

Appendix – Minute No. 4

**PLANNING APPLICATIONS APPROVED**

**[APP/2007/0739](#)**

**Full Planning Application  
Erection of seven houses with parking spaces including layout, scale, access and appearance (landscaping reserved for future approval)  
Old Hall Farm, Hall Street, Worsthorne, 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

E12 - Development in or adjacent to Conservation Areas

EW11 - Rural diversification and conversion of rural buildings for employment uses

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

H7 - Open space in new housing development

TM15 - Car parking standards

TM5 - Footpaths and walking within the urban boundary

**Conditions:**

1. Approval of the details of the layout, scale and appearance of the building(s), the access thereto and the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun before the

expiration of two years from the date of approval of the last of the reserved matters to be approved.

5. 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), no building, engineering, mining or other operations shall be carried out in, on, over or under the land the subject of this application at any time, other than: (a) development in accordance with the application form and details shown on the approved plans, or on any subsequently approved amended plans; and (b) the painting of the exterior woodwork of any building.
6. The external materials of construction shall be natural wall stone and natural roof slate samples of which have the prior written approval of the Local Planning Authority.
7. (In this condition any reference to ground contamination shall include ground gases.) Before the development of any phase is started:
  - (i) The site shall be investigated in accordance with a scheme of investigation that has the prior written approval of the Local Planning Authority and that is designed to identify ground contamination.

AND

- (ii) The ground contaminants identified by the scheme of investigation or otherwise known to be present in ground within the site shall be assessed to determine its likely adverse effect on (a) ground water and surface water in respect of land within the site and any land, adjacent to the site including land covered by water; and, (b) the future residents, users and occupiers of the land.

AND

- (iii) A contamination remediation scheme shall be designed to remove or otherwise treat the identified ground contaminants and to prevent the determined adverse effects and shall be submitted to and approved in writing by the Local Planning Authority.

AND

- (iv) The contamination remediation scheme shall be carried out as approved.

AND

- (v) A report of completion of all works in connection with the contamination remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

- 8. The car parking spaces shall be formed with a structure permeable to surface water unless another structure is approved in writing by the Local Planning Authority.
- 9. The proposed cul-de-sac shall be formed with a sealed and drained surface before any development of the dwellings commences and it shall be brought to a full adoptable standard before the first occupation of any of the dwellings hereby permitted.

**Reasons:**

- 1-4. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does not contain complete details of the proposed development.
- 5. To enable the local planning authority to consider future development having regard to all relevant material considerations.
- 6. In the interests of the visual amenities of the street scene and the Worsthorne Conservation Area generally in accordance with Policy E12 of the Burnley Local Plan Second Review.
- 7. To ensure that contaminated land is identified, investigated, and treated, in accordance with Policy GP7 of the Burnley Local Plan Second Review.
- 8. To provide for sustainable surface water drainage.
- 9. To ensure cleanliness of adjacent highways and the residential area generally, during the construction period and to ensure appropriate provision is made for access to the dwellings when occupied, in accordance with Policies GP1 and H3 of the Burnley Local Plan Second Review.

[APP/2008/0109](#)

**Full Planning Application  
Erection of unit offices UCO Class B1 (a) and ancillary  
parking (re-submission)  
Land Off Pendle Way, 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

*E5 - Species protection*

E6 – Trees, hedgerows and woodlands

TM5 – Footpaths and walking within the Urban Boundary

EW1 - Land for Business (B1) and Industrial (B2) and Warehousing (B8) Development

EW9 – Small businesses, working from home, and community enterprises in residential areas.

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

GP5 - Access for All

***H12 - Non-residential uses in residential areas***

TM15 - Car parking standards

TM3 – Travel Plans

PPS6 – Planning for Town Centres

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. Hard landscaping shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); Soft landscaping shall include schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate.
3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be

carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.

4. Notwithstanding any description of materials in the application, no development shall start until precise details of the colour of the panels for the elevations, and the roof have been submitted to and approved in writing by the Local Planning Authority.
5. No development shall be commenced unless and until three copies of a site investigation report (the Report) has been submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of ground contamination and ground gases on site and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of ground conditions on the health and safety of site workers, on nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The investigation shall where appropriate include a risk assessment and an options appraisal including the remedial strategy.

The proposed risk assessment, including the sampling and analytical strategy shall be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

The development shall be carried out in accordance with the approved Report including its risk assessment, options appraisal and recommendations for implementation of the remedial strategy.

Prior to discharge of the Contaminated Land Condition, a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works were completed in accordance with those agreed by the Local Planning Authority.

6. A scheme for the layout of the car park shall be agreed with the Local Planning Authority. The scheme shall include 10% mobility spaces, motorcycle spaces and secure cycle spaces in accordance with the Lancashire County Council Parking Standards. The scheme as agreed shall be implemented before

the premises hereby permitted become operative.

7. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.
8. Before the use of the site hereby permitted is brought into operation, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
9. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals as approved and the approved plan shall be carried out.

**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. 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.
3. 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.
4. To secure a satisfactory development in materials/colour which are appropriate to the locality, in the interests of visual amenity.
5. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.
- 6-7. To allow for the effective use of the parking areas.
8. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

9. To ensure a multi-modal transport provision for the development and reduce the traffic impact on the local road network.

**APP/2008/0225**

**Full Planning application**

**Renewal of permission (APP/2007/0118) for proposed mix use of existing retail & operation of 3 private hire vehicles, opening hours Monday – Friday 6.00 a.m. – 12.00 midnight and Saturday - Sunday 7.30 a.m. – 12.00 midnight.  
10 Hurtle 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

H9 - Regenerating urban areas and neighbourhoods  
TM14 - Taxis and taxi booking offices

**Conditions:**

1. The use hereby approved shall cease by 31<sup>st</sup> May 2009, unless a further planning permission has been sought and granted.
2. No more than three private hire vehicles shall operate, or be permitted to operate, from the booking office hereby approved.
3. If the public car park across the road from the booking office becomes unavailable, the use as a booking office shall cease immediately, unless alternative parking arrangements have been approved in writing by the local planning authority.
4. The use hereby permitted shall not operate outside the hours of 6.00 a.m. to 12.00 midnight, Mondays to Fridays, and 7.30 a.m. to 12.00 midnight on Saturdays and Sundays.
5. The internal location of any equipment to be used for the use hereby approved (e.g. phones or radio equipment) shall be positioned and located in such a way as to ensure occupiers of neighbouring properties are not disturbed by reason of noise.

**Reasons:**

1. To enable the local planning authority to assess the impact of the use on nearby residents and surrounding streets.
2. To keep disturbance to residents to a minimum and to ensure there is sufficient off-street parking space available, in

accordance with policy TM14 of the Burnley Local Plan, Second Review.

3. In order to prevent congestion on the highway, in accordance with policy TM14 of the Burnley Local Plan, Second Review.
4. To protect the amenities of nearby residents, in accordance with policy TM14 of the Burnley Local Plan, Second Review.
5. To protect the amenities of nearby residents, in accordance with policy TM14 of the Burnley Local Plan, Second Review.

**APP/2008/0236**

**Full Planning Application  
Proposed 6no. 3 storey semi-detached dwellings with  
attached garages and driveways  
Land adjacent 20 Little Toms 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

GP3 - Design and Quality

H1 - Land for new housing development

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

TM15 - Car parking standards

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. Notwithstanding any description of materials in the application, no development shall start until precise details of the walling and roofing materials have 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 secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity.



**APP/2008/0160**

**Full Planning Application**

**Proposed demolition of existing garage / storage unit and the erection of 1no. detached 4 bedroom dwelling with a detached double garage  
9 Wordsworth Street, 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

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H1 - Land for new housing development

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

H14 - Gardens and back land development

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. Notwithstanding any description of materials in the application, no development shall start until precise details of the facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority.
3. No development shall be commenced unless and until three copies of a site investigation report (the Report) has been submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of ground contamination and ground gases on site and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of ground conditions on the health and safety of site workers, on nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The investigation shall where appropriate include a risk assessment and an options appraisal including the remedial strategy.

The proposed risk assessment, including the sampling and analytical strategy shall be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

The development shall be carried out in accordance with the approved Report including its risk assessment, options appraisal and recommendations for implementation of the remedial strategy.

Prior to discharge of the Contaminated Land Condition, a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works were completed in accordance with those agreed by the Local Planning Authority.

4. The turning space showing on drawing no. 1077/2/02a shall be constructed and made available for use before the dwelling is first occupied.

**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 locality, in the interests of visual amenity.
3. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.
4. In the interest of highway safety.

**PLANNING APPLICATIONS DELEGATION**

**[APP/2007/1184](#)**

**Full Planning Application  
Proposed erection of 2 no. semi-detached dwellings.  
Land at Raeburn Avenue, Burnley**

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

- E6 - Trees, hedgerows and woodlands
- GP1 - Development within the Urban Boundary
- GP3 - Design and Quality
- GP6 - Landscaping and Incidental Open Space
- H1 - Land for new housing development
- H14 - Gardens and backland development
- H2 - The sequential release of further housing land for development
- H3 - Quality and design in new housing development

**Extent of Delegation:**

That the Head of Planning and Environment be delegated to approve the application subject to the receipt of an acceptable amended plan with the access positioned in an acceptable position so that it doesn't affect the TPO trees; and subject to the following conditions;

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. No development shall be commenced unless and until three copies of a site investigation report (the Report) has been submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of ground contamination and ground gases on site and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of ground conditions on the health and safety of site workers, on nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The investigation shall where appropriate include a risk assessment and an options appraisal including the remedial strategy.

The proposed risk assessment, including the sampling and analytical strategy shall be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

The development shall be carried out in accordance with the approved Report including its risk assessment, options appraisal and recommendations for implementation of the

remedial strategy.

Prior to discharge of the Contaminated Land Condition, a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works were completed in accordance with those agreed by the Local Planning Authority.

3. No development shall start until the details of the means of protecting trees and hedges, including root structures from injury or damage prior to or during the development works, have been submitted and approved in writing by the Local Planning Authority. Such protection measures shall be implemented before any works are carried out and retained during building operations and furthermore no excavations, site works, trenches or channels should be cut or services laid or soil, waste or other materials deposited so as to cause damage or injury to the root structure of the trees or hedges.
4. Notwithstanding any description of materials in the application, no development shall start until precise details of roof and elevation materials have 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 ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.
3. In order to maintain a continuation of tree cover in the area, in the interests of visual amenity.
4. To secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity.

**[APP/2008/0195](#)**

**Full Planning Application**

**Proposal to demolish existing bungalow and erect 2no. detached dwellings including details of access (all other matters reserved for future approval)  
84 Rosehill Road, Burnley**

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

H1 - Land for new housing development

H14 - Gardens and backland development

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

**Extent of Delegation:**

That the Head of Planning and Environment be delegated to approve the application providing the applicants amend the access in line with the Highway Authority comments, and subject to the following conditions;

**Conditions:**

1. Approval of the details of the layout, scale and appearance of the buildings, the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved..

**Reasons:**

- 1-4. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does not contain complete details of the proposed development.

**[APP/2008/0227](#)**

**Full Planning Application**

**Proposed change of use from dwelling to barbers with new shop front and creation of two flats  
330 Padiham Road, Burnley**

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

CF11 - District and local centres

E25 - Shop fronts

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H11 - Living over shops and other commercial premises and housing and training projects

H12 - Non-residential uses in residential areas

H15 - Conversion and re-use for flats and bedsits

TM15 - Car parking standards

**Extent of Delegation:**

That the Head of Planning and Environment be delegated to approve the application once an acceptable shop front design has been agreed subject to the following conditions and any others, which are considered to be necessary in connection with the new shop front.

**Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The shop shall not be open between the hours of 6.00 p.m. and 8.00 a.m. Monday to Friday, 1.00 p.m. and 8.00 a.m. on Saturdays and not at all on Sundays and Bank Holidays.

**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. In the interests of residential amenity in accordance with policy H12 of the Burnley Local Plan Second Review.