

## **DEVELOPMENT CONTROL COMMITTEE**

**Wednesday 31<sup>st</sup> May 2017**

### **Late Correspondence/Verbal Reports**

#### **APP/2017/0155 - Widow Hill Court, Widow Hill Road, Burnley**

Decision to be deferred to a later Committee due to circumstances beyond our control.

#### **APP/2017/0129 Land at Burleigh Street, Burnley**

##### **Change to recommendation**

Acceptable amended plans have been received showing the rear elevation of the property on line with the adjacent terrace. The application is now recommended for approval subject to the following conditions (condition no. 6 is an additional condition);

##### **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: 1 x location plan received 8th March 2017; 1 x proposed elevations plan and 2 x detailed site layout plans received 22nd May 2017.
3. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.
4. There shall be no burning of waste or other materials within the curtilage of the premises.
5. Prior to the commencement of development on site the following shall occur;
  - 1 - Intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.
  - 2 - The undertaking of that scheme of appropriate intrusive site investigations and the submission of a report of findings arising from the intrusive site investigations;
  - 3 - The submission of a scheme of remedial works for approval; and
  - 4 - Implementation of those remedial works and confirmation that they have occurred.

6. The first floor windows on the elevation to the back street (rear of Clive Street) shall be obscurely glazed (unless otherwise agreed) prior to the first occupation of the dwelling and shall thereafter remain as such.

**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.
3. To protect the amenities of nearby residents.
4. In the interest of residential amenity and to prevent air pollution
5. The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report that coal mining legacy potentially poses a risk to the proposed development and this must be investigated prior to work commencing on site.
6. To prevent overlooking or loss of privacy to adjacent occupiers and in accordance with policy H13 of the Burnley Local Plan Second Review.