

Appendix – Minute No. 98

PLANNING APPLICATIONS APPROVED

**APP/2009/0758
Cliviger with
Worsthorne Ward**

**Full Planning Application
Reforming wind farm including dismantling and removal of 24 no. wind turbines and associated earthworks. Erection of 8 no. wind turbines with a maximum height to blade tip of 110m. Upgrading of access from the Long Causeway, upgrading of existing and construction of new on-site access tracks, construction of control building, erection of 1 no. power performance mast, construction of temporary construction compound and associated works.
COAL CLOUGH WIND FARM, THE LONG CAUSEWAY,
BURNLEY**

**Reason for
Decision:**

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

Relevant Policies:

Burnley Local Plan Second Review

E18 - Scheduled Ancient Monuments
E19 - Development and archaeological remains
E2 - Nature conservation locally important sites
E20 - Views
E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt
E28 - Protecting agricultural land and businesses
E3 - Wildlife links and corridors
E31 - Wind Farms
E5 - Species protection
TM5 - Footpaths and walking within the urban boundary
TM6 - Walking and horse riding in the countryside

National Planning Policy Framework

Decision:

That planning permission be granted subject to the following conditions:

Conditions:

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

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2. The development shall be carried out in accordance with the drawings and documents listed above and the other conditions.
3. The Local Planning Authority shall be provided with not less than 28 days written notice or a lesser period subject to the written approval of the Local Planning Authority of the date upon which it is proposed to commence construction in relation to the development hereby permitted.
4. The Local Planning Authority shall be notified within 28 days of the date when the windfarm is fully commissioned, this being defined as the commissioning date.
5. This permission shall expire on the date 25 years after the commissioning date.
6. Not later than 12 months prior to the expiry of this permission a decommissioning scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: (a) details of the removal of surface and above surface elements of the development and the restoration of the site following such removal; and, (b) details of the timing, management and traffic movements in relation to such removal and restoration. The scheme shall be implemented as approved.
7. Any wind turbine that ceases to generate electricity for the grid for a continuous period of 12 months shall (unless otherwise approved in writing by the Local Planning Authority) be removed from the site. This shall include removal of any above ground structure plus 1 metre of the turbine foundation below ground level relating solely to that turbine. The site of that turbine and structure shall be restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority within three months of the expiration of the 12 month period. The scheme shall be implemented as approved within 12 months of the date of such approval.
8. Micro-siting. The turbines shall be located at the following coordinates:

	Turbine X	Y
T1	389321	428616

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T2	389683	428525
T3	389586	428137
T4	389955	428376
T5	390099	428113
T6	390065	427724
T7	389742	427884
T8	389325	428222

unless details of alternative siting (within 50m of the above coordinates) or of any proposed access track (with the exception of Turbine number 7 and associated access track where a micro-siting distance of 100m is permitted) are submitted to and approved in writing by the Local Planning Authority.

A plan showing the final position of the turbines, transformers, hardstandings, substation, and access tracks shall be submitted to the Local Planning Authority within three months of the commissioning date.

9. No development shall commence until schemes have been submitted to and approved in writing by the local planning authority in respect of:
 - a. The restoration, within 12 months of the commissioning date, of the works carried out for track verges, hard standings, construction compounds, areas excavated for foundations and cable trenches;
 - b. The procedure for investigating any degradation of TV reception quality caused by the operation of the development within buildings which lawfully exist or have planning permission at the date of this permission. The scheme shall specify the action to be taken in the event of such degradation.

The schemes shall be implemented as approved.

10. The turbines shall have a maximum height of 110 metres, as measured from the top of the turbine base (as built in accordance with the application details) to the highest part of the blade tip in its highest position.
11. Before the erection of any of the wind turbines and any external transformer units, details of their type, colour and finish shall be

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submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with those details. No part of any of the structures hereby permitted shall carry any lettering, name, sign, symbol or logo (other than those required to meet statutory health and safety requirements) unless otherwise agreed in writing by the Local Planning Authority.

12. The turbines shall all rotate in the same direction.
13. No development shall commence on site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development including the temporary construction compound shall only be carried out in accordance with the approved Statement, subject to any variations approved in writing by the Local Planning Authority. The Construction Method Statement shall include the following matters:
 - a) Details of the phasing of construction works
 - b) Notwithstanding the details given in the Environmental Statement details of the construction of the substation building including external appearance, layout, materials and landscaping of the substation and any associated compound or parking area
 - c) Details of the construction and surface treatment of hard surfaces and tracks
 - d) Details of the proposed storage of materials
 - e) Dust management
 - f) Details of lighting for construction and maintenance purposes
 - g) Siting and details of wheel washing facilities
 - h) Details of all temporary construction works, temporary facilities including the site compound for storage of materials and machinery and temporary engineering operations

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- i) Cleaning of site entrances, site tracks and the adjacent public highway and the sheeting of all HGVs taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the highway
 - j) Pollution control, protection of water courses, bunding of fuel storage areas, surface water drainage, flood risk, sewage disposal and discharge of foul drainage
 - k) Details and timetable for post construction restoration/reinstatement of the temporary working areas
 - l) Details of emergency procedures and pollution response plans
 - m) Storage and off-site disposal of excavated material.
 - n) Details of the protection of public footpaths during construction
 - o) Details of the underground cabling between wind turbines and the control building
 - p) Details for the protection of trees and hedgerows during construction.
14. No development shall start until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan shall include measures for the routing of construction traffic, scheduling and timing of movements, the management of junctions to and crossings of the public highway and other public rights of way, details of escorts for abnormal loads, temporary warning signs, temporary removal and replacement of highway infrastructure/street furniture, reinstatement of any signs, verges or other items displaced by construction traffic and banksman/escort details. The Construction Traffic Management Plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.
15. Construction work shall only take place between the hours of

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07:00 – 19:00 hours on Monday to Friday inclusive and 07:00 – 16:00 hours on Saturdays, with no construction work on a Sunday or public holiday. Outside these hours, works at the site shall be limited to emergency works, erection of turbines, dust suppression, and the testing/maintenance of plant and equipment, or construction work that is not audible from any noise sensitive property outside the Site, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority shall be informed in writing of emergency works within three working days of occurrence.

16. The delivery of any construction materials or equipment for the construction of the development shall be restricted to the hours of 08:00 - 18:00 on Monday to Friday inclusive, 08:00 - 13:00 hours on Saturdays with no such deliveries on Sundays or Public Holidays unless otherwise approved in writing by the Local Planning Authority, having been given a minimum of two full working days notice of the proposed delivery.
17. Notwithstanding the terms of Condition 16, the delivery of turbine, nacelles and/or crane components may take place outside the hours specified, subject to not less than 48 hours prior notice of such traffic movements being given to the Local Planning Authority.
18. That at wind speeds not exceeding 12 metres per second as measured or calculated at a height of 10 metres above ground level at the wind farm, the wind farm noise emission level at any dwelling existing at the date of this permission shall comply with the following:
 - (a) During night-time hours, as defined in ETSU-R-97 as 23.00 to 07.00 on all days, the wind farm noise emission level shall not exceed 43dB LA90, 10 min or the ETSU-R-97 derived “night hours” noise limit based on the measured LA90, 10 min background noise level plus 5dB(A), whichever is the greater.
 - (b) At all other times, the wind farm noise emission level shall not exceed 40dB LA90, 10 min or the ETSU-R-97 derived “quiet waking hours” noise limit based on the measured LA90, 10 min background noise level plus 5dB(A), whichever is the greater.
 - (c) The above noise emission limits may be increased to

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45 dB LA90, 10 min or the relevant ETSU-R-97 derived “quiet waking hours” or “night hours” noise limit based on the measured LA90, 10 min noise level plus 5dB(A), whichever is the greater, when measured at any dwelling owned by persons with financial involvement with the wind farm.

- (d) Measured background noise levels referred to in this condition shall be those recorded by the regression lines in Chapter 11 Charts 11.1 to 11.16 contained in and forming part of the Environmental Statement.

That at the reasonable request of the Local Planning Authority as enforcing planning authority, and following a complaint to it relating to noise emissions arising from the operation of the wind farm, the wind farm operator shall measure the level of noise emission from the wind farm at the property to which the complaint relates. The measurement and calculation of noise levels shall be undertaken in accordance with ETSU-R-97 having regard to paragraphs 1 to 3 and 5 to 11 inclusive of the schedule of pages 95 to 97 inclusive and Supplementary Guidance Notes to the Planning Obligation, Pages 99 to 109.

- 19. That in evaluating a complaint relating to one of the dwellings named in Table 11.7 of the Environmental Statement (below), noise emission levels shall where appropriate be compared with the relevant ETSU-R-97 derived “quiet waking hours” or “night hours” noise limits derived from the previous measured background noise levels contained in and forming part of the Environmental Statement.

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Table 11.7: Prevailing Background Noise Levels

	Derived Wind Speed at 10m AGL, ms ⁻¹											
	1	2	3	4	5	6	7	8	9	10	11	12
	Prevailing Background Noise Level, dB, LA _{90,10min}											
Quiet Daytime												
Bent House Farm	26.8	27.6	28.8	30.4	32.3	34.3	36.4	38.4	40.3	42.0	43.4	44.3
Coal Clough Farm	25.4	24.1	23.7	24.1	25.1	26.6	28.5	30.7	33.1	35.4	37.7	39.7
Light Birks Barn	32.0	32.3	32.8	33.6	34.5	35.6	36.6	37.7	38.8	39.7	40.5	41.2
New Hey Farm	32.7	33.4	34.1	34.7	35.4	36.1	36.8	37.5	38.2	38.9	39.6	40.3
Pearsons House Farm	26.6	27.5	28.5	29.6	31.0	32.5	34.3	36.2	38.4	40.7	43.4	46.2
Stiperden Bar House	19.8	21.3	22.8	24.2	25.7	27.2	28.7	30.2	31.7	33.2	34.7	36.2
Stiperden House Farm	21.8	23.2	24.6	26.0	27.4	28.8	30.2	31.6	33.0	34.4	35.8	37.2
Night-time												
Bent House Farm	30.3	27.0	25.6	25.7	26.9	29.0	31.6	34.4	37.1	39.3	40.8	41.2
Coal Clough Farm	20.4	20.8	21.3	21.9	22.7	23.8	25.2	27.0	29.2	32.0	35.4	39.5
Light Birks Barn	22.7	24.9	25.8	26.3	27.1	28.4	30.5	33.2	36.1	38.5	39.6	38.3
New Hey Farm	22.0	25.1	26.1	26.1	26.1	26.6	27.9	29.9	32.2	34.2	34.7	32.6
Pearsons House Farm	22.7	25.0	25.8	26.0	26.5	27.7	29.9	33.0	36.7	40.4	43.3	44.2
Stiperden Bar House	15.0	18.0	20.0	21.3	22.2	22.9	23.7	24.9	26.8	29.6	33.6	39.2
Stiperden House Farm	21.9	22.0	22.3	22.9	23.7	24.7	25.8	27.3	28.9	30.7	32.8	35.1

In evaluating a complaint from any dwelling existing at the date of this permission not named in Table 11.7 of the Environmental Statement (above), the measured wind farm noise emission level shall be compared to the prevailing background noise level at the property in Table 11.7 which is most likely to experience background noise levels similar to the complainant property. The appropriate Table 11.7 property will be nominated by the developer subject to the agreement of the Local Planning Authority at the time of investigating any complaint.

Definitions for noise conditions:

“ESTU-R-97” refers to ETSU Report Number ETSU-R-97, “The Assessment and Rating of Noise from Windfarms”, published in September 1996;

“Wind farm noise emission level” means the rated LA90 noise level due to the combined effect of all wind turbines including any tonal penalty incurred under the methodology described in ETSU-R-97, but exceeding the effect of background noise, as measured and correlated with 10 m height wind speed;

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“Background noise level” means the LA90 level of noise already present within the environment in the absence of any noise generated by the development, as measured and correlated with 10 m height wind speed;

“Wind speed” means wind speeds measured or calculated at a height of 10 m above ground level on the wind farm site at a specified Ordnance Survey national grid reference as agreed with the Planning Authority; ETSU-R-97 derived “quiet waking hours” or “night hours” noise limit means the noise limits derived in accordance with paragraphs 1.2.3, 1.3.1 and 1.3.2 of the Supplementary Guidance Notes to the Planning Obligation, pages 101 to 102, of ESTU-R-97.

20. Prior to the commissioning date a written scheme shall be submitted to and approved in writing by the Local Planning Authority setting out the protocol for the assessment of shadow flicker in the event of any complaint from the owner or occupier of a dwelling (defined for the purposes of this condition as a building within Use Class C3 of the Use Classes Order) which lawfully exists or had planning permission at the date of this permission. The written scheme shall include remedial measures. Operation of the turbines shall take place in accordance with the approved protocol unless the Local Planning Authority gives its prior written consent to any variations.
21. The turbines shall not be illuminated and there shall be no permanent external illumination on the site other than lighting required during the construction period, during planned or unplanned maintenance or emergency lighting, and PIR-operated external door light for the substation doors to allow safe access.
22. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking and re-enacting that Order with or without modification), the access tracks, other hard surfaced areas, substation and turbines shall remain unfenced/ungated once they have been constructed, unless otherwise approved in writing by the local planning authority.
23. All cabling between the turbines and between the turbines and the substation, shall be located underground, unless otherwise approved by in writing by the Local Planning Authority.

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24. No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall be carried out between March and July inclusive unless agreed by an Ecological Clerk of Works following an on-site survey and that confirmation has been approved in writing by the Local Planning Authority.
25. No development shall start until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The statement (which shall be informed by Chapters 7 & 8 of the Environmental Statement) shall provide details of the working methods and measures that will be adopted for the protection of, and mitigation of impact on, biodiversity (including protected and priority species and habitats) during construction, operation and decommissioning and removal of the development at the end of the period for which this permission is hereby granted. The statement shall be implemented as approved.
26. The following mitigation measures shall be implemented in accordance with a scheme for Special Protection Area mitigation having the prior written approval of the Local Planning Authority:
 - Removal of potential nesting habitat conducted outside the breeding season (March to July). Where this is unavoidable, an ecologist shall supervise such removal and inspect any suitable habitat targeted for clearance for breeding birds and, if such habitat is found, protect it from disturbance.
 - Heavy construction activities (as defined in Appendix 1 of the submitted report 'Information to inform an Appropriate Assessment' dated March 2012) shall be timed to commence outside the breeding season.
27. No turbine blade shall rotate earlier than the date nine months from the date that the planning consent is granted [or such earlier date as may be approved in writing with the Local Planning Authority.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure that the development

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remains in accordance with the development plan.

3. To enable proper planning for the start of the development.
4. For the avoidance of doubt about the export date which relates to other Conditions in this notice.
5. The application is made for a limited period permission at the end of which the wind farm may become redundant, and to control the amount of infrastructure placed in the rural area in the interests of visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.
6. (a) To ensure that the turbines and associated equipment are removed at the end of their operational life, in the interests of visual amenity, in accordance with Policy E31 of the Burnley Local Plan Second Review, and,

(b) in the interests of highway safety and the amenities of nearby residents and occupiers.
7. In the interests of visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.
8. For the avoidance of doubt and to enable micro-siting of the turbines in the interests of convenient and effective construction.
9. In the interests of visual amenity, in accordance with Policy E31 of the Burnley Local Plan Second Review, and to ensure that due regard is given TV reception by nearby occupiers.
10. For the avoidance of doubt, in the interests of visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.
11. In the interests of visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.
12. In the interests of visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.
13. In the interests of pollution control, highway safety, the amenities of nearby residents and visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.

14. In the interests of highway safety, the amenities of nearby residents, and visual amenity in accordance with Policy E31 of the Burnley Local Plan Second Review.
15. In the interests of the amenities of nearby residents and occupiers, in accordance with Policy E31 of the Burnley Local Plan Second Review.
16. In the interests of the amenities of nearby residents and occupiers in accordance with Policy E31 of the Burnley Local Plan Second Review.
17. The exception to Condition 17 is to enable planning for movement of large loads, in the interests of highway safety.
18. In the interests of the amenities of neighbouring residents and occupiers in accordance with Policy E31 of the Burnley Local Plan Second Review.
19. In the interests of the amenities of neighbouring residents and occupiers in accordance with Policy E31 of the Burnley Local Plan Second Review.
20. In the interests of the visual amenities of neighbouring residents in accordance with Policy E31 of the Burnley Local Plan Second Review.
21. In the interests of the visual amenities of the area, in accordance with Policy E31 of the Burnley Local Plan Second Review.
22. In the interests of the visual amenities of the area, in accordance with Policy E31 of the Burnley Local Plan Second Review.
23. In the interests of the visual amenities of the area in accordance with Policy E31 of the Burnley Local Plan Second Review.
24. To safeguard nesting birds from harm from the development, in accordance with Policies E5 and E31 of the Burnley Local Plan Second Review.
25. To safeguard the ecology of the area, in accordance with Policies E5, E2 and E31 of the Burnley Local Plan Second Review.

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26. To safeguard the protected species, in accordance with Policies E31 and E5 of the Burnley Local Plan Second Review.
27. To allow sufficient time to implement Met Office radar mitigation measures.

APP/2012/0475
Cliviger with
Worsthorne Ward

Full Planning Application
Erection of detached triple garage (demolish existing
garage)
3 GRANGE 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

GP2 - Development in the Rural Areas

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

Decision:

That planning permission be granted subject to the following conditions:

Condition:

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the drawings listed above.

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. For the avoidance of doubt and to ensure that the development remains in accordance with the development plan.

APP/2012/0481
Gawthorpe Ward

Full Planning Application
Proposed bedroom and shower extension and proposed
new fence
18 TOWN HILL BANK, PADIHAM

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Reason for Decision: If the fence is re-aligned in accordance with the Highway Authority's requirements, the development will be 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
- H13 - Extensions and conversion of existing single dwellings

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

- Condition:**
1. The development must be begun within three years of the date of this decision.
 2. The development shall be carried out in accordance with the drawings listed above.

- 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. For the avoidance of doubt and to ensure that the development remains in accordance with the development plan.

**APP/2012/0474
Rosehill with
Burnley Wood
Ward**

**Full Planning Application
Erection of single storey porch
136 GLEN VIEW 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

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GP1 – Development within The Urban Boundary
GP3 – Design & Quality
H13 – Extensions and Conversions of Existing Single Dwellings

Decision: That planning permission be granted 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 approved shall be carried out in accordance with the drawings received on 7 November 2012.

- 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. For the avoidance of doubt and in the interest of proper planning

APP/2012/0498
Whittlefield with
Ightenhill Ward

Full Planning Application
Proposed detached garage and enlargement of driveway
30 LINGMOOR 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:

Relevant Policies:

Burnley Local Plan Second Review

GP3 - Design and Quality
GP6 - Landscaping
H13 - Extensions and conversion of existing single dwellings
TM15 - Car parking standards

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

- Condition:**
1. A scheme for the landscaping of the site which includes schedules of plants, noting species, plant sizes and proposed numbers / densities, shall be submitted to and approved in

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writing by the local planning authority before any further development takes place on the land.

2. All 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.
3. The development shall be carried out in accordance with the application plans and details.

Reason:

- 1/2. 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 in accordance with policy GP6 of the Burnley Local Plan, Second Review.
3. To ensure continued compliance with the Development Plan.

**APP/2012/0501
Daneshouse with
Stoneyholme Ward**

**Express Consent to Display an Advertisement
Display of 1no. panel and post non-illuminated signage
system
LAND AT THE CORNER OF GROSVENOR
STREET/RECTORY 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 Advertisement Consent should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

E24 - Advertisements

Decision:

That consent be granted, subject to the following conditions:

Condition:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway,

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waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle..

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. Express consent is granted for the period of five years (from the date of this notice).

Reason:

- 1/5. Required to be imposed by the Town and Country Planning (Control of Advertisement) Regulations 2007.
6. Imposed by Regulation 14 (7) (a).

**APP/2021/0515
Cliviger with
Worsthorne Ward**

**Full Planning Application
Proposed single storey extension to side elevation
37 HURSTWOOD LANE, WORSTHORNE-WITH-
HURSTWOOD, 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

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GP2 - Development in the Rural Areas
H13 - Extensions and conversion of existing single dwellings

Decision: The application be approved, 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 approved shall be carried out in accordance with drawing nos. 1001A and 1002A, received on 4th December 2012.

- 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 continued compliance with the policies of the Burnley Local Plan, Second Review.

PLANNING APPLICATIONS DELEGATED

**APP/2012/0318
Cliviger with
Worsthorne Ward**

**Full Planning Application
Construction of a private access track in connection with
Repowering of Coal Clough Wind Farm
LAND BETWEEN RED LEES ROAD, OVERTOWN AND THE
LONG CAUSEWAY, 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

- E19 - Development and archaeological remains
- E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt
- E28 - Protecting agricultural land and businesses
- E3 - Wildlife links and corridors
- E31 - Wind Farms
- E4 - Protection of other features of ecological value
- E5 - Species protection

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- E6 - Trees, hedgerows and woodlands
- E7 - Water bodies and water courses
- E8 - Development and flood risk
- E9 - Groundwater resources
- GP2 - Development in the Rural Areas
- TM6 - Walking and horse riding in the countryside

Decision: That provided negotiations to require a bond from the applicant to secure removal of the development under the terms of the application, and the application APP/2009/0758 is granted, the Head of Housing and Development Control be delegated to grant permission subject to the conditions set out below and any other condition arising from negotiations.

- Conditions:**
1. The development must be begun within three years of the date of this decision
 2. The development shall be carried out in accordance with the application details and the drawings listed above.
 3. No development shall be begun until a Construction Traffic Management Method Statement has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. The Construction Traffic Management Method Statement shall include details relating to:-
 - Construction vehicle routing
 - the management of junctions with and crossings of the public highway
 - The timing of delivery /construction vehicle movements including turbine delivery vehicles
 - Details of banksmen/escorts for abnormal loads
 - Temporary warning signs
 - Proposed accommodation works and where necessary a programme for their subsequent removal and the reinstatement of street furniture, where required along the route
 - Traffic management on the existing highway network.
 - Car parking arrangements for construction personnel both at the wind turbine site and also for the access track off Red Lees Road
 - Wheel Wash facilities at all locations where construction traffic enter the public highway from site.

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The Construction Traffic Management Method Statement shall be implemented as approved.

4. No development shall start until the applicant has secured the implementation of a programme of archaeological work. This should be carried out in accordance with a written scheme of investigation having the prior written approval of the Local Planning Authority.
5. The development shall only be carried out in accordance with methods, requirements, timings (as the case may be) identified and described in a statement or plan to be submitted to and approved in writing by the Local Planning Authority before the development starts, namely, as follows:
 - Construction Works (including construction hours) Management Plan
 - Ecology Method Statement
 - Pollution Prevention Plan
6. Within one year of the start of de-commissioning of the repowered Coal Clough wind farm granted under planning permission APP/2009/0758, the site shall be treated in accordance with a site restoration plan having the prior written approval of the Local Planning Authority.
7. A sample of any finished surface material of the access track (excluding the sealed surfaces described in the application) shall be submitted to and approved in writing by the Local Planning Authority before its use in construction.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.
3. In the interests of highway safety.
4. To ensure that adequate records are made, as the site is of archaeological importance, in accordance with policy E19 of the Burnley Local Plan, Second Review.
5. In the interests of the amenities of nearby residents and occupiers, and to safeguard the environment, ecology, species

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and habitats on and adjacent to the site.

6. To ensure the land continues in beneficial use at when no longer needed for access to the wind farm.
7. In the interests of visual amenity.

**APP/2012/0250
Daneshouse with
Stoneyholme Ward**

**Outline Planning Application
Outline application for erection of a four storey extension
to existing Kingsway House building with A2 public house
use at ground and first floor, with 32 student bedspace
accommodation on floors three and four (Landscaping
reseved)
KINGSWAY HOUSE, KINGSWAY, BURNLEY**

**Reason for
Decision:**

The development is generally in accordance with the Development Plan, in particular the policies listed below if granted subject to a condition restricting the type of residential accommodation provided; it is sustainable development as required by the National Planning Policy Framework; 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
- GP4 - Mixed use development
- BTC7 - Kingsway/Bank Parade
- BTC10 - Upper floors in Burnley Town Centre
- H15 - Conversions and re-use for flats and bedsits
- H3 - Quality and design in new housing development
- TM15 - Car parking standards
- TM2 - Transport Assessments (TAs)
- TM3 - Travel Plans (TPs)

Decision:

That provided the applicant enters into a section 106 agreement in respect of the enhancement of the cycle infrastructure in the vicinity of the development the Head of Housing and Development Control be delegated to grant planning permission subject to the following conditions and any other conditions arising out of highway matters:

Conditions:

1. Approval of the details of the landscaping of the site (the

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reserved matter) shall be obtained from the Local Planning Authority in writing before any development starts.

2. Plans and particulars of the reserved matter referred to in condition 1 above, relating to 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 matter 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 reserved matter.
5. The development shall be carried out in accordance with the application details and the drawings listed above.
6. Details of the external materials shall be submitted to and approved in writing by the Local Planning Authority before their use in construction.
7. The accommodation described as student bedspace accommodation shall be used for that purpose only and there shall be no change to any other purpose including any purpose within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification.
8. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car park spaces and manoeuvring areas marked out in accordance with the approved plan before the use of the premises hereby permitted becomes operative.
9. No part of the development hereby permitted shall commence until a scheme for the construction of the additional cycle and pedestrian access points and the offsite works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The scheme shall be implemented as approved.
10. Within six months of 50% of the site being occupied, a Travel

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Plan identifying methods of reducing trips by private car to and from the site shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall promote and enhance alternative modes of transport necessitated by the lack of student parking and shall be implemented as approved.

11. Before the student bedspace accommodation is brought into use the motor cycle parking (in accordance with details of layout, design and external appearance to be submitted to and approved in writing by the Local Planning Authority) and the cycle parking shown in the application details shall be provided and made available in connection with the development.

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 ensure that the development remains in accordance with the development plan.
6. In the interests of visual amenity in accordance with Policy H15 of the Burnley Local Plan Second Review.
7. The accommodation is purpose designed as student accommodation but lacks facilities (including internal space, private open space, appropriate internal environment, and a reasonable allowance of car parking) required for general residential purposes, and, to enable the Local Planning Authority to consider any future change having regard to Policy H3 of the Burnley Local Plan, Second Review and any other material considerations on drawing number KINGS/03 Dwg 05A Amendment A.
8. To allow for the effective use of the parking areas and ensure that service /delivery vehicles are able to enter and leave in forward gear.
9. To ensure provision is made for highway infrastructure to serve the development..
10. To encourage use of a range of modes of transport and reduce reliance on the private car.
11. To encourage sustainable transport.

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APP/2012/0251
Daneshouse with
Stoneyholme Ward

Outline Planning Application
Outline application for the erection of a five storey building
incorporating a restaurant at ground floor and basement
level, 48 studio apartments on floors one to four
(Landscaping reserved)
KINGSWAY HOUSE, KINGSWAY, BURNLEY

Reason for
Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below; it is sustainable development as required by the National Planning Policy Framework; 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
GP4 - Mixed use development
BTC7 - Kingsway/Bank Parade
BTC10 - Upper floors in Burnley Town Centre
H15 - Conversions and re-use for flats and bedsits
H3 - Quality and design in new housing development
TM15 - Car parking standards
TM2 - Transport Assessments (TAs)
TM3 - Travel Plans (TPs)

National Planning Policy Framework (NPPF)

Decision:

That provided the applicant enters into a section 106 agreement in respect of the enhancement of the cycle infrastructure in the vicinity of the development the Head of Housing and Development Control be delegated to grant planning permission subject to the following conditions and any other conditions arising out of highway matters:

Conditions:

1. Approval of the details of the landscaping of the site (the reserved matter) shall be obtained from the Local Planning Authority in writing before any development starts.
2. Plans and particulars of the reserved matter referred to in condition 1 above, relating to the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

DEVELOPMENT CONTROL COMMITTEE

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3. Application for approval of the reserved matter 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 reserved matter.
5. The development shall be carried out in accordance with the application details and the drawings listed above.
6. Details of the external materials shall be submitted to and approved in writing by the Local Planning Authority before their use in construction.
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 park spaces and manoeuvring areas marked out in accordance with the approved plan before the use of the premises hereby permitted becomes operative.
8. No part of the development hereby permitted shall commence until a scheme for the construction of the additional cycle and pedestrian access points and the offsite works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The scheme shall be implemented as approved.
9. Within six months of 50% of the site being occupied, a Travel Plan identifying methods of reducing trips by private car to and from the site shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall promote and enhance alternative modes of transport necessitated by the lack of student parking and shall be implemented as approved.
10. Before the student bedspace accommodation is brought into use the motor cycle parking (in accordance with details of layout, design and external appearance to be submitted to and approved in writing by the Local Planning Authority) and the cycle parking shown in the application details shall be provided and made available in connection with the development.

Reasons:

- 1/4. Imposed pursuant to Section 92 of the Town and Country Planning Act 1990. The application is in outline only and does

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not contain complete details of the proposed development.

5. To ensure that the development remains in accordance with the development plan.
6. In the interests of visual amenity in accordance with Policy H15 of the Burnley Local Plan Second Review.
7. To allow for the effective use of the parking areas and ensure that service /delivery vehicles are able to enter and leave in forward gear.
8. To ensure provision is made for highway infrastructure to serve the development..
9. To encourage use of a range of modes of transport and reduce reliance on the private car.
10. To encourage sustainable transport.