

# DEVELOPMENT CONTROL COMMITTEE

Thursday 23rd March 2017

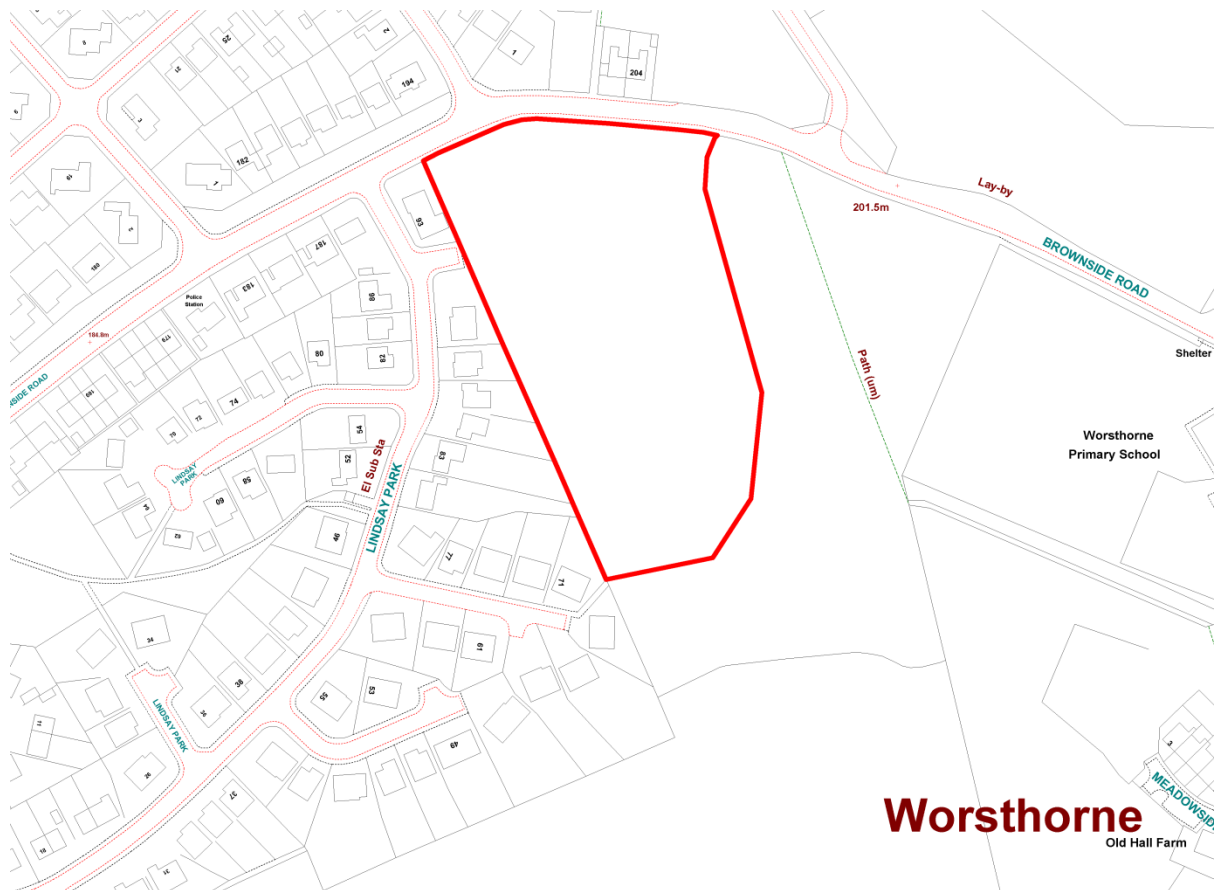
Late Correspondence/Verbal Reports

Pages 29 - 58

**APP/2016/0416 - Outline application for residential development of up to 39 dwellings including details of means of access (all other matters reserved for future approval) – Land South of Brownside Road, Worsthorne, Burnley**

## Updates to report

Page 29 - The correct map for this proposal is shown below and will also be shown on the presentation.



Page 54 – For confirmation, the report refers to the S106 obligations being for bus and/or cycle vouchers. However, based on discussions surrounding both this site and the previously approved Butchers Farm site, the contribution has been agreed as being for bus or cycle vouchers, not both.

## **Late correspondence**

### **Burnley Borough Council (BBC) – Principal Planning Officer (Planning Policy)**

In the Planning Statement addendum accompanying this application it states, in response to the Council's 2016 Housing monitoring,

“On analysis, the Council is unable to demonstrate a robust five year supply of deliverable housing sites as required by the NPPF (paragraph 47).

The Council has a weak housing supply with only a very small proportion of sites being able to demonstrate they are available now and, therefore, deliverable.

The NPPF is clear that there must be evidence underpinning all sites included within the five year supply to demonstrate these sites are deliverable, or in the case of windfalls, there is a clear history of windfalls becoming available.

Against these requirements, the Council is unable to evidence sufficient deliverable sites to meet the housing needs of the next five years.

In accordance with the provisions of NPPF paragraph 49, any relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority (LPA) cannot demonstrate a five year supply of deliverable housing sites.”

Having read the applicant's critique of the Council's Housing Land Supply Position Statement – November 2016, the Council re-iterates that it provides evidence that against a number of scenarios including the former RSS housing requirement and the new housing requirement proposed in the emerging Local Plan the Council's position is that it can demonstrate a five year housing supply. As this is a Greenfield site in the countryside that is not required to meet objectively assessed need and its development would have significant adverse environmental impacts, development would not be sustainable.

### **Additional correspondence**

We have received five additional letters/emails from concerned residents since the report being added to this Agenda. No new matters to those already outlined on pages 42-43 have been raised.

## **Pages 59 -74**

### **APP/2016/0510 - Proposed erection of 56no. dwellings at Former Albion Mill, Albion Street, Padiham**

#### **Consultation responses**

##### **Environment Agency**

Withdraw their previous application. An Environmental Permit will need to be obtained from the EA for the deculverting works.

##### **Local Lead Flood Authority (LCC)**

Withdraw their previous objection subject to the inclusion of conditions to require a formal surface water drainage scheme and a surface water lifetime management and

maintenance plan to be submitted and approved. [Conditions to provide for these requirements are already included at Conditions 6 and 7 on the agenda report].

### Capita Ecology

The revised Ecological Assessment is sufficient to address their previous requests for further information prior to the determination of the application. Advise that all the measures contained in section 6- Recommendations, need to be included as planning conditions. This is necessary to reduce the residual risk of impacts to protected species and spread of invasive species and to compensate for the loss of habitats on site. At present, housing and roads comprise the majority of site with little habitat compensation, thereby presenting a net loss of biodiversity. Advise that any proposed external lighting is limited where not required for health and safety and be downward facing and directed away from the brook. These measures should form part of a Construction Environmental Management Plan (CEMP). [Additional conditions are recommended below to address the ecology recommendations].

### **Conditions**

#### Additional conditions

19. A Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority within two weeks of preliminary works being commenced on site to detail protection measures to avoid pollution of Green Brook, to minimise external lighting directed towards the brook and to detail Reasonable Avoidance Measures in respect of bats, reptiles and birds which shall be implemented for the full period of site clearance and construction works until the completion of the development.

Reason:- To ensure adequate precautions and protection measures to minimise any potential impacts from the carrying out of the development on protected species and wildlife, in accordance with Policies E4 and E5 of the Burnley Local Plan, Second Review (2006).

20. Immediately prior to the commencement of any clearance of vegetation from the site between March and August inclusive, a suitably qualified ecologist shall undertake a bird nesting check across the application site and the findings from this shall be notified as soon as practicable thereafter to the Local Planning Authority.

Reason: To ensure adequate precautions are taken to minimise any potential risks to nesting birds, in accordance with Policies E4 and E5 of the Burnley Local Plan, Second Review (2006).

### **Change to recommendation**

The following change to the recommendation is requested to allow a further short period to agree conditions with the applicant following late correspondence and the need for further conditions.

New recommendation:

**Delegate authority to the Head of Housing and Development Control to approve the application following clarification and agreement with the applicant over planning conditions.**

**Pages 85 - 92**

**Full Planning Applications for various alleygating schemes.**

APP/2017/0025 – 2no. sets of 2m high gates  
REAR OF 33-61 PEEL STREET & 36-58 VICTORIA ROAD, PADIHAM

APP/2017/0026 – 2no. sets of 2m high gates  
REAR OF 2-32 BARBON STREET, BURNLEY

APP/2017/0034 – 3no. sets of 2m high gates  
REAR OF 40-78 MILTON STREET, 1-35 HERBERT STREET, 92-102 VICTORIA ROAD, PADIHAM

APP/2017/0038 – 3no. sets of 2m high gates  
306-316 PADIHAM ROAD, 15-27 CARTER STREET, BURNLEY

The correct maps for APP/2017/0034 and APP/2017/0038 are below and will also be shown on the presentation.

# Alley-gating applications for Committee

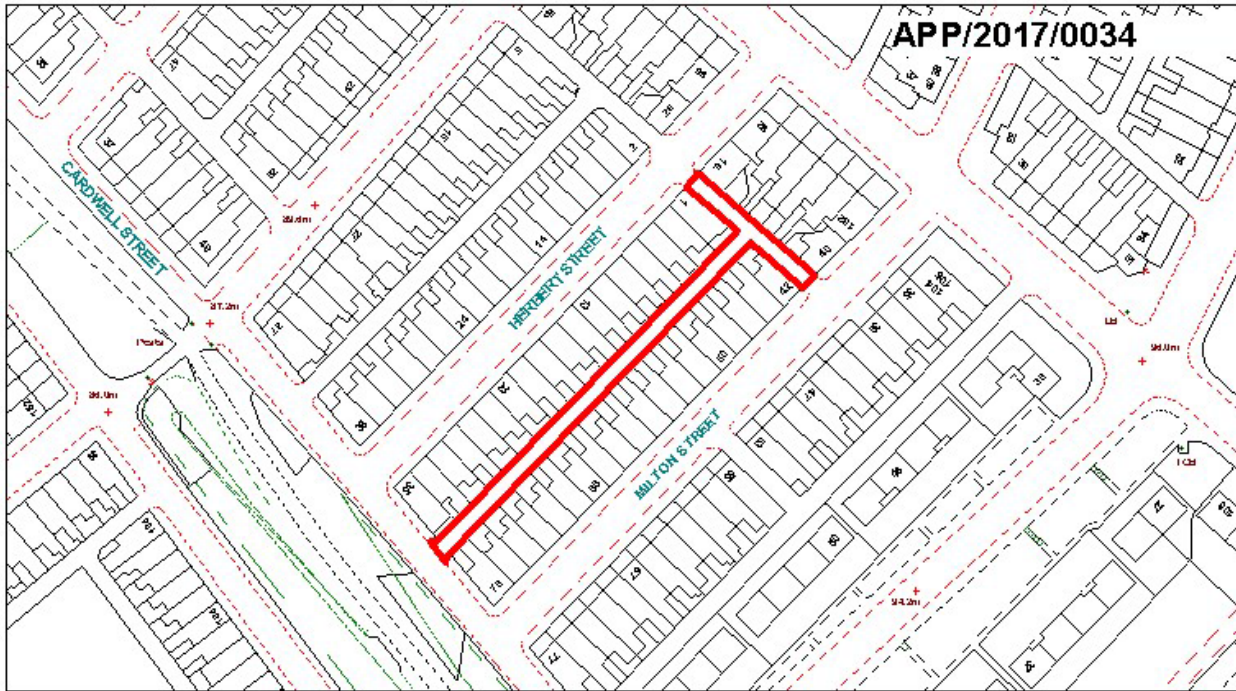
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