

Appendix – Minute No. 40

PLANNING APPLICATIONS APPROVED

APP/2009/0537

**Full Planning Application
Proposed two storey extension to rear of surgery
225 - 227 SURGERY GANNOW LANE BURNLEY**

**Reason for
Decision:**

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

CF11 - District and Local Centres

CF14 - Provision, Retention and Enhancement of Community Facilities

Conditions:

1. The development must be begun within three years of the date of this decision.
2. Before any development commences, suitable and acceptable arrangements in relation to refuse disposal and access to the rear yard shall be submitted to and approved in writing by the Local Planning Authority. The agreed arrangements shall be implemented within 3 months from the extension being in use.
3. The ten off-street car parking spaces at the nearby Railway Club shall be retained for use of staff members employed at Rosegrove Surgery, 225-227 Gannow Lane, at all times the extended surgery is in use. If the ten off-street car parking spaces become unavailable for staff members of the extended surgery, an acceptable alternative shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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 that suitable arrangements in relation to refuse

THURSDAY, 7th January 2010

disposal are made, in the interests of visual and residential amenity, in compliance with policy GP3 and CF14 of the Burnley Local Plan Second Review.

3. To ensure that adequate off-street parking spaces for staff members are available at all times, in the interest of local amenity and highway safety, in compliance with policy CF1 4 of the Burnley Local Plan Second Review.

APP/2009/0622

Full Planning Application
Proposed continuation of use of former kennel building for use ancillary to the main residential use of the dwellinghouse, including an office to facilitate working from home and domestic storage, together with external alterations to the building.
MONK HALL MONK LANE OFF TODMORDEN ROAD
BURNLEY

Reason for Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt

GP2 - Development in the Rural Areas

GP3 - Design and Quality

TM15 – Car parking standards

E10 – Alterations, extensions, change of use and development affecting listed buildings

Site History:

12/80/0129 – Extension to cattery, provision for boarding dogs and quarantine and isolation units – planning permission granted

12/82/0229 – Retention of kennel buildings – planning permission granted

Conditions:

1. Any use of the building for business purposes shall be limited to that which is ancillary to the main residential use of Monk Hall. No staff other than those living at Monk Hall shall be

THURSDAY, 7th January 2010

employed in the building and no deliveries or storage of goods or materials, or staff meetings shall take place in connection with the business use.

2. Details of the landscape works on the south west boundary of the site shall be submitted to and approved in writing by the local planning authority within one month of this approval. The works as approved shall be carried out as approved within the next planting season following approval of the application or as otherwise in a programme to be approved in writing by the local planning authority. Soft landscaping shall include schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate.

Reasons:

1. To ensure that the scale of the business operation is limited to that ancillary to the residential use of the site, having regard to the policies GP2 and E27 of the Burnley Local Plan Second Review.
2. In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings having regard to Policy GP2 of the Burnley Local Plan Second Review.

APP/2009/0628

Full Planning Application

Proposed change of use of former Post Office to a Hot Food Takeaway

112 GANNOW LANE BURNLEY

Reason for Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review:

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

CF13 - Restaurants, Cafes, Public Houses and Hot Food Takeaways

Conditions:

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

THURSDAY, 7th January 2010

2. The premises shall not be open for business outside the hours of 11:00am to 11:00pm on any day.
3. Before the use commences a scheme for the provision of appropriate litter containers and the litter management of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and thereafter carried out in accordance with the approved scheme to the satisfaction of the Local Planning Authority
4. Before the use commences precise details of the fume extraction system and preparation areas shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the flue stack being at least 1m from the roof plane and the terminal shall have no cap or cowl that will restrict air flow.
5. No development shall start until a scheme for the noise insulation of the party wall between no. 112 Gannow Lane and no. 2 Dickson Street has been submitted to and approved in writing by the Local Planning Authority.

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 control the hours of opening in the interests of residential amenity in compliance with policy CF13 of the Burnley Local Plan Second Review.
3. To ensure that litter resulting from the use of the site does not become a source of nuisance for neighbouring residents or detrimental to the amenity of the area, in compliance with policy CF13 of the Burnley Local Plan Second Review.
4. To ensure that adequate fume extraction is implemented to safeguard neighbouring properties from an unacceptable level of noise or odours, in compliance with policy CF13 of the Burnley Local Plan Second Review.
5. To ensure that no. 2 Dickson Street is adequately safeguarded from noise generated as a result of the proposed use, in compliance with policy CF13 of the Burnley Local Plan

THURSDAY, 7th January 2010

Second Review.

APP/2009/0645

**Full Planning Application
Variation of condition 3 on planning permission
12/85/0650 to allow a change in opening hours of the hot-
food take-away to 1200 hours to 2300 hours Monday to
Sunday
326 COLNE ROAD BURNLEY**

**Reason for
Decision:**

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

CF13 - Restaurants, cafes, public houses and hot food take-aways

GP1 - Development within the Urban Boundary

Condition:

1. The development must be begun within three years of the date of this decision.
2. The premises shall not open for business outside the hours of 0800 hours to 2300 hours at any time. The evening use operating after 1800 hours shall remain ancillary to the main daytime use of the premises and shall not operate independently

Reason:

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 safeguard the amenities of nearby residents and to ensure that the property makes a contribution to the vitality and viability of the district centre during the day, having regard to the aims of Policy CF13 of the Burnley Local Plan Second Review.

APP/2009/0656

**Full Planning Application
Variation of condition 4 on planning approval 2005/0838
to enable the doors on the elevation facing culshaw
Street to remain open from 06:00 to 18:00; and otherwise
remain closed when not in use for access to or egress
from the building**

THURSDAY, 7th January 2010

LUPTON & PLACE LTD ATHENS VIEW ATHLETIC STREET BURNLEY

Reason for Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

GP1 – Development within the Urban Boundary

Site History:

CMP/2007/00066 – Breach of conditions

APP/2005/0838 – Proposed factory extension (c/c)

98/0090 – Construction of storage building (c/c)

97/0628 – Construction of storage building (refused)

94/0622 – Erection of new steel portal framed warehouse extension (c/c)

Conditions:

1. The roller shutter door facing Culshaw Street shall only open between the hours of 08:00 -18:00 Monday to Friday and remain closed at all other times when not in use for access or egress from the building.
2. There shall be no amplified music during the period the roller shutter doors are kept open.

Reasons:

1. In order to protect the amenities of nearby residents, in accordance with Policy GP1 of the Burnley Local Plan, Second Review.
2. To protect nearby residents from possible noise disturbance, in accordance with Policy GP1 of the Burnley Local Plan, Second Review.

APP/2009/0659

Full Planning Application

Proposal to relocate garden wall (re-submission of APP/2009/0351)

90 APPLECROSS DRIVE BURNLEY

Reason for Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

THURSDAY, 7th January 2010

Relevant Policies:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

- Conditions:**
1. The development must be begun within three years of the date of this decision.
 2. Any planting situated between the wall boundary and the highway shall not exceed 1.1m in height at any time.

- 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 that the necessary sightlines are maintained when traversing this part of Applecross Drive, in the interests of highway and pedestrian safety in compliance with policy GP1 and H13 of the Burnley Local Plan Second Review.

PLANNING APPLICATIONS REFUSED

APP/2009/0618

Full Planning Application

Retention of front porch

23 PEMBROKE STREET, BURNLEY

Relevant Policies:

Burnley Local Plan Second Review

GP1 – Development within the Urban Boundary

GP3 – Design & Quality

H13 – Extensions and conversions of existing single dwellings

Decision: That the planning application be refused.

Reason for Decision: The porch, in terms of size, design and materials is out of keeping with the character and appearance of the terraced row and leads to an unacceptable impact on the street scene and the visual amenity of the locality, contrary to Policy H13 of The Burnley Local Plan, Second Review.

APP/2009/0642

Full Planning Application

Retention of use of land as occasional car park

THURSDAY, 7th January 2010

ASTLEY HOUSE ALBERT STREET BURNLEY

Relevant Policies:

Burnley Local Plan Second Review

EW4 - Expansion and Improvement of existing businesses

GP1 - Development within the Urban Boundary

TM16 - Management of public and private on and off-street car parking

Decision: That the planning application be refused.

Reason for Decision: The use of the land as an occasional car park would have an unacceptable detrimental effect on residential amenity caused by the queuing and manoeuvring of vehicles using the car park, leading to congestion, nuisance and disturbance for neighbouring residents, contrary to Policy GP1 of the Burnley Local Plan Second Review.

PLANNING APPLICATIONS DELEGATED

APP/2009/0615

Full Planning Application

Variation of condition 4 on planning approval 2006/1101 to allow storage of recovered vehicles within containers and trailers within the rear yard

**WARDS OF BURNLEY LTD 15 GANNOW LANE
BURNLEY**

With the additional landscaping requested as set out in the report, the development would be generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

EW4 - Expansion and Improvement of existing businesses

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

GP6 - Landscaping and Incidental Open Space

TM15 - Car parking standards

Extent of Delegation: That the Head of Planning and Environment be delegated to approve the application to vary the condition as set out below, subject to amended plans indicating the proposed additional landscaping treatment between the containers and the existing fence

THURSDAY, 7th January 2010

Conditions: 4. There shall be no parking of vehicles on the land at the rear of the building, other than for the parking of operational vehicles or visitor or staff parking. All recovered vehicles shall be stored in the building and there shall be no outside storage of recovered vehicles, other than those stored within the containers and trailers, to a maximum height of 3.1metres, laid out as shown on the layout plan hereby approved.

Reasons: 4. In the interests of visual and residential amenity having regard to Policies EW4 of the Burnley Local Plan Second Review.

APP/2009/695

Full Planning Application

Proposed installation of shop front, erection of rear porch, external alterations, creation of five apartments, access alterations and laying out of parking.

BRIDGE HOUSE INN, 4 MANCHESTER ROAD,` HAPTON

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

E15 - Locally important buildings, features and artefacts

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H15 - Conversion and re-use for flats and bedsits

H2 - The sequential release of further housing land for development

TM15 - Car parking standards

CF12 – Local and Village Shops

Extent of Delegation: That provided satisfactory details of the treatment of the proposed shop front are received the Head of Planning and Environment be delegated to grant permission subject to the following conditions:

Conditions: 1. The development must be begun within three years of the date of this decision.
2. Notwithstanding any details specified in the application:

THURSDAY, 7th January 2010

- (a) Any alterations or building up of the masonry walls of the building shall be finished externally in natural stone matching the existing stonework of the building in colour, texture, coursing and jointing unless other materials are approved in writing by the Local Planning Authority.
 - (b) Any alterations or building up of rendered walls shall be finished externally in render matching the existing rendering unless other material are approved in writing by the Local Planning Authority.
 - (c) Any alterations or building up of the roof shall be finished externally in natural slate unless other materials are approved in writing by the Local Planning Authority.
3. Unless otherwise approved in writing by the Local Planning Authority, any alterations to or provision of new window or door openings in the walls of the building shall be as shown on the submitted drawing identified as: Project No KIND/36 Dwg 02F Dated 05.06.09; and, heads, cills and jambs (as shown) of those openings shall be of natural stone matching the existing stonework of the building in colour, texture, size and jointing.
 4. Before any development starts, details of provision for the secure, covered storage of bicycles, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the building hereby approved is first brought into use and thereafter be maintained and kept available for the use of occupiers of the premises.
 5. Before any development starts, a scheme for the treatment of the land within the site to the east of the building as a car park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show details of
 - (a) the surface treatment of the land;
 - (b) the means of enclosure of the land; and,
 - (c) the layout and marking out of car parking spaces.The approved scheme shall be carried out before the residential apartments hereby permitted are first occupied and the car parking spaces shall be retained thereafter for

THURSDAY, 7th January 2010

parking of occupiers of the building (including one space kept available for use by staff of the shop during the opening hours thereof).

6. Vehicular access to the car park referred to in condition 5 shall be as shown on the submitted drawing identified as: Project No KIND/36 Dwg 05A Dated 07.03.08. There shall be no vehicular access to the street between the car park and the gable wall of No1 Water Street, or to the street at the back of that property, at any time.
7. Before any apartment is first occupied the existing cellar access hatch set in the footway along the Manchester Road frontage of the building shall be removed and the opening made good in design and materials matching and forming part of the existing footway.

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 secure a satisfactory development in materials which are appropriate to the building and locality, in the interests of visual amenity, in accordance with Policy H15 of the Burnley Local Plan Second Review.
3. To secure a satisfactory development in materials which are appropriate to the building and locality, in the interests of visual amenity, in accordance with Policy H15 of the Burnley Local Plan Second Review.
4. The provision is required to promote alternative forms of transport to the private car and details are not provided in the application, in accordance with Policy TM15 of the Burnley Local Plan Second Review.
5. In the interests of visual amenity, to minimise noise and disturbance to neighbouring residents from traffic to the site, and to ensure adequate off-street car parking is provided and retained, in accordance with Policies H15 and TM15 of the Burnley Local Plan Second Review.
6. In the interests of visual amenity, to minimise noise and disturbance to neighbouring residents from traffic to the site, and to ensure adequate off-street car parking is provided and

THURSDAY, 7th January 2010

- retained, in accordance with Policies H15 and TM15 of the Burnley Local Plan Second Review.
7. In the interests of highway safety.