AP

Background:

The proposal is to erect a dwelling in part of the large rear garden of an existing dormer bungalow on Higham Road. The site is bound by Pennine Grove to its western side and by Barrowford Road (A6068) to its rear (south side).

Rear of 14 Higham Road

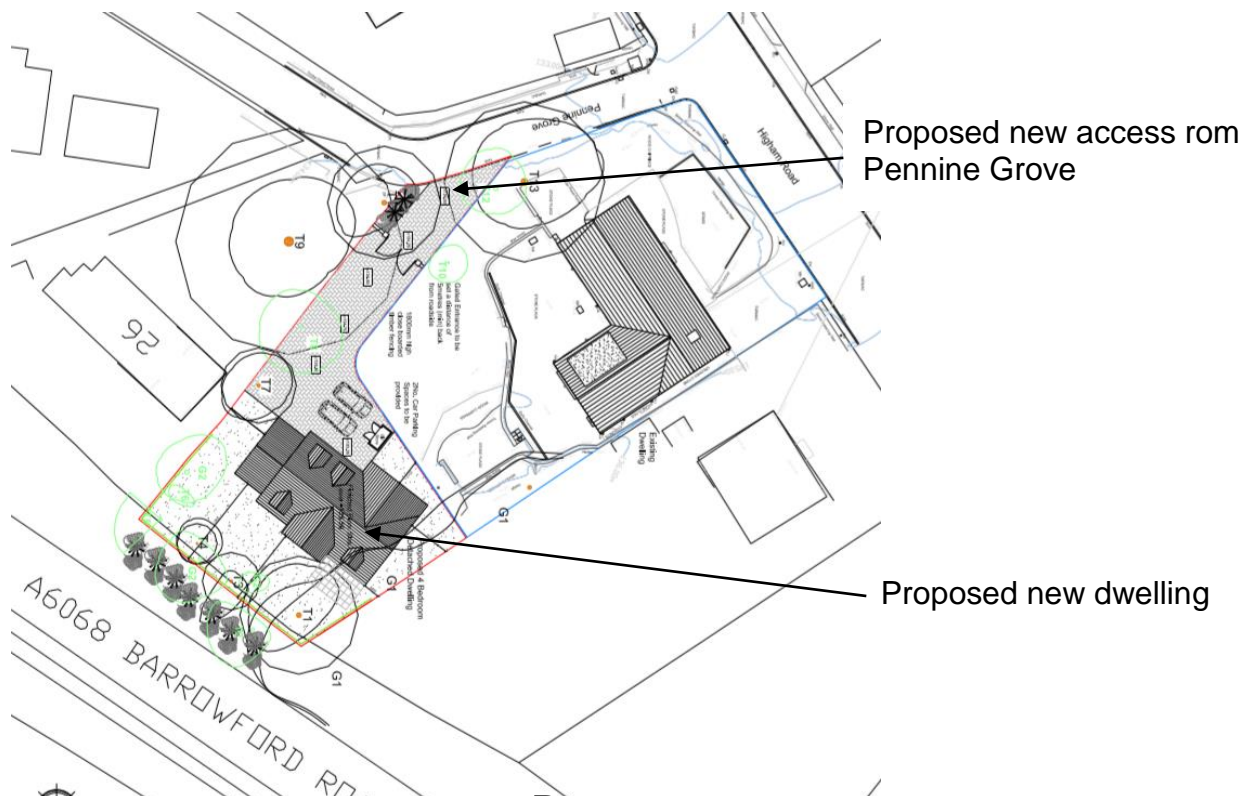


Garden

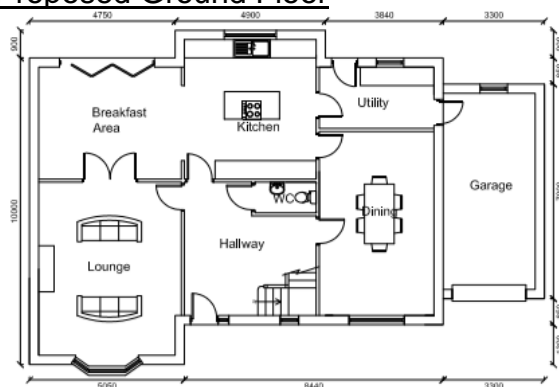


The proposed dwelling would be constructed similar to the form of the existing property in a bungalow style with dormers and rooms in the roofspace.

Proposed Site Layout

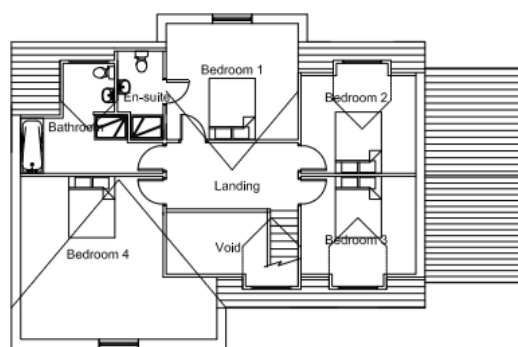


Proposed Ground Floor



Ground Floor Plan

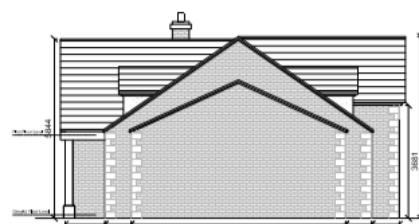
Proposed First Floor



First Floor Plan



Front (North West) Elevation



Side (South West) Elevation



Rear (South East) Elevation



Side (South West) Elevation

Relevant Policies:

A new vehicular access is proposed from Pennine Grove to serve the proposed dwelling. The front elevation of the proposed dwelling would face towards the rear of the existing property at 14 Higham Road with a separation distance between 19m and 30m. The distance between the proposed rear elevation and the site's tree and hedge boundary with Barrowford Road (A6068) would be between 7 and 9m.

The proposal has been amended since first submitted to increase the distance of the western side of the proposed dwelling (the attached garage) to the common side boundary with no. 26 Pennine Grove. The side elevation of the garage would, as amended, be 4m to the boundary and its ridge height has been reduced from 5.3m to 4.5m. External refuse storage has also been relocated away from this boundary.

A minimum of three car parking spaces are indicated on the proposed layout (includes one garage space). The dwelling would be constructed in brickwork with stone quoins and a natural slate roof.

Burnley's Local Plan (July 2018)

SP1 – Achieving sustainable development

SP2 – Housing requirement 2012-2032

SP4 – Development strategy

SP5 – Development quality and sustainability

HS4 – Housing developments

NE1 – Biodiversity and ecological networks

NE4 – Trees, hedgerows and woodland
NE5 – Environmental protection
CC4 – Development and flood risk
IC1 – Sustainable travel
IC3 – Car parking standards

The National Planning Policy Framework

Site History:

APP/2006/0977 – Proposed kitchen extension and new roof over garage. Approved December 2006.

Consultation Responses:

LCC Highways

No objections. No details have been provided in respect of surface water drainage of the new drive and a condition should be imposed to ensure details are agreed to avoid surface water running onto the existing highway. Due to the constricted nature of the access to Pennine Grove some consideration should be given to the management of the construction process and additional care taken when the refuse and recycling collection is due. Conditions are recommended relating to wheel washing facilities during construction, the level of the new driveway, engineering, drainage and constructional details of the proposed access, and a construction method statement.

United Utilities

The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Coal Authority

The application site falls within the defined Development High risk Area where there are coal mining features and hazards which need to be considered in relation to the determination of this application. The Coal Authority records indicate likely unrecorded coal mining at shallow depth beneath the application site, indicated by an outcropping shallow coal seam. The applicant has submitted a Coal Mining Risk Assessment which contains appropriate and up to date information, including an intrusive site investigation close to this site that suggests in that case that the shallow coal seam poses a low risk to the development. The Coal Authority accepts the professional judgement of competent author of the Coal Mining Risk Assessment that there is a negligible risk to the proposed development and concludes that it has no objection to this application. It notes, however, that further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Environmental Health (land contamination)

Recommend a condition to require gas protection measures to be incorporated into the design and to require a validation report to indicate that the measures have been implemented and the site is suitable for its intended use.

Publicity

Letters of objection have been received from four properties at Pennine Grove/the local area. A further letter has also been received maintaining an objection following

re-consultation on amended plans. A list of the main points is provided below:

- Pennine Grove is unsuitable for a new access, is too narrow for two cars to pass
- Position of the access is on a bend and hill at hazardous position
- No street lights at this point
- Risk of accidents
- Insufficient parking for both properties
- Vehicles already park on Higham Road which causes problems
- Back garden is greenfield land
- Not in keeping with the current cul-de-sac
- Does not respect the existing street layout, scale and massing which is spacious plots at some distance from neighbours
- Does not meet separation distances between existing and new dwelling – less than 15m between the neighbour's kitchen and bedroom windows and the gable of the development
- Loss of light, privacy and increased noise
- Affect on the site's drainage and risk of flooding across the front of the adjoining property and road
- Removal/impact on oak tree(s) to the front of the adjoining property. Concern that the proximity of the proposed drive would affect the oak tree closest and affirm that a radius of 3m is required to protect its root base
- Loss of trees within the site
- Insufficient room for building contractors without impacting on neighbours

Planning and Environmental Considerations:

Principle of proposal

The site falls within the urban boundary as defined by the Policies Map of Burnley's Local Plan. Policy SP4 identifies Padiham as a key service centre where it is expected that large scale, major and a variety of sites will deliver a comprehensive range of choice of types and tenures of housing. In addition to allocated sites, Policy SP4 states that new development will be supported within Development Boundaries where it is an appropriate type and scale and where, amongst other things, it makes efficient use of land and buildings. Residential gardens are defined by the National Planning Policy Framework as greenfield rather than brownfield which gives no advantage to their development but also does not protect sites where they fall within the urban boundary. The site is accessible to local facilities in Padiham by car, a bus service and by cycle. The proposal would in principle therefore comply with Policy SP4 subject to further considerations relating to the character of the residential area, its impact on residential amenity and, and on highway safety.

Impact on the character of the residential area

Policy HS4 states that new housing should be high quality in its construction and design in accordance with Policy SP5 which requires development to respect locally characteristic street layouts, scale and massing, as well as have regard to landscaping and high quality materials appropriate to the site's context.

The proposed dwelling having 1.5 storeys would be in scale with other properties on Higham Road and would be viewed at a distance from the edge of Pennine Grove. Its visual impact would therefore be limited from this perspective. The view of the site from Barrowford Road would be screened by existing trees and vegetation.

Barrowford Road



Pennine Grove



The development would be largely contained within the site and would respect the scale and massing of the surrounding properties which are individually designed.

There would be some loss of garden trees but these are unprotected and would not affect the larger trees towards the rear boundary of the site which contribute to the green corridor along the A6068.

An oak tree on adjacent land was initially indicated to be removed and an objection has been received regarding this. An amended plan shows that the bole of the tree would be protected by a retained grassed area and details of a 'no-dig' construction have been submitted to demonstrate how the roots of the tree can be protected during the construction of the site access.

Oak tree indicated as T1



Oak tree adjacent to proposed access



A condition is recommended to ensure the proposed no-dig techniques are agreed and carried out. Protection measures are also recommended to safeguard retained trees on the site.

The impact of the proposal on the character and appearance of this established residential area would be acceptable and would comply with Policies HS4 and SP5.

Impact on residential amenities

Policies HS4 and SP5 seek to protect the amenities of existing occupants and future occupiers of development. Policy SP4 also states that new development will be supported within Development Boundaries where, amongst other things, it would not

have an unacceptably detrimental impact on residential amenity or other existing land users.

Policy HS4 requires appropriate outlook and privacy distances between habitable rooms; this requires a minimum distance of 20m between habitable windows and 15m between a blank elevation and habitable windows.

The interface distance between the existing house at 14 Higham Road and the proposed dwelling would be at 19m and greater (up to approximately 30m) and so would adequately comply with Policy HS4. An objection has been received in respect of the proximity of the side of the proposed dwelling to the side of the adjacent property. The distance between the facing properties would be approximately 7m with the nearest point of the proposed development (the garage) being approximately 5m from the common boundary.

Proposed dwelling

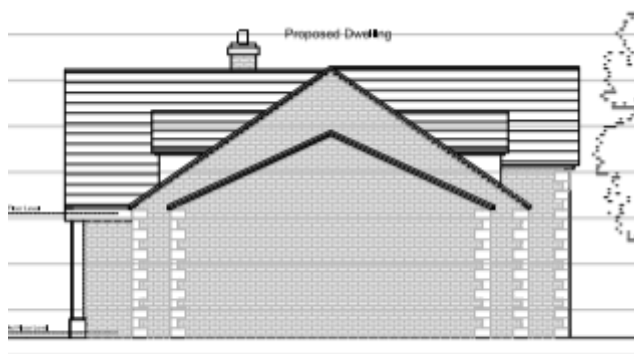
26 Pennine Grove



The outlook over the fence and landscaped boundary would be onto a single storey garage that has been lowered in height.

Side of garage - 4.5m high to ridge

View towards side of adjoining house



Whilst this distance would be less than 15m, it would be between the proposed garage and the neighbouring property which is at a lower height and massing than the main dwelling. This would not have a significant impact on daylight, sunlight or privacy.

The proposed dwelling is therefore adequately spaced and designed to respect existing residential amenities.

Neighbour concerns refer to an increase in noise and disturbance. The additional traffic and noise/activity would be limited and would not significantly affect residential amenities.

The impact of the proposal on the residential amenities of residents is therefore acceptable and would not conflict with Policies HS4 or SP5.

Impact on highway safety

Policy IC1 seeks to ensure that development is provided with safe and convenient access. The proposed access would have adequate visibility for drivers. Whilst Pennine Grove is narrow, there is sufficient visibility to allow cars to pass carefully, particularly where traffic speeds would be low. LCC Highways has no objections to the proposed access and recommends conditions which should be imposed. This also includes a condition to prevent surface water running from the driveway onto Pennine Grove.

Policy IC3 sets out the car parking standards for development, requiring three car parking spaces for a 4no. bedroom dwelling. Adequate off-street parking is provided to comply with this requirement. Retained parking for the existing property would also be adequate.

The proposal would not therefore significantly affect highway safety or parking provision and would comply with Policies IC1 and IC3.

Other issues

A condition is required to require a validation report following gas protection measures.

Conclusion

The proposal would provide a new dwelling within the urban boundary and complies with Policy SP4 and other development plan policies. Concerns raised by neighbours have been addressed by the applicant and the proposal would not significantly affect the character of the area or amenities. The proposal would comply with the development plan and there are no material considerations which outweigh this finding.

Recommendation: Approve

Conditions to follow in Late Correspondence

Janet Filbin
9th October 2019

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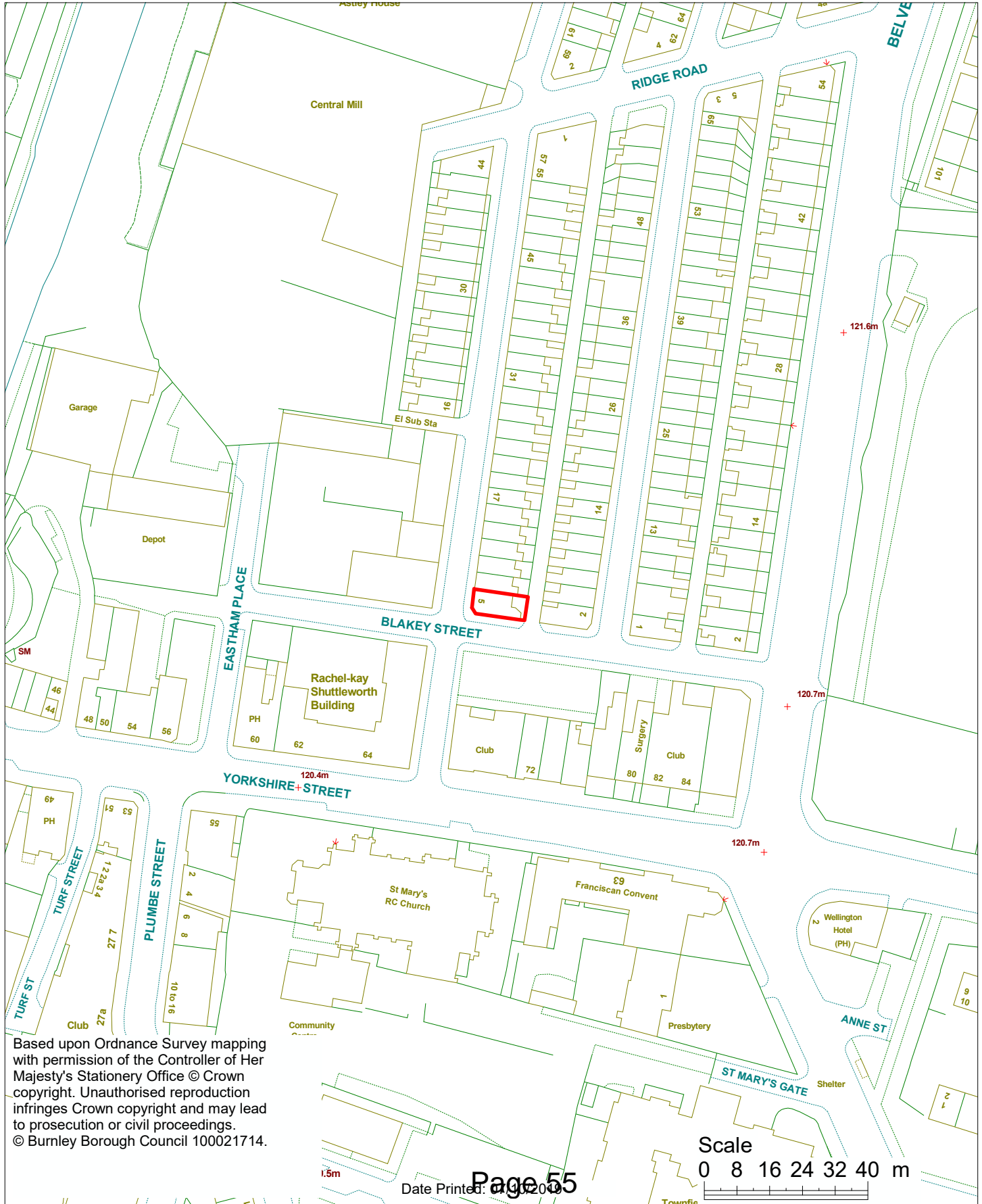
Paul Gatrell Head of Housing and Development

Location:



5 Albert Street, Burnley

1:1250



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Town and Country Planning Act 1990
Proposed change of use from HMO to guest house C1
5 Albert Street Burnley Lancashire BB11 3DB

Background:

The application site is located at No.5 Albert Street, Burnley which is a two storey end-terraced property, with a private yard to the rear. The application site is located within the development boundary for Burnley as defined within Burnley's Local Plan (2018).

The surrounding area can be classified as a mixture of commercial and residential with the application site within close proximity to Yorkshire Street.

Photograph A – Front elevation



Photograph B – Rear Elevation



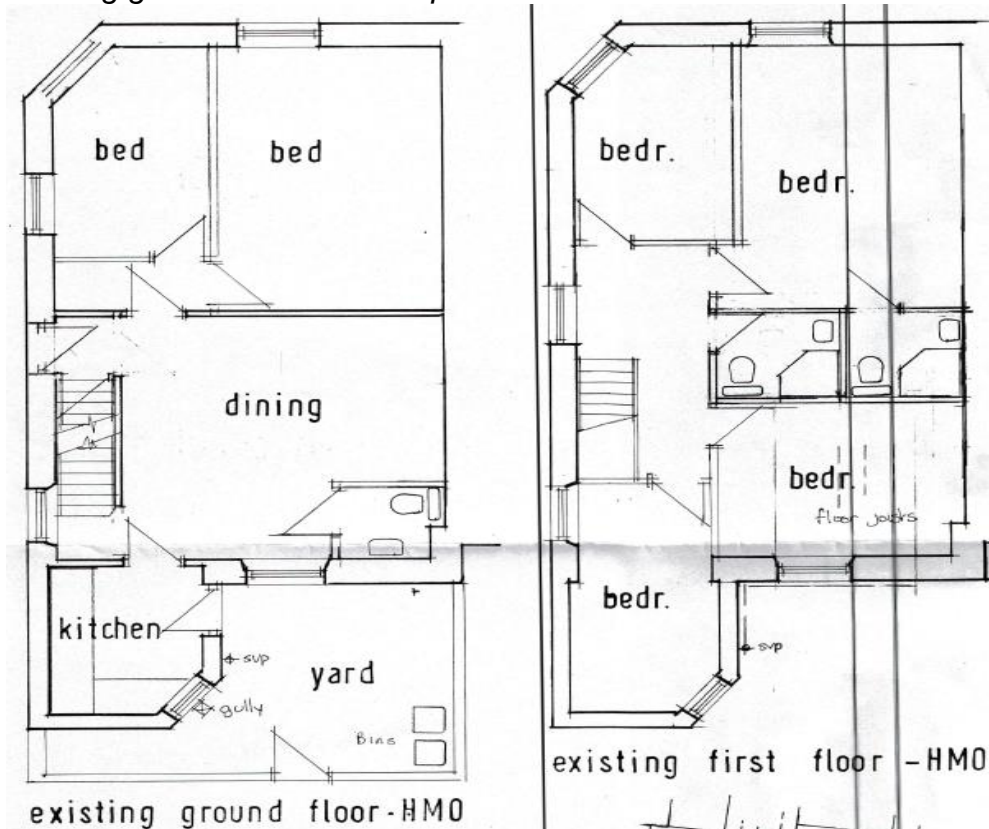
Proposal:

The application seeks planning permission for a proposed change of use from HMO to guest house C1 at No.5 Albert Street, Burnley.

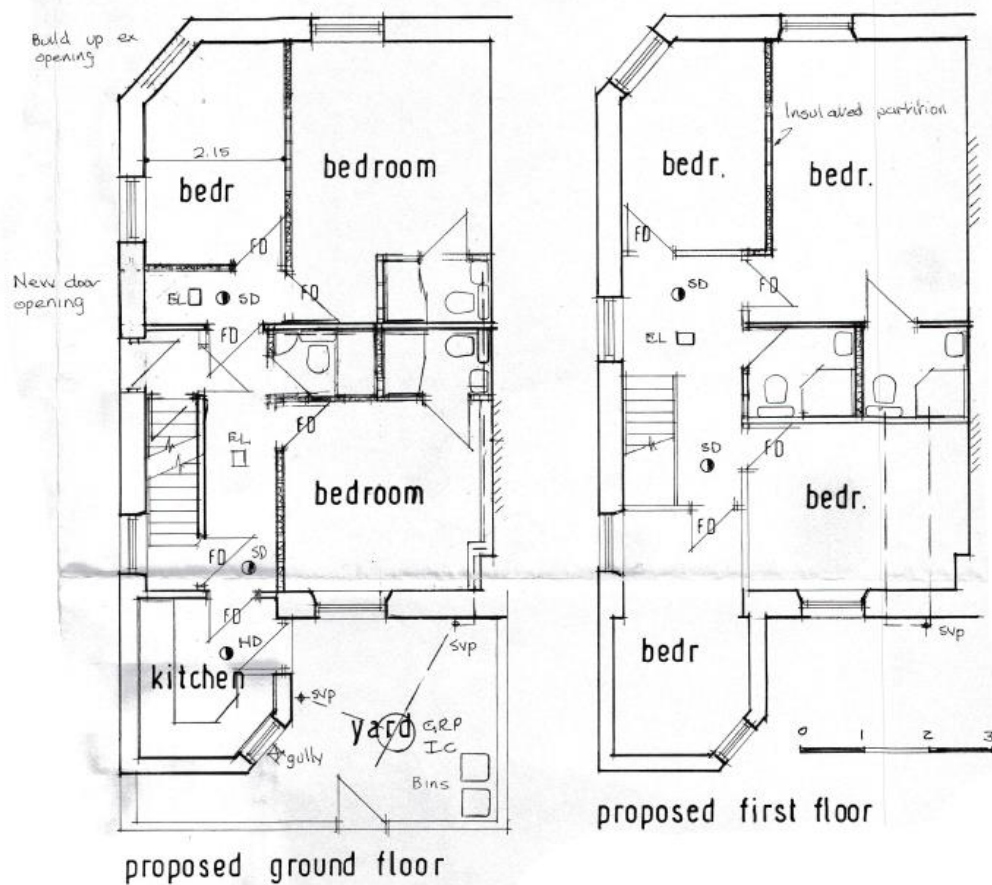
The proposal seeks to increase the number of bedrooms from 6 to 7 and remove the communal dining area and operate the property as a bed and breakfast. Breakfast will be served to each room.

A refuse and recycling statement has been provided noted that the bins will be stored within the rear yard. The bins will be emptied on the collections days and returned to the rear yard.

Existing ground and first floor plan



Proposed ground and first floor plan



Relevant Policies:

- National Planning Policy Framework 2019
- National Planning Practice Guidance
- Burnley's Local Plan 2018

Site History

Application reference: APP/2005/0685

Address: 5 Albert Street Burnley Lancashire BB11 3DB

Description: Proposed change of use from shop/dwelling to dwelling with alterations to front elevation

Decision: Approved subject to conditions

Date: 19th August 2005

Application reference: APP/2008/0497

Address: 5 Albert Street Burnley Lancashire BB11 3DB

Description: Change of use to 2no. self contained flats & external alterations

Decision: Approved subject to conditions

Date: 31ST July 2008

Application reference: ADV/2019/0461

Address: 5 Albert Street Burnley Lancashire BB11 3DB

Description: Proposed fascia board sign

Decision: Pending decision

Date:

Consultation

Highways LCC have provided the following comments regarding the development:

'With respect to the proposed application we would raise an objection.

Whilst it is noted that there is no parking provision for the existing HMO, this type of use in this location may not generate significant car ownership. Similarly it is assumed that a bed and breakfast type of C1 establishment in this area will not generate significant car ownership.'

Environmental Health

No comments or objection have been received.

Street scene

No comments or objection have been received.

Architectural Liaison Unit

No comments or objection have been received.

Publicity

From the public consultation two comments have been received. The comments provided have been summarised below:

- Increase noise and disturbance.
- Loss of privacy and increased overlooking.
- Overshadowing.

- External door – lack of signage advertising the property.
- Unable to locate the plans online.

Planning and Environmental Considerations:

The principle of development

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) 2019 seeks to ensure the planning system contributes to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- Economic
- Social
- Environmental

Additionally, the NPPF is underpinned by the need to secure good design. The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

Burnley's Local Plan (2018)

Burnley's Local Plan, which was adopted on the 31st July 2018, covers the whole of Burnley borough for the period from 2012 to 2032. It provides the statutory planning framework for the borough. The Local Plan will be used to guide decisions on planning applications and areas where investment should be prioritised.

The Plan contains a vision, objectives and an overall strategy for development. It includes policies on both the scale of development and its overall pattern across the borough. It allocates many of the sites that are needed to accommodate new development along with areas to be protected or enhanced.

The following policies are considered to be relevant to this application, and have been listed as follows:

- SP1 – Achieving sustainable development
- SP4 – Development strategy
- SP5 – Development quality and sustainability
- IC1 – Sustainable travel
- IC3 – Car parking standards

Main issues

- Principle of the development
- Impact on the character of the area
- Impact on residential amenities
- Impact on parking, highway and safety
- Refuse and recycling
- Third Party Representations

Principle of the Development

Policy SP4 identifies the urban area of Burnley as a principal town and the highest tier in the settlement hierarchy where it is expected that large scale, major and a variety of smaller sites will deliver a comprehensive range of choice of types and tenures of housing. In addition to allocated sites, Policy SP4 states that new development will be supported within Development Boundaries where it is an appropriate type and scale and where, amongst other things, it makes efficient use of land and buildings. Other factors to take into account include the site's accessibility (by walking, cycle and public transport), its impact on residential amenity and any benefits from the existing infrastructure.

The accessibility of the site within the existing urban area and its close relationship with the existing residential area would indicate that the proposal would, in principle, comply with Policy SP4. Consideration should also be given to the impacts of the development, particularly in respect of parking and highway safety, residential amenities and the effect on the character and appearance of the local area.

Officers note that the applicant has stated that the premises currently being used as a HMO. From conducting a site history search, no planning permission has been granted for the use of the premises as a HMO. However, Class C3 identified in the Town and Country Planning (Use Classes) Order 1987, as amended, includes (within the definition of dwellinghouses for the purposes of that Class), a dwellinghouse occupied by:

- C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
- C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
- C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

The applicant has annotated on the existing floor plans that the site has 6 bedrooms, which would comply with the above definition of a dwelling house under class C3(b) and therefore planning permission is not required to operate as a HMO.

Impact on the character of the area

Any proposed scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. Policy SP 5 of the adopted Local Plan amongst other considerations seeks new development to respect existing, or locally characteristics street layouts, scale, massing and use an appropriate palette of materials.

The Council will seek high standards of design, construction and sustainability in all types of development. Proposals will be expected to address the following minimum requirements, as appropriate to their nature and scale:

1) Energy Efficiency

- a) Incorporate measures to minimise energy and water consumption;
- b) A BREEAM Assessment must be carried out for all non-residential development with a floor space above 1,000m² and a rating of 'Very Good' or better will be expected;
- c) Seek opportunities for on-site energy supply from renewable and low carbon energy sources; and
- d) Seek opportunities to contribute to local and community-led renewable and low carbon energy initiatives.

2) Design and Layout

- a) Respect existing, or locally characteristic street layouts, scale and massing;
- b) Contribute positively to the public realm and avoiding unnecessary street clutter;
- c) Maximise the benefits of any waterfront locations, and at canalside locations optimising views and natural surveillance of the canal and opportunities for public access to it;
- d) Provide for new open space and landscaping which enhances and/or provides mitigation against loss of biodiversity and assists with the physical and visual integration of new development;
- e) Have respect for their townscape setting and where appropriate, landscape setting;
- f) Be orientated to make good use of daylight and solar gain;
- g) Ensure there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking;
- h) Not result in unacceptable conditions for future users and occupiers of the development; and
- i) Provide adequate and carefully designed storage for bins and recycling containers. These should be located or designed in a way which is both convenient and safe for occupants and supports the quality of the street scene.

3) Key Gateways

- a) Where development is at or highly visible from a Key Gateway identified on the Policies Map, it should address in its design, orientation and layout, the Key Gateway and its particular nature/location and include where appropriate:
 - i) a landmark building;
 - ii) landmark tree planting;
 - iii) public art (can be incorporated into the public realm); or
 - iv) a carefully designed gentle transition from countryside to town.

4) Materials

- a) Use a palette of high quality materials which are appropriate to the local context in all respects including: type, colour, texture, element size and laying pattern and avoid unnecessary and excessive patterning;
- b) Where contemporary materials are appropriate, use these in manner which respects the established character of the locality; and
- c) Wherever practical, use low embodied energy materials, including materials that are sourced locally or involve the appropriate reuse of existing resources through the conversion of existing buildings or reuse of demolished structures.

5) Accessibility

- a) Seek to incorporate and promote sustainable methods of transport, including cycle routes, walking routes and good links to public transport; and
- b) Be inclusive and accessible to all and promote permeability by creating places that connect with each other and with existing services and are easy to move through.

6) Security

- a) Be designed with the safety and security of occupants and passers-by in mind, helping to reduce crime and the fear of crime including through increasing the opportunity for natural surveillance.

Energy Efficiency

The application seeks to use an existing property and would use the existing internal pipe works. Officers are content that the proposal would not result in a significant increase in energy and water consumption.

Design and Layout

The application does not seek any additions to the property. While it is noted that the property is located primarily within a residential street, the existing use of the premises as a HMO allows for 6 people to live within the property. The proposed change of use to a guest house would result in an additional bedroom which would increase the number of people staying at the property. While this is an increase, officers are of the view that this would not be detrimental to the character of the street.

The proposal would contribute positively to the public realm and is not expected to have any adverse impact upon neighbouring amenities. The proposal would not result in unacceptable conditions for future users and occupiers, while adequate and carefully designed storage for bins and recycling containers have been provided to the rear of the property.

Key Gateways

Not applicable

Materials

As previously stated, the application does not seek to make any external alterations to the proposed development. Therefore, complying with this criterion. It is noted that the applicant has submitted an application for advertisement consent which is currently under assessment with the Burnley Borough Council.

Accessibility

Officers note that the application site is located within close proximity to Yorkshire Street, which has a number of bus stops. Burnley Bus Station and Manchester Road train station are both located within 1 mile of the application site. Officers are content that the application site is easily accessed via public transport.

Security

The application site has not proposed any alterations or changes to the dwelling, apart from the internal layout. To the rear of the property is a private yard which has boundary wall. The yard provides access to a rear lane which is used to collection refuse and recycling bins. This lane has been closed off with a security gate.

Taking the above into consideration, officers are content that the proposed development would comply with SP5 of Burnley's Local Plan (2018).

Impact upon residential amenity

Due the size, scale and design of the proposal, officers are of the view that the development would not be detrimental to the amenity of the adjoining properties. No additions or extension are proposed to the property, while no new openings would be implemented.

It is acknowledged that the proposal would increase the number of people staying at the premises, however, as the property is currently operating as a HMO, the increase in people is not thought to result in a significantly level of noise than what is currently present on the site.

As no alteration or additions are proposed to the property, the development would not cause any overlooking, loss of privacy or loss of outlook to the neighbouring properties.

Impact on parking highways and safety

Policy IC1 seeks to promote sustainable travel by locating development where it is or can be well served by walking, cycling and public transport and ensure that development is provided with safe and convenient access. Policy IC3 sets out the car parking standards for development, referring to appendix 9 of Burnley's Local Plan (2018) which sets out the required standards.

LCC Highways have been consulted regarding the proposed development. They have raised the following comments:

'With respect to the proposed application we would raise an objection.

'Whilst it is noted that there is no parking provision for the existing HMO, this type of use in this location may not generate significant car ownership. Similarly it is assumed that a bed and breakfast type of C1 establishment in this area will not generate significant car ownership.'

Therefore, while it is acknowledged that Highways LCC have objected to the proposed development, they further note that the proposal would not generate significant car ownership than the current use of the premises as a HMO. As noted at paragraph 109 of the NPPF development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highways Engineer has offered no objection on Highway Safety Grounds or advised that the development would give rise to any potential cumulative impacts on the road network which would be severe. As such, officers consider the proposal to be acceptable with regards to parking and highway safety.

Refuse and recycling

In accordance with 2(i) of Policy SP5 Development Quality and Sustainability, all developments are to 'provide adequate and carefully designed storage for bins and recycling containers. These should be located or designed in a way which is both convenient and safe for occupants and supports the quality of the street scene.'

It is noted on plans submitted, that bins stores would be located to the rear yards. Therefore, the development can provide sufficient space to accommodate the refuse and recycling requirements.

Third Party Representations

From the public consultation two comments have been received. The comments provided have been set out below and will now be addressed:

- Increase noise and disturbance.

Officer are of the view that as the property is currently being used as a HMO, the change of use of the property to a guest house would not result in a significant increase in the volume of noise and disturbance that what is currently on site.

- Loss of privacy and increased overlooking.

No alterations or additions are proposed to the property. Therefore, the proposal will not result in a loss of privacy or increase overlooking to the adjoining properties.

- Overshadowing.

No alterations or additions are proposed to the property. Therefore, the proposal will not result in overshadowing to the adjoining properties.

- External door – lack of signage advertising the property.

An application has been submitted to the Council for advertisement consent under application reference ADV/2019/0461. Currently under assessment by the Council.

- Unable to locate the plans online.

The plans are available on the planning portal.

Recommendation: Approve

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. The development hereby approved shall be used solely for purposes falling within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

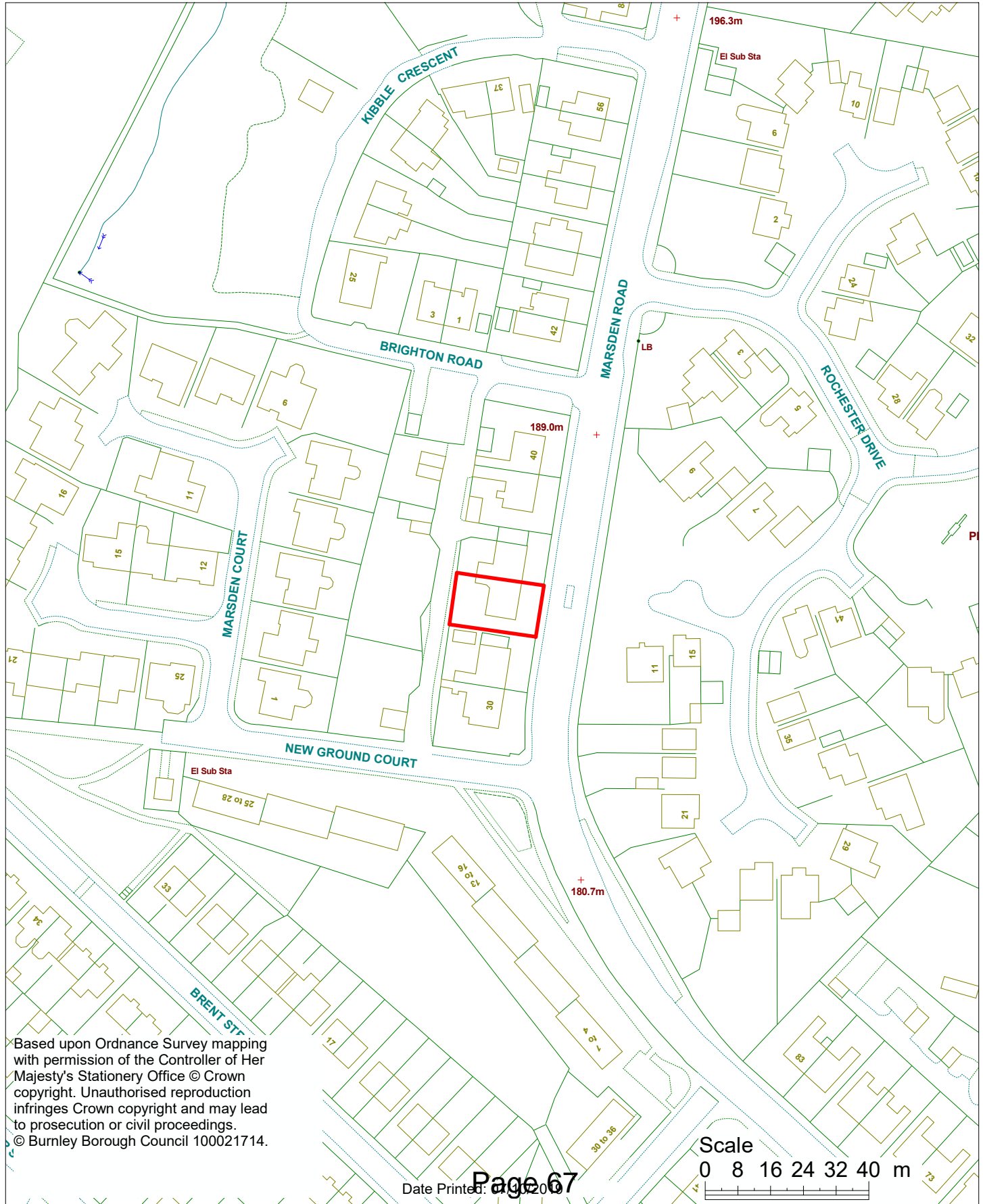
Paul Gatrell Head of Housing and Development

Location:



34 Marsden Road, Burnley

1:1250



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Town and Country Planning Act 1990
Proposed single storey extension to rear elevation
34 Marsden Road, Burnley

Background:

The property is one of a pair of semi-detached bungalows in a slightly elevated position to the pair of bungalows set below on a section of Marsden Road which extends on a slightly incline. The application site has a garden to the front and side and there is parking to the rear.

Application Site



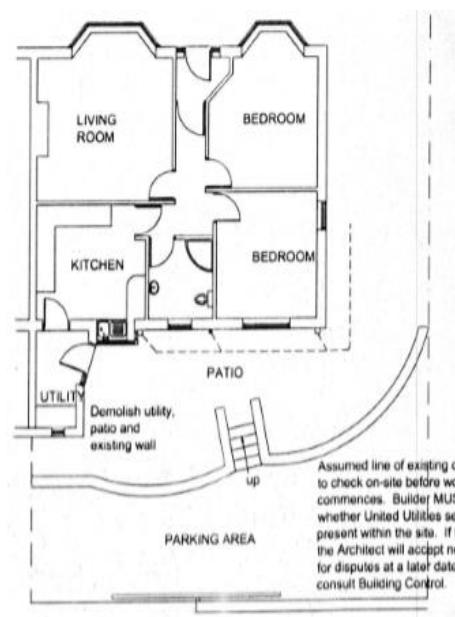
Application Site



The proposal:

The application seeks planning permission for a proposed single storey extension to the rear elevation of 34 Marsden Road, Burnley to create a garden room and create a slightly larger bathroom area. The existing utility room will be removed.

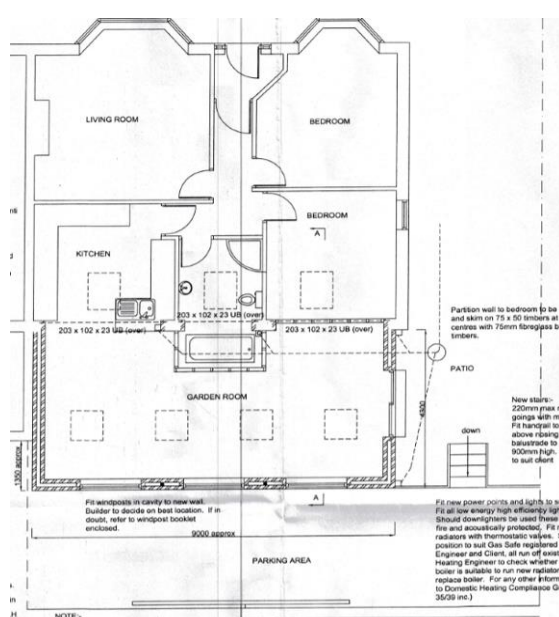
The proposed extension will extend out from the existing rear elevation by 4.3m and 9m wide, the full width of the existing bungalow. From their ground level the height to eaves will be 3.2m and to ridge 3.5m although the overall height looking from the rear will be 4.3m due to the level of the land. Proposed materials will be brick and render to match that of the existing rear elevation and the roof will be a flat roof construction with glass sky lanterns.



sky lanterns, exact t
on-site. Walls finish
existing. New wind
white PVC to match

Exact size, position and design of all new windows and doors to be decided on-site to suit client. Fit insulated IG intels over all new door and window openings. New doors glazed in toughened safety glass.

PROPOSED REAR ELEVATION



Highways:

No objections

Neighbour objections:

Neighbour objections have been received from 2 properties and are summarised as follows:-

- Privacy due to the lay of the land and the position of the patio doors
- Overshadowing of neighbouring property
- Loss of sunlight to kitchen window
- Extension of this size not in keeping with the row of properties
- Parking
- Storage of recycling bins

Planning and Environmental Considerations:

The principle of the development

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

Main issues

- Impact on the character of the area including design and appearance
- Impact on amenity of neighbours

Design and Appearance

Paragraph 124 of the NPPF states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Impact on the character of the area

Policy SP5 of the adopted Local Plan amongst other considerations seeks new development to respect existing, or locally characteristic street layouts, scale and massing and use a palette of high-quality materials. This is detailed further in policy HS5, stating alterations and extensions to dwellings should be high quality in construction.

This is further supported in the NPPF, Paragraph 124, which states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

The single storey garden room extension will be visible from the rear unadopted back street and will have some impact although as the extension is set back by 3.2m from the rear boundary line and overlooks garden plots at the rear it is not considered to have a detrimental impact.

The extension, although extends across the full width of the dwelling, it would not dominate the house as it is at the rear and is considered to be proportionate to the existing dwelling by virtue of its size and design. As the roof is of a lean-to design with sky lanterns, it is noted that this will not affect the attached neighbouring property.

The development would be in keeping with the neighbouring character and is considered acceptable in accordance with Policies HS5 and SP5.

Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including reasoning of overlooking.

Impact on the amenity of neighbours

As the roof is of a lean-to design with sky lanterns, the 45 degree rule in relation to the property at No.36 Marsden Road, Burnley has been applied in this instance and it is noted that this will not affect the attached neighbouring property.

In relation to the neighbouring property at No. 32 Marsden Road, Burnley, this property is set lower than the application sight but does have a garage and a large corrugated roof pergola structure on the boundary with No. 34 Marsden Road, Burnley and it is currently difficult to see into the rear garden area. The garden plot owned by the occupiers of No.32 which is across the unadopted back road can be viewed from the existing patio area and there is no requirement for this area of land to be taken into consideration when assessing the proposed development. The distance between the patio doors of the proposed extension and the window/door of the kitchen is 14.5m. Although the proposed patio area is adjacent to this boundary, it is noted that the existing patio area also extends to the side of No.34 and would therefore not create any new privacy issues. The occupiers of No. 34 can erect a fence/means of enclosure along this boundary of up to 2 metres as 'permitted development' and this would also alleviate any privacy issues for both parties.

Recommendation: Approve subject to conditions

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings received 19/8/19 and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan 2018

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Part One Plan

Housing & Development
Town Hall, Manchester Road

Paul Gatrell Head of Housing and Development

Agenda Item 6e

Ref.

APP/2019/0056

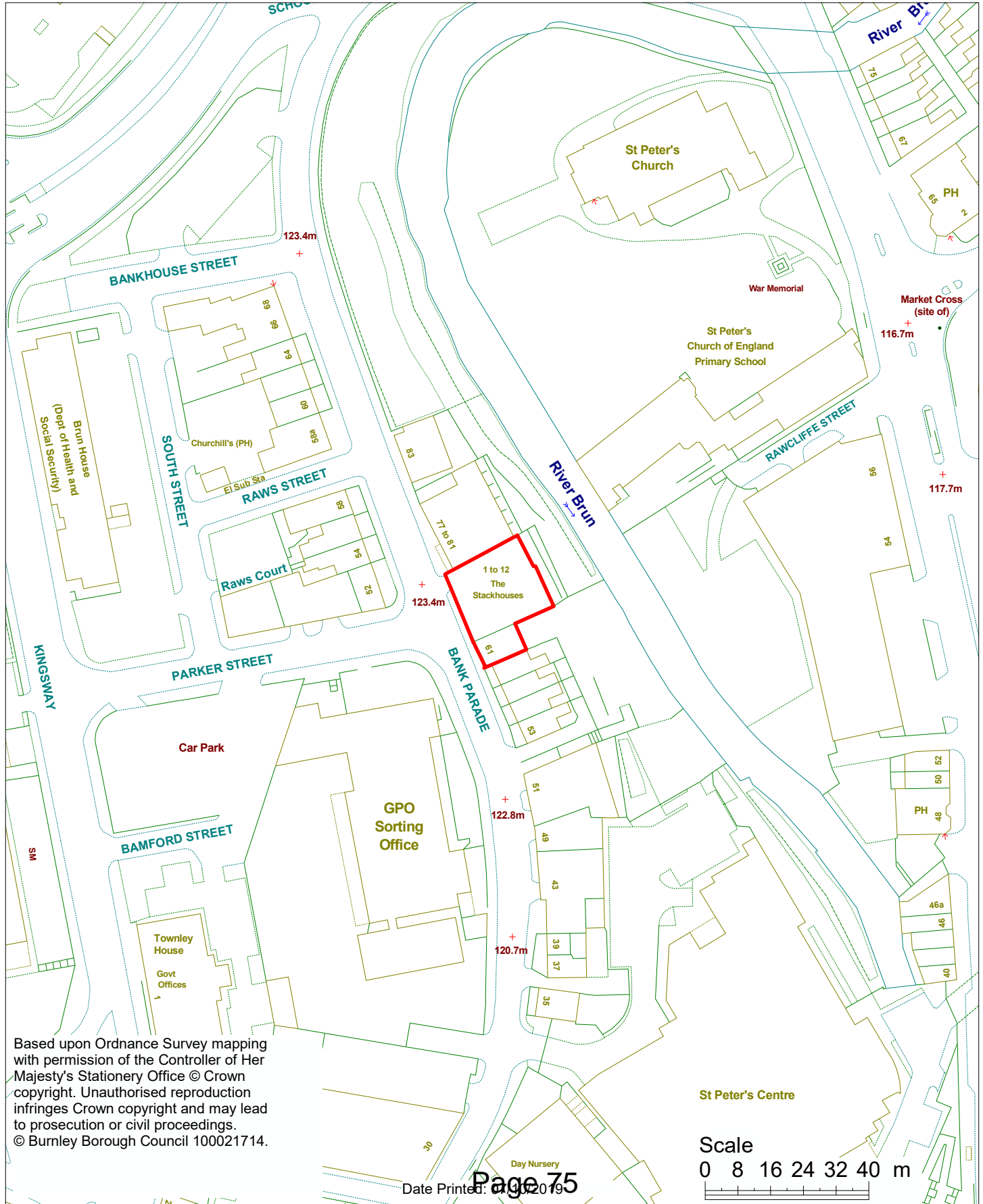
APP/2019/0057

Location:



The Stackhouses, Bank Parade, Burnley

1:1250



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Application Recommended for Approval

APP/2019/0057

Proposed four storey rear extension and conversion of existing building (comprising 3no. flats and workshop) into 10no. flats
The Stackhouses Bank Parade Burnley Lancashire

Application Recommended for Approval

APP/2019/0056

Planning (Listed Building and Conservation Areas) Act 1990
Listed Building Consent to erect four storey rear extension and alterations to form 10no. flats
The Stackhouses Bank Parade Burnley Lancashire

Bank Hall Ward

Background:

The proposal is to extend and convert a building known as The Stackhouses and the adjoining property at no. 61 bank Parade that are currently partly used as flats and previously as a workshop to form ten self-contained flats. The site falls within the Top o' th' Town Conservation Area.

Application site



The application relates to one pair of the Stackhouses which are a Grade II listed building and to the adjacent property at 61 Bank Parade. The buildings are built on the slope of the land with four storeys in coursed squared sandstone facing the River Brun.



The proposal involves erecting a four storey extension in the recess between the Stackhouses frontage and the rear of no. 61 Bank Parade.

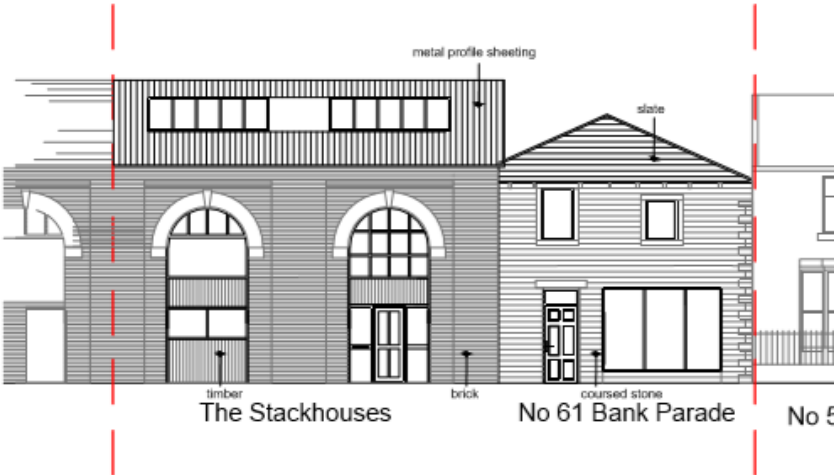


Access to the rear of the site is from a steep flight of steps. Vehicular access is not possible apart from through the private car park and gates at St Peter's Centre.

The proposed rear extension would be slightly set back from the Stackhouses elevation and constructed in smooth render with large patio doors on the ground floor and windows above in stone surrounds, and slate to the roof.

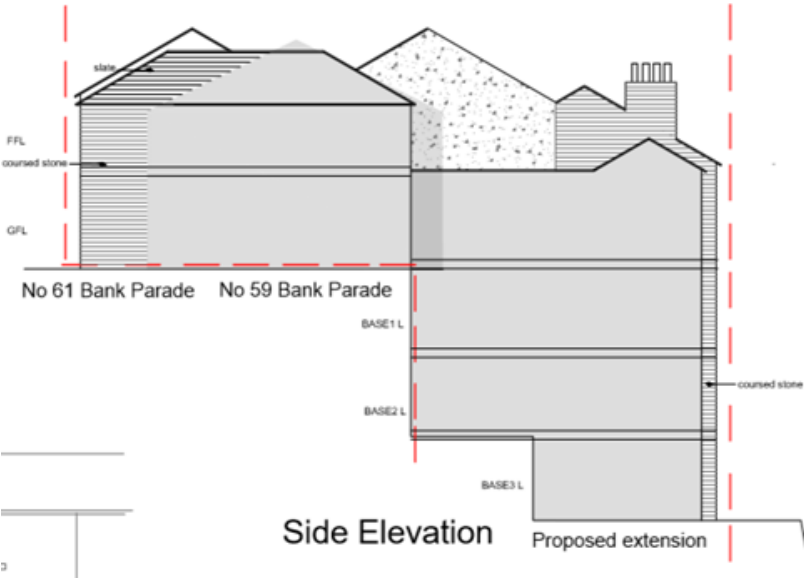


Rear facing River Brun



Bank Parade

Front Elevation



Section from Bank Parade on higher ground down to rear elevation

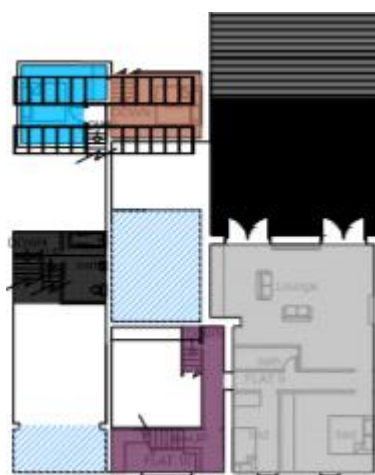
Side Elevation

The existing three flats would be remodelled and together with the proposed rear extension would provide 10no. one bedroom flats.

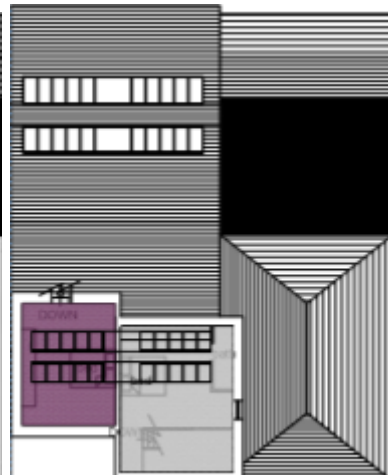
Proposed Ground Floor



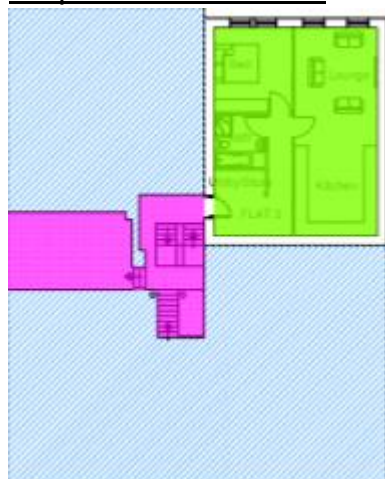
Proposed First Floor



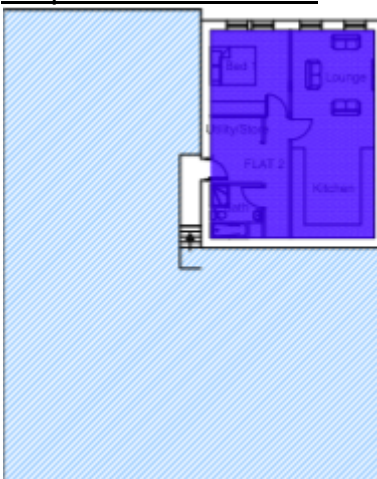
Second Floor and Roof Plan



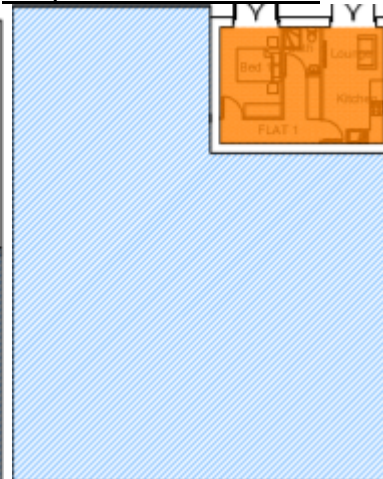
Proposed Basement 1



Proposed Basement 2



Proposed Basement 3



Revisions have been made to the internal layout to provide a dedicated lock-up room on the ground floor for the secure storage of cycles (one per flat).

Relevant Policies:

Burnley's Local Plan (July 2018)

SP4 – Development strategy

SP5 – Development quality and sustainability

TC2 – Development within Burnley and Padiham town centres

HS4 – Housing developments

HE2 – Designated heritage assets

IC1 – Sustainable travel

IC3 – Parking standards

CC4 – Development and flood risk

NE5 – Environmental protection

National Planning Policy Framework (2019)

Site History:

None.

Consultation Responses:LCC Highways

No objection in principle. Concerns highlighted in respect of where refuse would be stored and a lack of provision for cycle storage. Recommend a condition to require a construction method statement.

Streetscene

Refuse proposals have been discussed and agreed that bag collection would be acceptable in this instance due to the lack of any accessible outdoor space.

Environmental Health

No objection. Conditions are recommended in respect of construction hours and cycle parking provision.

Publicity

Five letters of objection/concern have been received from current occupiers at Stackhouses, Bank Parade, making the following comments:-

- Object to the entrance from the front
- Too many flats
- Query the fire exit
- Noise and disturbance
- Reduces communal space and internal storage for existing residents
- Bin storage not indicated on plans
- Insufficient parking for additional 7 flats
- Seek assurance that exhaust flue on side of Stackhouses will be taken into account

Planning and Environmental Considerations:Principle of proposal

The site falls within the Town Centre boundary as defined by the Policies Map of Burnley's Local Plan, in which case Policy TC2 applies. Policy TC2, in respect of sites outside of primary shopping areas permits proposals for residential development where it would not lead to a concentration of residential uses which would undermine the overall mix of main town centre uses and would not prejudice the lawful operating conditions or viability of adjacent land uses.

In this case, the buildings are already partially used for residential purposes and this proposal would, as a result of the proposed extension, remodelling and the removal of a former workshop use, increase the number of flats from 3no. to 10no. This, in principle, would be consistent with existing uses. There are also commercial uses at this town centre location but it is unlikely that these would be adversely affected by the proposed development.

Subject to detailed considerations below, the proposal would be beneficial in providing further one bedroom flats at an accessible and convenient location in the town centre.

Impact on heritage assets

Policy HE2 states that proposals affecting designated heritage assets will be assessed having regard to the desirability of sustaining and enhancing the significance of the

asset and, where appropriate, securing a viable use most consistent with its conservation.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers upon local planning authorities a duty to have special regard to the desirability of preserving the interest of a listed building or its setting and the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal and taken of the following:-

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF states that great weight should be given to the asset's conservation. Substantial harm should not be allowed but where a development will lead to less than substantial harm to the significance of a designated heritage asset then this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The portion of the site at Stackhouses is a Grade II listed building, built in the early 19th Century and of particular interest due to their construction in a block of "top-and-bottom" or stack houses. The lower houses are single depth built back-to-earth and the upper houses are double depth. The site is also within the Top o' th' Town Conservation Area. The proposed alterations to the front of the premises on Bank Parade are limited. There would be some glazing introduced to the timber doors to the front to provide daylight. The defunct fascia above the front window at no. 61 Bank Parade would be removed to give a tidier appearance to its frontage. These small alterations would not significantly affect the setting of the listed building or the character of the conservation area. There would be no external changes to the rear elevation of the listed building. The infilling of the gap at the rear of no. 61 Bank Parade would be of an appropriate scale, massing and design to reflect the existing buildings. It would also be likely to have a positive impact in removing the currently untidy and unsympathetic appearance at the rear of this building. This may enhance the setting of the listed building and the limited views of the conservation area from across River Brun.

There would also be some internal works to create more units. The entrance would be largely preserved and there are no key features within the building that would be harmed by the proposals. The main interest of the listed building and its setting would be preserved and not substantially harmed by the proposal. In addition, the proposal is likely to generate a sustainable use for the future of the building that will help to preserve its long term future. The proposal therefore complies with Policy HE2 and the NPPF.

Impact on residential amenities

Policy SP5 seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users. Some objections have been received from existing occupiers at Stackhouses, including the application site premises. Some concerns relate to the increased use of the entrance on Bank Parade and the likely increase in noise from an increase in flat numbers. Given, however, that the usage of the building would be entirely residential and remove the former workshop use, it is unlikely to give rise to excessive noise or a significant increase in noise.

There is currently no refuse storage facilities for the existing 3no. flats. Refuse is dealt with by bag collection. Bag collection is unsuitable for larger numbers. In the circumstances of this proposal, the Manager of Streetscene considers that bag collection would be accepted on the basis that there is no available outside space that can be created for accessible storage and that it would be unsuitable to store refuse in the building itself. As such, refuse will be dealt with in the most practical method possible which is a continuation of the existing methods at the property.

A neighbour's concerns about an exhaust flue on the side elevation of the existing Stackhouses building are private matters but have been conveyed to the applicant.

The impact of the proposal on neighbouring occupiers would not be significantly impacted by the development and would comply with Policy SP5.

Impact on car parking

The site is within the defined Town Centre boundary where it is highly accessible to shops, services, employment, leisure, culture and rail/bus public transport. Policy IC3 states that car parking standards should be provided for developments as appropriate to their nature and scale and take into account the merits of the proposal, including objectives such as the availability of existing public parking provision or on-street parking, the need to encourage alternative means of travel and the need to provide increased housing quality and choice.

Appendix 9 of the local plan sets out the requirements for categories of development, requiring one parking space for each one bedroom residential unit. In this instance, similar to other town centre properties, there is no off-street parking available for the development. This is not unexpected for people who choose to live in the town centre to be close to facilities and public transport. Town centre car parks and some on-street parking are also options for any occupants who choose to have a car. At this location, the nature of the development (one bedroom flats) is unlikely to give rise to a significant increase in the demand for car parking that cannot be met by existing facilities. Notably, LCC Highways has no objections on car parking grounds but requested cycle storage for residents. The applicant has altered the internal layout to provide a lock-up room off the main entrance which is sufficient for one cycle per flat. The proposal therefore provides for alternative modes of transport to the car.

The proposal therefore satisfies Policy IC3 and would provide for sustainable travel.

Conclusion

The minor alterations to the listed building and the extension to the rear of no.61 Bank Parade would not significantly alter the significance or character of the listed building

or the character of the Top o' th' Town Conservation Area. There would be some benefits from providing new homes at an accessible location in the town centre and some improvements to the appearance of the rear of no. 61 Bank Parade. The proposal complies with the development plan and there are no material reasons to outweigh this finding.

Recommendation: Approve

Conditions - APP/2019/0056 (Listed Building Consent)

1. The works shall start within three years of the date of this consent.

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed on this notice below.

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

3. Prior to the commencement of any external construction work, details and representative samples of the external materials of construction to be used on the roof and walls 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.

Reason: To ensure a satisfactory appearance to the development, having regard to the special interest and character of Stackhouses, a Grade II listed building and the Top o' th' Town Conservation Area, in accordance with Policies HE2 and SP5 of Burnley's Local Plan (July 2018).

4. No replacement or new rooflights shall be installed unless details of these are first submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details.

Reason: To ensure new rooflights are flush with the roof and are sensitive to the conservation of the building, in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

5. The alterations to the front of the premises, including the formation of a new window, shall be carried out with timber.

Reason: To respect the character of the Grade II listed building and the Top o' th' Town Conservation Area, in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

Conditions - APP/2019/0057 (Full Planning application)

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed on this notice below.

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

3. 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 including decorative displays
 - v) measures to control the emission of dust and dirt during construction
 - vi) wheel washing facilities
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) details of working hours.

Reason: To safeguard safety and amenity in the vicinity of the construction works, in accordance with Policies SP5 and NE5 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.

4. Prior to the commencement of any external construction work, details and representative samples of the external materials of construction to be used on the roof and walls 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.

Reason: To ensure a satisfactory appearance to the development, having regard to the special interest and character of Stackhouses, a Grade II listed building and the Top o' th' Town Conservation Area, in accordance with Policies HE2 and SP5 of Burnley's Local Plan (July 2018).

5. No replacement or new rooflights shall be installed unless details of these are first submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details.

Reason: To ensure new rooflights are flush with the roof and are sensitive to the conservation of the building, in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

6. No flat hereby approved shall be occupied until secure cycle storage has been provided and is available for use for a minimum of one cycle per flat on the ground floor of the premises as indicated on the approved plans. The approved cycle storage shall be retained and be available at all times for the storage of cycles for residents.

Reason: To encourage the use of cycles as a sustainable mode of travel, in accordance with Policies IC1 and IC3 of Burnley's Local Plan (July 2018).

7. 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 and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy NE5 of the adopted Local Plan.

Janet Filbin
8th October 2019

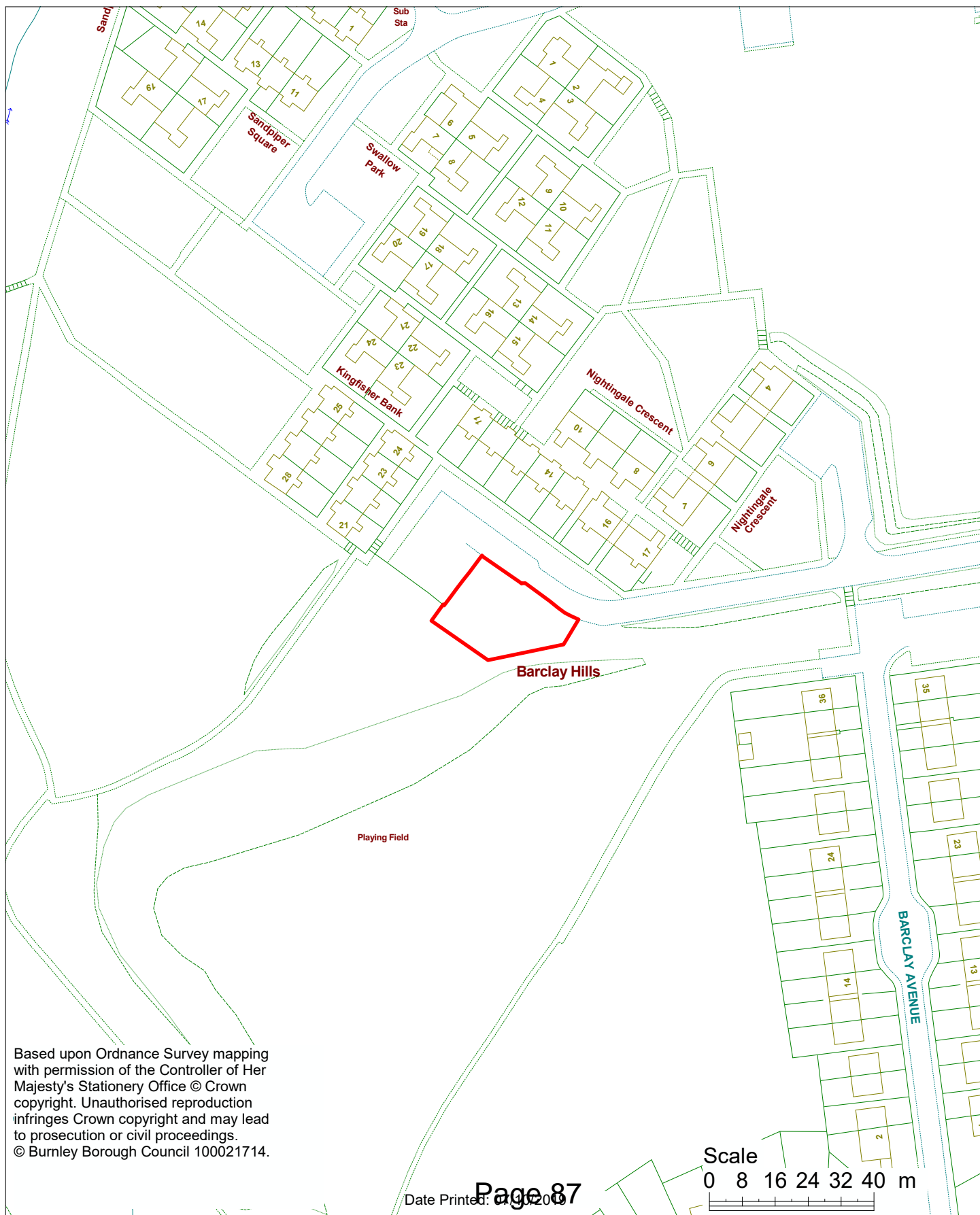
Paul Gatrell Head of Housing and Development

Location:



Land at Lawrence Avenue, Burnley

1:1250



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Application Recommended for Approve with Conditions

OUT/2019/0447

Rosegrove With Lowerhouse

Town and Country Planning Act 1990

Outline with access off Lawrence Avenue, with all other matters reserved for two self/custom build dwellings

Land At Lawrence Avenue Burnley Lancashire BB11 5LW

Background:

The site is located at the end of Lawrence Avenue, and is located within the defined settlement boundary as designated in Burnley's adopted Local Plan.

The site is approximately 0.048 hectares and is currently an undeveloped greenfield site. There is a gradual change in the land from east to west. To the south of the site is an area of open space known as 'Barclay Hills' and forms a protected area of open space. This application site is not part of the protected open space designation.

The Housing and Planning Act 2016 requires authorities to suitable serviced plots to meet the demand for self-build and custom housebuilding in their area. In order to comply with the requirements the Council needs to provide 2 plots by 30th October 2019.

The application has been brought to Planning Committee as the site is Council owned land.



Edge of the site showing the turning area at the end of Lawrence Avenue



Properties adjacent to the site



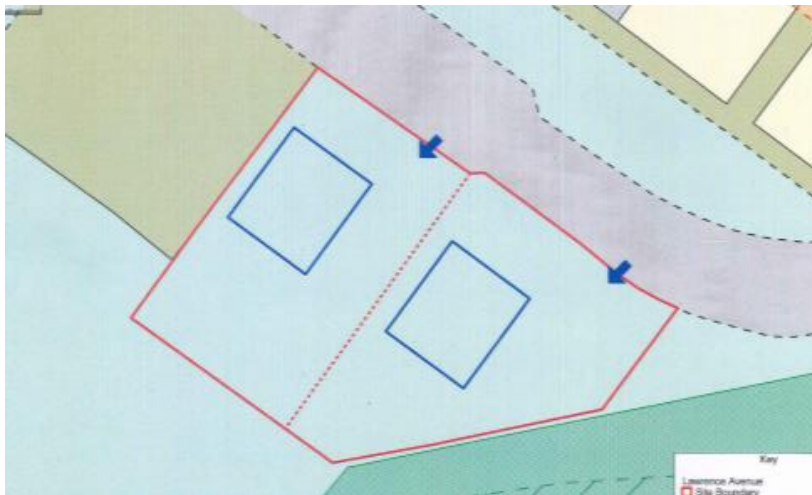
Image taken from google street view showing the gradual fall in site levels.

Proposal

The application seeks outline consent for 2 detached properties with access from Lawrence Avenue.

As this is an outline application, no details on the design, appearance, layout or landscape can be made and will be considered as part of a reserved matters application.

Proposed site plan



The areas indicative approximate vehicle access from Lawrence Avenue.

Relevant Policies:

Burnley's Local Plan 2018

SP1 – Achieving Sustainable Development
SP4 – Development Strategy
SP5 – Development Quality and Sustainability
HS4 – Housing development
IC3 – Car parking standards

National Planning Policy Framework 2019

Site History: None

Consultation Responses:

LCC Highways

No Objection subject to condition

Publicity

Ward Councillor - no comments received

Other Neighbour comments - no comments received

Planning and Environmental Considerations:

The principle of development

Paragraph 59 of the Framework states, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF.

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

Previously developed land

Annex 2 of the NPPF provides a definition of what constitutes previously developed land stating;

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. It advises that recreation grounds are not previously developed land.

According to this definition the application site is a Greenfield site. Notwithstanding this having regard to the small scale of the proposed development, which only involves the introduction of two dwellings, it is not considered that the proposal would compromise the ability of the Council to deliver new homes on previously developed land.

The site is considered to be in a sustainable location and in principle the development of a dwellings would be appropriate subject to the proposals meeting all other relevant policies.

Main issues

The main issues in the consideration of this application are;

- Design and appearance
- the impact of the development on residential amenity
- highways
- other considerations

Design and Appearance

Specific detail on design and appearance would be covered as part of a reserved matters application. The outline does provide an indicative location of the two dwellings, which currently sit approximately 4m from Lawrence Avenue.

Appearance is not an issue for consideration in this outline application. The predominant house type within the area is terraced, characterised by open spaces.

Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking.

Based on the indicative layout, the front elevation (north) would be 23m from numbers 16 and 17 Lawrence Avenue. To the west are a row of properties 21-24 Lawrence Avenue. The side elevation of the proposed dwellings would be positioned approximately 28m away. It is considered that two storey dwellings can be created without having an adverse impact upon the level of residential amenity residents enjoy by virtue of a loss of light, privacy and/or overbearing impact. Final detail will be dealt with under reserved matters application.

Highways

Paragraphs 108 and 109 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

LCC highways have provided comments on the application and do not object to the principle of development subject to conditions and information submitted as part of the reserved matters application.

Boundary detail, fencing and landscaping

No details have been supplied of boundary treatment to form the residential curtilage, this will be dealt with under reserved matters.

Recommendation: Approve with Conditions

Conditions:- Delegate authority to the Head of Housing and Development to approve the development subject to there being no objections after 18th October 2019.

1. a) Details of the reserved matters set out below (the reserved matters) shall be submitted to the Local Planning Authority for approval within three years from the day of this permission:
 - i) layout
 - ii) scale
 - iii) appearance
 - v) landscaping

b) The reserved matters shall be carried out as approved

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

2. The outline permission (access) hereby approved shall relate to the development as shown on drawings:

Location Plan
Indicative Site Layout Plan

Reason: To ensure the development accords with the agreed general principles in relation to overall layout and arrangement.

3. 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 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 constructing the development
- iv) The erection and maintenance of security hoarding
- v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

4. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway.

The roads adjacent to the site shall be mechanically swept or kept free of debris resultant from the construction works associated with the proposal as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway and to ensure the continued safe operation of the highway network.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm nearby residential amenity and the character and visual amenities of the immediate area.

6. Applications for the approval of reserved matters shall include the finished floor levels of the dwellings in relation to the existing and proposed site levels, the adjacent highway, together with details of levels of all accesses to include pathways and driveways shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details

Reason: In order to achieve a satisfactory form of development with regard to the topography of the site having regard to policies NE3 of the adopted Burnley's Local Plan.

7. 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 08:00 hours and 17:00 hours on Mondays to Fridays and between 08:00 hours and 13:00 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan (July 2018).

8. Foul and surface water shall be drained on separate systems. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with of Burnley's adopted Local Plan.

9. The reserved matters planning application shall provide 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.

Reason: 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. Details of a scheme of electric vehicle charging to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to first occupation.

Reason: In accordance with policy IC3 of Burnley's adopted Local Plan.

11. The reserved matters planning application shall ensure full compliance with Council's adopted car parking standards as set out in Appendix 9 of Burnley's adopted Local Plan (or any other standards that replace it).

Reason: In order to ensure that there is adequate car parking on the site in the interests of highway safety and in order to comply with the Council's adopted car parking standards in accordance with policy IC3 of Burnley's adopted Local Plan.

12. Before the access is used for vehicular purposes the visibility splays measuring 2.4 metres by 25 metres in both directions to be provided, measured along the near side kerb of the existing carriageway of Lawrence Avenue, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

Reasons: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

13. A plan showing the details for a suitable vehicle crossing will be required as part of the reserved matters application and shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Each dwelling and a 1.8m footway will be required in parallel with the adopted carriageway across the full width of the development site that will be dedicated as highway.

Reasons: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

14. The reserved matters application shall detail a plan for refuse and recycling storage facilities for each dwelling. No dwelling shall be first occupied until the plan has been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage facilities shall thereafter be retained at all times.

Reason: To ensure adequate refuse and recycling storage for the approved dwellings in order to cater for the needs of the development and to protect the visual amenities of the area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

15. The reserved matters application shall detail:

- a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;

b. An investigation has been carried out in accordance with the approved strategy;

c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

Reason: To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecology systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with policy NE5 of Burnley's adopted Local Plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) details of the position, type and height of all fences, walls and gates to be erected on the site shall be submitted to the Local Planning Authority for approval. The development shall thereafter accord with approved details, unless otherwise varied in writing.

Reason: No details of boundary treatments have been submitted with the application and the Local Planning Authority wishes to retain control over such development given the location of the site adjacent to an area of open space. In order to comply with policy SP5 of Burnley's adopted Local Plan.

17. As part of reserved matters, a landscape plan shall be submitted to and approved in writing by the LPA, prior to commencement of development. The content of the plan should include the following elements; areas of hard and soft landscaping, areas of planting including types of species. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and to comply with policies

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

REPORTS ON
PLANNING APPLICATIONS



Photograph McCoy Wynne

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

17th October 2019

Housing and Development

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List of Delegated Decisions

Application Number	Applicant	Location	Proposal	Decision	Decision Date
APP/2017/0316	Mr Kiely	Holme Hall Burnley Road Burnley Lancashire BB11 4SU	Alterations to form 10 apartments, including restoration of existing roof and chimneys (being a development substantially completed) without complying with conditions (including substitution of drawings required by condition 2) of planning permission APP/2014/0400).	Application Withdrawn	25th September 2019
APP/2019/0074	Mr Jamie Kinsella	72 74 Ightenhill Park Lane Burnley Lancashire BB12 0LL	Proposed change of use from one dwelling to two semi-detached dwellings including the erection of a first floor front extension and a two storey rear extension.	Approve with Conditions	13th September 2019
APP/2019/0080	Mr Zia Mahmood	AA Taxis Portacabin Cow Lane Burnley Lancashire BB11 1NN	Variation of condition 2 of planning permission APP/2002/0202, reduction of private hire vehicles and addition of general commuter parking. (private hire reduced to 12)		4th October 2019
NOT/2019/0107	Mr Shaun Bradshaw	15 Kingsland Road Burnley Lancashire BB11 3PU	Application to fell 4 Trees within the Burnley Wood Conservation Area	No Objection	30th September 2019

Application Number	Applicant	Location	Proposal	Decision	Decision Date
APP/2019/0124	Mr Ian Simms	Land Off Bancroft Road Burnley Lancashire BB10 2TQ	Minor changes to approval for small gas fired energy reserve facility and ancillary infrastructure (APP/2017/0602) (non-material amendment)	Non-Material Minor Amendment Granted	26th September 2019
APP/2019/0135	Ms Linda Simkiss	3 Crown Point House Crown Point Road Burnley Habergham Eaves Lancashire BB11 3RT	Proposed single storey side extension	Approve with Conditions	3rd October 2019
APP/2019/0176	Mrs Diane Wing	580 Brunshaw Road Burnley Lancashire BB10 4HS	Proposed conservatory to rear	Permitted Development	19th September 2019
TPO/2019/0183	Mr Greenwood	40 Slade Lane Padiham Lancashire BB12 9AA	Proposed to prune and crown thin (T1) Oak	Approve with Conditions	2nd October 2019
CND/2019/0193	Mr Akhtar	4 - 6 Clegg Street Burnley Lancashire BB10 1AX	Approval of details reserved by condition on planning permission APP/2018/0477. Condition 3 (scheme for the noise attenuation of the building	Conditions discharged	25th September 2019

Application Number	Applicant	Location	Proposal	Decision	Decision Date
FUL/2019/0205	Mr Craig Buck	National School Building Burnley Road Burnley BB12 8EU	Proposal to replace shop front, facade improvements and change of use of upper floors to office and dwelling	Approve with Conditions	23rd September 2019
FUL/2019/0233	Mr Sharp	21 Burnley Road Padiham Lancashire BB12 8BY	Replacement Shopfront.	Approve with Conditions	23rd September 2019
FUL/2019/0236	Miss Bennett	10 Burnley Road Padiham Lancashire BB12 8BX	Proposal to replace shopfront and first floor window to front elevation	Approve with Conditions	23rd September 2019
COF/2019/0254	Ministry Of Justice (MOJ)	Former Poundstretcher Queens Lancashire Way Burnley BB11 1HA	Sub-division of the vacant former Poundstretcher unit to form two units and change of use of one of the units from A1 to B1(a).	Approve with Conditions	1st October 2019
ADV/2019/0318	Mr Mohamed Tayab	Land At Barracks Road Burnley Lancashire	Display two internally illuminated totem signs (both 9m high) and various illuminated fascia, driv-thru and car park signage	Approve with Conditions	4th October 2019
TIC/2019/0330	Mr david western	238 Briercliffe Road Burnley Lancashire BB10 2NZ	Works to Chestnut T1 and Ash T2 trees within the Jib Hill Conservation Area	No Objection	2nd October 2019

Application Number	Applicant	Location	Proposal	Decision	Decision Date
HOU/2019/0264	Mr Neil Balmer	Higher House Nelson Road Briercliffe Lancashire BB10 3QE	Proposed 2 storey extension to rear	Approve with Conditions	12th September 2019
LBC/2019/0265	Mr Neil Balmer	Higher House Nelson Road Briercliffe Lancashire BB10 3QE	Demolition of existing rear extensions. Erection of proposed 2 storey extension to rear. Insertion of a door and window to gable elevation and internal alterations.	Approve with Conditions	12th September 2019
TPG/2019/0338	Mr Ashley Scott	35 Church Square Worsthorne-with-hurstwood Lancashire BB10 3NH	Crown lift four common lime trees	Approve with Conditions	17th September 2019
CND/2019/0349	Mr Billy Hasler- Cregg	Land At Florence Ave Burnley BB11 5LL	Discharge of condition 11 (materials) of planning permission APP/2018/0513	Conditions discharged	11th September 2019
CND/2019/0350	Mr Billy Hasler- Cregg	Land At The West Side Of Station Road & Adjacent To Padiham Gateway And Green Lane Padiham	Discharge of Condition 12 (Materials) of planning permission APP/2018/0504	Conditions discharged	11th September 2019

Application Number	Applicant	Location	Proposal	Decision	Decision Date
VAR/2019/0366	Mr Clive Durkin	Former Royal Court Tennyson Street Briercliffe Lancashire BB10 2RS	Variation of Condition 2 of planning permission APP/2017/0601 for residential development to make minor changes to the approved access road	Approve with Conditions	27th September 2019
CND/2019/0374	Pagor Properties Limited	32-36 Coal Clough Lane Burnley Lancashire BB11 4PG	Discharge of Condition 5 (land contamination) and 6 (sound insulation) of planning permission APP/2016/0348	Conditions part discharged	2nd October 2019
CND/2019/0376	Mr ian walker	116 St Jamess Street Burnley Lancashire BB11 1NL	Discharge of Condition 3 (lighting) of planning permission APP/2019/0078	Conditions discharged	2nd October 2019
FUL/2019/0409	Mr Tony Mancini	Further Barn Rossendale Avenue Burnley Lancashire BB11 5PZ	Proposed conversion of an existing garage and workshop into a self contained 1 bedroom annexe	Application Withdrawn	24th September 2019
CND/2019/0401	Miss Sam Ali	2 Hargrove Cottages Barrowford Road Padiham Lancashire BB12 8TY	Discharge of Condition 3 (materials) of planning permission APP/2019/0051	Conditions discharged	16th September 2019

Application Number	Applicant	Location	Proposal	Decision	Decision Date
DEM/2019/0382	Mr Christopher Scholes	Ambulance Station Trafalgar Street Burnley Lancashire BB11 1TQ	Proposed demolition of former Ambulance Station	Prior Approval Granted	13th September 2019
HOU/2019/0420	Mr Shaun Reade	424 Burnley Road Cliviger Lancashire BB10 4SU	To lower 6 kerb stones to allow vehicular access across the footpath to an existing driveway constructed in 2007 by a previous owner.	Approve with Conditions	23rd September 2019
FUL/2019/0388	Mr John Harrison	Tarleton House 89-91 Todmorden Road Burnley Lancashire BB11 3ES	Erection of modular building	Approve with Conditions	27th September 2019
HOU/2019/0426	Mr Harry Pollit	13 Dall Street Burnley Lancashire BB11 3LB	Proposed single storey rear extension	Approve with Conditions	17th September 2019
HOU/2019/0414	Mr Zulfiqar Asghar	100 Leamington Avenue Burnley Lancashire BB10 3EY	Proposed double storey side extension with minor internal alterations and removal of front boundary wall	Approve with Conditions	17th September 2019

Application Number	Applicant	Location	Proposal	Decision	Decision Date
HOU/2019/0424	Mr Neil Wadsworth	107 Lower Manor Lane Burnley Lancashire BB12 0EF	Proposed two storey side extension	Approve with Conditions	8th October 2019
NMA/2019/0435	Mr Matthew Hartup	34 Prairie Crescent Burnley Lancashire BB10 1EU	Amendment to rear extension design (in reference to planning application APP/2015/0293)	Approve with Conditions	11th September 2019
FUL/2019/0372	Hilary Fowke	2-4 Barley Top Hameldon Road Hapton Lancashire BB11 5QP	Proposed two storey dwelling (following demolition of stable block)	Refuse	4th October 2019
FUL/2019/0375	Mr D Savage	Cockden House Farm Todmorden Road Briercliffe Lancashire BB10 3QQ	Proposed external and internal alterations to an existing outbuilding used for ancillary domestic accommodation in association with the main dwellinghouse.	Approve with Conditions	2nd October 2019

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