



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 14th May, 2020 at 6.30 pm

PRESENT

MEMBERS

Councillors A Hosker (Chair), M Payne (Vice-Chair), A Anwar, G Birtwistle, F Cant, S Chaudhary, 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	– Principal Planner
David Talbot	– Senior Solicitor
Imelda Grady	– Democracy Officer
Alison McEwan	– Democracy Officer

111. Apologies

Apologies for absence were received from Councillor Mohammed Ishtiaq and Councillor Neil Mottershead.

112. Minutes

The Minutes of the last meeting held on 19th March 2020 were approved as a correct record.

113. List of Deposited Plans and Applications

RESOLVED

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

114. COU/2019/0571 Victory House 246-250 Lowerhouse Lane Burnley Lancashire

Town and Country Planning Act 1990

Change of use from warehouse, offices, retail and light industrial to mixed use of

**offices (Class B1a), training centre (Class D1) and Aesthetics Clinic (sui generis) with associated warehousing
Victory House 246-250 Lowerhouse Lane Burnley Lancashire**

That planning permission be granted subject to the following 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. Car parking shall be provided at the site and available for use, as indicated on the approved plans, prior to any part of the approved uses being first commenced. The approved car parking shall thereafter be retained at all times.

Reason: To ensure adequate car parking is provided on the site, in the interests of highway safety, in accordance with Policies IC1 and IC3 of Burnley's Local Plan (July 2018).

4. A minimum of two secure cycle stands shall be provided and available for use within the premises prior to any part of the approved uses being first commenced. The cycle storage provision shall thereafter be retained at all times.

Reason: To encourage the use of cycles to and from the premises, to promote sustainable travel, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

5. The premises shall not operate other than between 8am and 6pm Monday to Friday and between 9am and 1pm on Saturdays and not all on Sundays or Bank/Public Holidays with the exception of the approved Aesthetics Clinic that shall not be open for business other than between 8am and 8pm Monday to Friday and between 9am and 5pm on Saturdays and shall not be open for business on Sundays.

Reason: To safeguard the residential amenities of neighbouring occupiers, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

6. The approved uses shall operate in association and not as separate uses; storage at the premises shall be ancillary only to the main uses of the premises; and consulting rooms for the approved Aesthetics Clinic shall be limited to three rooms as indicated on the approved plans.

Reason: To ensure the satisfactory implementation of the proposal and to ensure that the nature and amount of trips to the site and parking provision is suitable for the site, in the interests of highway safety and amenity, in accordance with Policies IC1, IC3 and SP5 of Burnley's Local Plan (July 2018).

115. HOU/2019/0531 111 Thursby Road, Burnley

Town and Country Planning Act 1990

Proposed two storey side and rear extension and single storey rear extension

111 Thursby Road Burnley

1. The development must be begun within three years of the date of this decision.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans; 20190704-nos1,2, and 5 and 7 received 21st Oct 2019, nos 6A and 8A received 6th March 2020 and Nos. 3A and 4A received 9th March 2020.

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

3. The car parking provision shown on Dwg. No 20190704 = 4A shall be provided as approved before any part of the extension hereby permitted is brought into use.

Reason: To ensure that adequate parking provision is in place in the interests of highway safety and in accordance with policy IC3 of Burnley's LocalPlan July 2018.

4. All windows on the side elevations of the extensions hereby permitted shall be obscurely glazed before the extensions are brought into use. The obscure glazing shall thereafter be maintained to the satisfaction of the local planning authority.

Reason: To protect the amenities of the adjoining residents having regard to Policy HS5 of Burnley's Local Plan 2018.

5. Before the driveway is used for vehicular 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 tarmacadam, concrete, block pavements, or other approved materials.

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

116. Decisions taken under the Scheme of Delegation

Members received for information a list of decision taken under delegation for the period 23rd March to 30th April 2020.

117. Confirmation of a Tree Preservation Order

Tree Preservation Order at 26 Pennine Grove, Burnley.

Consideration was given to a Tree Preservation Order on two trees at 26 Pennine Grove, Burnley.

T1 – an oak tree towards the front edge of no. 26 Pennine Grove, close to the fenced boundary with no. 14 Higham Road.

T2 – an oak tree, more mature than T1, with good form and stands within the main body of the garden to the front of no. 26 Pennine Grove.

Decision: That the Tree Preservation Order be confirmed.