



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday 26th January 2017

PRESENT

MEMBERS

Councillor Arif Khan, in the Chair.

Councillors Gordon Birtwistle, Charlie Briggs, Trish Ellis, Sue Graham, John Harbour, Tony Harrison, Marcus Johnstone, Lubna Khan, Neil Mottershead, Mark Payne, Tom Porter, Asif Raja and Cosima Towneley

OFFICERS

Paul Gatrell	-	Head of Housing and Development Control
Graeme Thorpe	-	Planning Team Manager
Cathy Ryder	-	Senior Planner
David Talbot	-	Senior Solicitor
Eric Dickinson	-	Democracy Officer

43. Apologies

Apologies for absence were received from Councillor Frank Cant and Councillor Elizabeth Monk

44. Minutes

The Minutes of the last meeting held on the 14th December 2016 were approved as a correct record and signed by the Chair.

45. Declarations of Interest

Councillor Gordon Birtwistle declared an other prejudicial interest in Item 6 (b) on the Agenda relating to APP/2016/05370, left the room for this item and did not take part in this item.

Councillor Cosima Towneley declared an other prejudicial interest in Item 6 (d) on the Agenda relating to APP/2016/0468, left the room for this item and did not take part in this item.

46. List of Deposited Plans and Applications for Development Permission

The following Members of the Public attended the meeting and addressed the Committee under the Right to Speak Policy.

Matthew Wyatt and Mike Carr	APP/2016/0427 - Spa Wood Farm
Richard Ellison	APP/2015/0537 - St James Street
Umar Farooq	APP/2016/0490 - Lindale Crescent

RESOLVED That the list of deposited plans be dealt with in the manner shown in the appendix to these minutes.

47. Decisions taken under the scheme of delegation

Members received for information a list of decisions taken under delegation for the period 5th December to 18th December 2016.

Appendix – Minute No.46

PLANNING APPLICATIONS APPROVED

APP/2016/0475 **Full Planning Application**
Ward Daneshouse with Stoneyholme
Variation of condition 5 of planning permission APP/2008/0695
to allow the operation of 10 additional vehicles including
identification of 10 additional parking spaces adjacent to the
canal
UNIT 8, THROSTLE MILL, DANESHOUSE ROAD, BURNLEY

Decision: That the application be approved subject to the following conditions:

- Conditions:**
1. For a period of twelve months from the date of this permission, no more than 20 private hire vehicles shall operate or be permitted to operate from the booking office. Following this date, no more than 10 private hire vehicles shall operate or be permitted to operate from the booking office unless a further planning permission has been sought.
 2. The use of the additional 10 parking spaces, as shown on the site plan received 25th October 2016, shall cease no later than 27th January 2018. The proposed 10 spaces shall be retained at all times for the parking of taxis in connection with the applicants private hire operation. Should any spaces become unavailable, the number of private hire vehicles operated by that business shall be reduced by 1 for every parking space becoming unavailable. The Local Planning Authority shall be informed in writing within 28 days of any change in the number of parking spaces available.

- Reasons:**
1. To ensure there is sufficient off-street parking for private hire vehicles operating from the premises in accordance with Policy TM14 of the Burnley Local Plan Second Review.
 2. To enable the Local Planning Authority to reconsider the proposal after a period of operation, and to assess the highway implications of the use, having regard to Policy TM14 of the Burnley Local Plan Second Review.

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APP/2016/0468 **Full Planning Application**
Cliviger with Worsthorne Ward
Proposal to erect home office/studio/store, potting shed and
greenhouse
11 MOUNT LANE, CLIVIGER, BURNLEY

Decision: That planning permission is granted subject to the following conditions:

- Conditions:**
1. The development hereby approved must be completed within two years of the date of this decision.
 2. The development hereby permitted shall be carried out in full accordance with the following approved plans: Location Plan received 19 October 2016; Amended Elevations plan, Topographical Section plan and Site Layout plan received 30 November 2016.
 3. The raised planters and planting beds shown on the approved plan, received 30 November 2016, shall be fully implemented as described, before the buildings hereby granted are brought into use
 4. The buildings hereby approved shall remain ancillary to the use of the private garden and shall not be used in connection with a trade or business.

- Reasons:**
1. To ensure that the works are implemented within a reasonable time period having regard to the impact of the unauthorised works on the rural character of the area, contrary to Policies GP2 and EN27.
 2. To ensure that the development is implemented in accordance with the approved plans and to avoid ambiguity.
 3. To ensure that the landscaped planters, which are a necessary part of the scheme are fully implemented to soften the impact of the development in the surroundings and to ensure that the area does not become a hardstanding area out of keeping with the rural character of the area.
 4. To enable the local planning authority to consider any future changes having regard to the proximity of residential properties, the character of the area and any other material considerations.

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**APP/2016/0488 Full Planning Application
Cliviger with Worsthorne Ward
Proposed extensions to front, side and rear.
57 RICHMOND AVENUE, CLIVIGER, BURNLEY**

Decision: Grant subject to the following conditions:

- Conditions:**
1. The development must be begun within three years of the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no's: R.A 57/2 (location plan), R.A 57/3 received 31 October 2016, amended drawing no. R.A.57/1A received 22nd December 2016 and amended site plan RA57/4A received 16th Jan 2017.

- 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 the development is implemented in accordance with the approved plans and to avoid ambiguity.

**APP/2016/0500 Full Planning Application
Whittlefield-with-Ightenhill Ward
Proposed 2 storey extension to side and re-roof conservatory
to form garden room
28 THE RIDINGS, BURNLEY**

Decision: Grant subject to the following conditions:

- Condition:**
1. The development must be begun within three years of the date of this decision.
 2. The proposals hereby permitted shall be carried out in accordance with the following approved plans: 3 amended plans received 13th Dec 2016 (drawing nos.1, 2A and 3A).
 3. The additional off-street parking space which is to be created at the front of the property shall be surfaced in a permeable material and shall be completed within 3 months of the development being brought into use.

- 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

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Compulsory Purchase Act 2004.

2. TO ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. In order to prevent water run-off onto the highway and in the interests of highway safety / in accordance with policy TM15 of the Burnley Local Plan Second Review.

APP/2016/0490 **Full Planning Application**
Queensgate Ward
Single storey side extension with terrace above, formation of dormer, raising of ridge level and porch to front
28 LINDALE CRESCENT, BURNLEY

Decision: That planning permission be approved for the above proposal subject to the following conditions.

- Condition:**
1. The development must be begun within three years of the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Amended drawings LU048-P08A & LU048-P09A, received 20 December 2016.

- 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 the development is implemented in accordance with the approved plans and to avoid ambiguity.

PLANNING APPLICATIONS DELEGATED

APP/2016/0574 **Listed Building Application**
Gawthorpe Ward
Reinstatement of building fabric and fittings following flood damage. Introduction of flood resilience measures.
Relocation of boilers and power equipment from basement to level 1 including upgrading of fire protection. Laying of maple block flooring to dance hall
PADIHAM TOWN HALL, BURNLEY ROAD, PADIHAM,
BURNLEY

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Decision: That, subject to the conditions below and any other conditions which may be required following the receipt of any further comments, the decision to grant planning permission shall be delegated to the Head of Housing and Development Control.

- Condition:**
1. The works shall start within three years of the date of this consent.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan (1:1250), Block Plan (1:1000), Schedule of Door Replacement, Photographic Information, Schedule of Works, Product Specification - Flood Gates, Product Catalogue - Flood Windows, 10005/171/Rev A, 1000/166RevA, 10005/167RevA, 1000/168RevA, 10005/169RevA, 10005/170RevA, A/8910/5, A/8910/6A, A/8910/7A, A/8910/8A, A/8910, A/8910/12, A/8910/2A and A/8910/2A and A/8910/13, received on 13 December 2016.
 3. The proposed works shall be carried out in accordance with the approved plans and schedules and the replacement windows frames shall be finished in colours to match the existing windows/doors, unless otherwise agreed in writing by the Local Planning Authority.

- Reason:**
1. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
 3. To ensure the satisfactory implementation of the proposal, to preserve the special interest of a Grade II listed building, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006).

PLANNING APPLICATIONS REFUSED

APP/2016/0427 **Full Planning Application**
Hapton with Park Ward
Retention of existing use as traveller site, the siting of 5 static caravan pitches and the erection of 1 replacement dwelling following demolition of existing dwelling; erection of amenity block, toilets and store.
SPA WOOD FARM, BILLINGTON ROAD, BURNLEY

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Decision: That the application be refused, against Officer recommendation, for the following reasons;

The site is in an isolated location within the rural area with poor access. The development of the site in principle would therefore not be in accordance with the NPPF presumption in favour of sustainable development, and is also considered to be inappropriate development contrary to Burnley Local Plan Policies GP1, GP2 and H2. Approval of this application would lead to inappropriate and unsuitable development in the rural area without sufficient justification that would be to the detriment of the locality.

The Councillors who voted for refusal were as follows;
Birtwistle, Briggs, Ellis, Johnstone, Mottershead, Payne, Porter, and Towneley.

The Councillors who voted against refusal were as follows;
Graham, Harbour, Harrison, Arif Khan, Lubna Khan, and Raja.

APP/2016/0537 **Full Planning Application**
Daneshouse-with-Stoneyholme Ward
Proposed change of use from financial and professional services (Use Class A2) to data controlled administrative booking office for private hire vehicles (Use Class Sui Generis) (re-submission of APP/2016/0356).
137 ST JAMES'S STREET, BURNLEY

Decision: That the application be refused for the following reasons:

- Reasons:**
1. The site lies within a secondary shopping street where local and national policies aim to protect and, where possible, enhance the role of the street as a retail area. The proposal for the private hire booking office use would detract from the appearance of the street by creating an unattractive and dead shopping frontage, and would increase the over-concentration of non-retail uses in this part of the street. The benefit of bringing the unit back into use for the purpose proposed would not out-weigh the harm likely to be caused to the shopping street. The proposal would therefore be contrary to policy BTC2 of the Burnley Local Plan, Second Review, and to the National Planning Policy Framework.
 2. The proposed development fails to provide conveniently located car parking in connection with the use which would be likely to result in private hire vehicles waiting on the highway to the detriment of the

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amenity of the shopping street and highway safety. The proposal would therefore be contrary to policy TM14 of the Burnley Local Plan, Second Review, and to the National Planning Policy Framework.