



# DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 29th April, 2021 at 6.30 pm

## PRESENT

## MEMBERS

Councillors F Cant (Chairman), M Payne (Vice-Chair), A Anwar, G Birtwistle, S Chaudhary, P Gill, S Graham, S Hall, J Harbour, A Hosker, M Ishtiaq, A Kelly, L Khan, N Mottershead and J Sumner

## OFFICERS

Paul Gatrell	– Head of Housing & Development Control
Alec Hickey	– Planning Team Manager
Janet Filbin	– Principal Planner
Erika Eden-Porter	– Principal Planner
Chris Gay (host)	– Governance Manager
Imelda Grady	– Democracy Officer
Amanda Rumbelow	– Property Solicitor
Paul Barlow (stream)	– Graphic Designer

### 121. Apologies

No apologies had been received.

### 122. Minutes of the previous remote meeting held on Thursday, 25th March 2021

The Minutes of the previous remote meeting held on Thursday, 25<sup>th</sup> March 2021 were approved as a correct record.

### 123. Additional Items of Business

There were no additional items of business.

### 124. Declaration of Interest

There were no declarations of interest.

## 125. Exclusion of the Public

There were no items requiring the public to be excluded from the meeting.

## 126. List of Deposited Plans and Applications

The following members of the public attended the meeting and addressed the Committee under the Right to Speak Policy:

Application Reference	Location	Speaker
<b>FUL/2020/0210</b>	63 Rosegrove Lane, Burnley	<b>Noel Anderson</b> (for)
<b>FUL/2020/0612</b>	Land off Richmond Avenue, Burnley	<b>Stuart Booth</b> (for)
<b>COU/2021/0041</b>	<b>60 Church Street, Briercliffe, Lancashire</b>	<b>Colin Jones</b> (for)
<b>FUL/2020/0447</b>	Land at Hameldon Road, Hapton, Burnley	<b>Steven Hartley</b> (for)
<b>FUL/2020/0567</b>	<b>Land at Westway, Burnley</b>	<b>Brian Sumner</b> (for)
<b>FUL/2020/0567</b>	Tesco Express, Burnley	<b>Michael Sproston</b> (against) <b>Daniel Botten</b> (for)

## 127. HOU/2021/0023 - 5 Rossall Close, Hapton, Lancashire

**Town and Country Planning Act 1990 Erection of a double storey side extension 5 Rossall Close Hapton Lancashire Hapton**

**APPLICANT: Mr Crook**

**AGENT: Mr McGregor**

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

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 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 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 Policy SP5 of Burnley's Local Plan (July 2018).

**128. HOU/2021/0087 - 50 Aspen Drive, Burnley, Lancashire**

**Town and Country Planning Act 1990 First floor side extension above garage. Demolish conservatory to rear and build single storey extension 50 Aspen Drive Burnley Lancashire**

**Applicant: Mr Earnshaw**

**Agent: Mr Wilson**

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

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 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 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 Policy SP5 of Burnley's Local Plan (July 2018).

**129. FUL/2020/0210 - Junction Hotel, 63 Rosegrove Lane, Burnley**

**Proposed building of an additional dwelling attached to the former Junction Hotel JUNCTION HOTEL 63 ROSEGROVE LANE BURNLEY**

**Agent: Hindley Designs**

**Applicant: ALB Properties**

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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 not be carried out other than to the approved drawings and the specifications as indicated thereon except where modified by the conditions of this consent. The approved drawings are: Proposed Site and Parking Plan Rev B (1:200 Scale); Proposed Elevations 1 of 2 Rev B (1:100 Scale); Proposed Elevations 2 of 2 Rev B (1:100 Scale); Proposed Ground Floor Plan Rev C (1:50 Scale); and Proposed First Floor Plan Rev B (1:50 Scale) received 11 February 2021.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), there shall be no more than one bedroom in the development hereby approved at any point without the express permission in writing of the council.

Reason: To ensure that the parking demand generated by the dwelling hereby approved can be adequately accommodated on site and not to the detriment of highway safety in accordance with Policies IC1 and IC3 of Burnley's Local Plan (July 2018).

4. Prior to the commencement of any development above slab level, 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. All works shall be undertaken strictly in accordance with the details as approved.

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

5. The development hereby approved shall not be occupied until its associated refuse and recycling storage has been provided and is available for use in accordance with the details as indicated on the approved plans. The refuse and recycling storage facilities shall thereafter be retained at all times.

Reason: To ensure adequate refuse and recycling storage for the approved dwelling 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).

6. The development hereby permitted shall not be commenced until a landfill gas investigation and report which demonstrates that the development can be safely undertaken and occupied has been submitted to the Local Planning Authority. The report shall be prepared by a competent consultant, experienced and specialising in the assessment and evaluation of Landfill Gas migration. The investigation report shall:

- i) Describe the methodology, techniques and equipment and circumstances of the survey and set out final conclusions and recommendations to the results and findings of tests and investigations.
- ii) Advise on any remedial measures which demonstrate that the development can be safely undertaken and occupied. If remediation measures are recommended as a result of the investigations, these measures shall be incorporated into the development before it is first occupied.

Reason: To ensure that the development can be undertaken and occupied in a safe and secure manner given the proximity of the development to a landfill site which is known to be producing landfill gas, in accordance with policy NE5 of Burnley's adopted Local Plan (July 2018).

7. The development hereby permitted shall not be commenced, including any works of demolition or site clearance, until a Construction Management Plan or Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Plan/Statement shall provide for:
  - i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) measures to protect vulnerable road users (pedestrians and cyclists);
  - iv) the erection and maintenance of security hoarding where appropriate;
  - v) wheel washing facilities and measures to control the emission of dust and dirt;
  - vi) details of a scheme for recycling/disposing of waste; vii) delivery and construction working hours; and viii) contact details for the site manager. The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

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

8. 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, stones and debris being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

9. 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, 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. Deliveries associated with the construction of the development shall only be accepted between the hours of 9.30am and 2.30pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: To safeguard the amenities of nearby residents and in the interests of highway safety in accordance with Policies SP5 and IC1 of Burnley's Local Plan (July 2018).

10. The surface water from the driveway hereby approved should be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and maintained throughout the lifetime of the development, unless otherwise agreed in writing with the local planning authority.

Reason: To prevent water from discharging onto the public highway in the interests of highway safety in accordance with Policies SP5 and IC1 of Burnley's Local Plan (July 2018).

11. The development hereby approved shall not be occupied until the car/vehicle parking area shown on the approved plans has been completed. The parking area shall thereafter always remain available for parking of vehicles associated with the dwelling. The vehicle parking area must be properly consolidated and surfaced in bound porous materials, and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure satisfactory levels of appropriately constructed off-street parking are achieved and adequate parking provision is retained within the development and to avoid unnecessary parking on the highway to the detriment of highway safety in accordance with Policies SP5 and IC1 of Burnley's Local Plan (July 2018).

12. The development hereby approved shall not be occupied until the footway has been reinstated to full kerb height, where any vehicle crossover are redundant, in accordance with the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.

Reason: To maintain the proper construction of the highway and in the interest of pedestrian safety in accordance with Policies IC1 of Burnley's Local Plan (July 2018).

13. The development hereby approved shall not be occupied until the surface of the back street leading from the site to its junction with Duncan Street has been suitably upgraded to accommodate frequent vehicle use.

Reason: To ensure appropriate provision for vehicles accessing the parking space hereby approved in accordance with Policy IC3 of Burnley's Local Plan (July 2018).

<b>130. ADV/2021/0117 - Land to the West of Red Lees Road, Cliviger</b>
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**The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 Display 4no. flagpoles (5.5m high), two sided `V` board stack sign (5.2m high) and various sales signage (non-illuminated) at temporary sales site Land to the West of Red Lees Road Cliviger Burnley**

**Applicant: Miller Homes Limited (North West)**

**Decision: That Planning permission be granted subject to the following conditions;**

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. Express consent is granted for the period of five years (from the date of this notice).
7. Any internal source of illumination shall be reduced in intensity if necessary and be maintained at an approved level (see note 5).
8. The approved advertisements shall be removed on or before the removal of the sales office/area at the site.

Reasons:

- 1 - 5 Required to be imposed by the Town and Country Planning (Control of Advertisement) Regulations 2007.
6. Imposed by Regulation 14 (7) (a).
7. To avoid glare, dazzle or distraction to passing motorists.
8. In the interests of visual amenities

**131. FUL/2020/0612 - Land Off Richmond Avenue, Burnley**

**Town and Country Planning Act 1990 Creation of new hardstanding, stable and fence enclosure for equine use Land off Richmond Avenue Burnley Cliviger**

**APPLICANT: Mr Tony Stowell**

**AGENT: Mr Stuart Booth**

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

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

Reason: To ensure the external appearance of the building and associated works is satisfactory and the development is carried out in accordance with the approved plans.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings 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

4. The stable building and hardstanding 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.

<b>132. COU/2021/0041 - 60 Church Street, Briercliffe, Lancashire</b>
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**Town and Country Planning Act 1990 Change of use from dwelling (Class C3) to children's care home for up to four young people (Class C2) 60 Church Street Briercliffe Lancashire BB10 2HU**

**Applicant: Residential Child Care Community (North West) Ltd**

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

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 listed on this notice below.

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

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the approved use shall operate for up to four young



people up to and including 18 years of age only and not for any other use falling within Class C2.

Reason: To ensure the satisfactory implementation of the proposal and in order that any changes within the same use class can be reviewed in terms of the need for car parking and potential impacts on neighbouring properties, in accordance with Policies IC3 and SP5 of Burnley`s Local Plan (July 2018).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting this Order with or without modification), no development shall take place which would otherwise be permitted under Part 3 of Schedule 2 without planning permission first being obtained.

Reason: To ensure the satisfactory implementation of the proposal and in order that any changes can be reviewed in terms of the need for car parking and potential impacts on neighbouring properties, in accordance with Policies IC3 and SP5 of Burnley`s Local Plan (July 2018).

**133. HOU/2021/0053 - 87 Brougham Street, Burnley, Lancashire**

**Town and Country Planning Act 1990 ERECTION OF A SINGLE STOREY REAR EXTENSION 87 Brougham Street, Burnley**

**Applicant: J Hussain**

**Decision: 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

**134. FUL/2020/0447 - Land at Hameldon Road, Hapton, Burnley**

**Town and Country Planning Act 1990 Agricultural Building Land at Hameldon Road Hapton Burnley Hapton**

**APPLICANT: Mr Frank Owen**

**AGENT: Mr Steven Hartley**

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

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 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 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 Policy SP5 of Burnley's Local Plan (July 2018).

4. For the avoidance of doubt, permission is granted for use of the building hereby approved solely for agricultural purposes (as defined in Section 336(1) of the Town and Country Planning Act 1990).

Reason: Intensification or a change of use may result in harm to the residential amenity of nearby neighbouring properties as well as in the interest of highway safety.

5. 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 mitigation has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: 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 on site.

6. No part of the development hereby approved shall be occupied or opened for trading until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

<b>135. FUL/2020/0567 - Land at Westway, Burnley</b>
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**Town and Country Planning Act 1990 Creation of car park Land At Westway Burnley**

**Applicant : Car Park (Burnley) Ltd, Trafalgar Mill Business Centre**

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

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 listed on this notice below.

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

3. The car park shall operate as a private car park only for the parking of up to 20 private cars on a payment in advance mechanism only with a barrier to control entry and departure and shall not at any time be open or available as a public car park. The parking of vehicles is restricted to cars and shall not be occupied by motorhomes or caravans and shall not be used for any other purpose whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason: In order to control the number and type of vehicular movements to and from the site and to ensure the satisfactory implementation of the proposal and to prevent other uses that may be unsuitable on this small site, in accordance with Policies IC1 and SP5 of Burnley's Local Plan (July 2018).

4. The approved 20 space car park inclusive of two disabled parking spaces, shall be constructed, drained and hard surfaced in tarmacadam unless alternative surfacing materials are previously agreed in writing by the Local Planning Authority, and marked out in accordance with the approved plans, prior to being first open for use.

Reason: To ensure a satisfactory bound and drained surface and to ensure the satisfactory implementation of the proposal, in accordance with Policies IC1 and SP5 of Burnley's Local Plan (July 2018).

5. Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for tree and hedge planting along the site's boundary with Wilfield Street and tree planting on a bunded edge with Westway, as indicated on the approved plans. The submitted details shall include plant species, numbers and locations of planting, planting heights and methods of cultivation. In respect of the area of landscaping that either falls within the visibility splays of the site access or adjoins the highway, details of the landscaping shall also include a scheme of maintenance.

Reason: To ensure appropriate screening and a satisfactory appearance to the development from Wilfield Street and Westway and to ensure that visibility for users of the highway is not adversely affected, in the interests of visual amenities and highway safety, in accordance with Policies SP5 and IC1 of Burnley's Local Plan (July 2018). The condition is required prior to the commencement of development to

ensure that a suitable landscaping scheme can be implemented promptly at the appropriate stage in the development.

6. 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 excavation of the land and formation of a new surface for a car park; and, any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

Reason: In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

7. Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. No further external lighting shall thereafter be installed.

Reason: To avoid excessive and intrusive lighting , in the interests of residential amenities and highway safety, in accordance with Policies SP5 and IC1 of Burnley's Local Plan (July 2018).

8. Prior to the commencement of development, a scheme for the construction of the site access and the associated off-site works of highway improvement, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in its entirety and completed prior to the approved car park being first brought into use.

Reason: To ensure that the details of the access and highway works are acceptable, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The details are required prior to the commencement of development to ensure that the details are satisfactory and can be implemented at the appropriate stage of the development in the interests of highway safety.

9. Prior to the approved car park being first brought into use, details of the future management and maintenance of the approved private car park shall be submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter only be operated in accordance with the approved management and maintenance details.

Reason: To ensure the satisfactory implementation of the proposal and to ensure the car park is adequately managed and maintained , to safeguard the users of the street and the visual amenities of the locality, in accordance with Policies IC1 and SP5 of Burnley's Local Plan (July 2018).

10. 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 submitted details shall include measures for dealing with surface water run-off from the landscape bund adjacent to the bus lane at Westway. The approved scheme shall thereafter be implemented and completed in accordance with the approved details prior to any

part of the development being first brought into use. The approved drainage scheme shall be retained in perpetuity.

Reason: To ensure the site is adequately drained and to prevent adverse runoff onto the public highway, in order to reduce the risk of flooding, in accordance with Policies CC4 and CC5 of the Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development above to ensure that acceptable works can be agreed before works start and can then be implemented at an appropriate stage in the development.

11. The proposed boundary treatment indicated on the approved plans, shall be implemented and completed prior to any part of the approved car park being first brought into use. The approved boundary treatment, including the landscaping and fence on the site's boundary with Wilfield Street, shall be retained in perpetuity.

Reason: To ensure a satisfactory appearance to the development in order to protect the visual amenities of the surrounding area and to provide satisfactory screening from adjacent properties in order to safeguard residential amenities, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

12. No part of the approved car park shall be first brought into use unless and until a minimum of two car parking spaces have been fitted with Electric Vehicle Charging points which shall be solely for use by the users of car park. The Electric Vehicle Charging points shall thereafter be retained in perpetuity.

Reason: 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) and the National Planning Policy Framework.

13. 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.

Reason: To avoid the deposit of mud or debris on the public highway, in order to protect highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

14. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved Plan / Statement shall provide for the :

- 24 Hour emergency contact number.
- Details of the parking of vehicles of site operatives and visitors.
- Details of loading and unloading of plant and materials.
- Arrangements for turning of vehicles within the site.
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
- Measures to protect vulnerable road users (pedestrians and cyclists).
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- Wheel washing facilities.

- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction.
- Measures to control the emission of dust and dirt during construction.
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Construction vehicle routing.
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases and to ensure that the safety and amenities of occupiers of neighbouring properties are satisfactorily protected, in accordance with Policies NE5 and IC1 of Burnley's Local Plan (July 2018). The Plan/Statement is required prior to the commencement of development to ensure that the measures can be effectively implemented and the development is carried out satisfactorily.

15. 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 1800 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.

Reason: To safeguard the residential amenities of the local area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

16. Deliveries of construction materials and removal of existing site materials and waste to and from the development site shall only be permitted and accepted between the hours of 09:30 and 14:30 hours Monday to Friday only and at no other times.

Reason: In order to avoid peak traffic on the surrounding highway network, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

<p><b>136. FUL/2020/0573 - Tesco Express, Burnley, Lancashire</b></p>
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**Town and Country Planning Act 1990 Full Planning Permission Proposed Development: Proposal to Install New Modular Extension with Armco barrier and Closed boarded timber fence with gate Site Address: Tesco Express, Burnley, Lancashire, BB10 3JB**

**Applicant Name: Mr Andy Horwood – Tesco  
Agent Name: Mr Daniel Botten – ROK Planning  
Mr Matthew Roe – ROK Planning**

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to 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 materials to be used on the external surfaces of the proposed development as indicated within the application form and on drawing labelled 'Proposed Building Elevation – Job No: 6476 – Drg No: C05 – Revision: #' shall be implemented as indicated unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy SP5 of the Local Plan and the NPPF

3. Prior to commencement of the proposed extension the 3.5m high acoustic fence to the eastern boundary shall first be erected and retained thereafter.

Reason: In the interest of residential amenity.

4. The development hereby permitted shall be carried out in accordance with the following approved plans listed on the notice below.

Reason: To clarify the terms of this consent RH Planning and Compliance Officer

5. Deliveries to the site shall be restricted to take place between the hours of 09.00 and 17.00 Monday to Saturday only and shall not be altered without an application first being submitted to, and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to accord with Local Plan Policy SP5 and the NPPF 2019.

### **137. Decisions taken under the Scheme of Delegation**

The Committee received for information a list of decision taken under delegation for the period 17<sup>th</sup> March to 15<sup>th</sup> April 2021