

Appendix – Minute No. 116

PLANNING APPLICATIONS APPROVED

APP/2013/0020

Full Planning Application

Bank Hall Ward

Proposed cover to dry dock to provide boat port; together with use of adjoining land as a yard, in connection therewith, for boat maintenance, repair and fabrication and any incidental purpose.

DRY DOCK, BANK HALL COLLIERY, OFF COLNE 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

E12 - Development in or adjacent to Conservation Areas

E3 - Wildlife links and corridors

E7 - Water bodies and water courses

EW3 - New Leisure, Tourist, Arts and Cultural Development Outside Town Centres

GP7 - New Development and the Control of Pollution

GP3 – Design and Quality

TM15 - Car parking standards

National Planning Policy Framework (NPPF)

Decision:

That planning permission be granted subject to the conditions set out in the main report.

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 application details listed above.
3. Full details of the colour and profile of the wall and roof materials shall be submitted to and approved in writing by the Local Planning Authority before their use in construction of the building hereby permitted.

4. The land shall be used for purposes in connection with the boat port, relating to boat maintenance, repair and fabrication and any purposes incidental thereto and for no other purpose including any purpose within Class B2, B1 or B8 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.
5. Before the dry dock is first drained for use as a dry dock, a water pollution method statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details of procedures to be carried out before every refilling of the dock with water, to prevent materials (including any soluble or insoluble substance) arising from processes carried out in the dock, in the adjoining yard or otherwise, passing into any canal, river or ground water. The procedures shall be carried out thereafter as approved.
6. Before the start of any work to the dry dock cover building:
 - (a) an Ecology Survey (in accordance with a scheme having the prior written approval of the Local Planning Authority) shall be carried out in relation to protected and other species and their habitats;
 - (b) a Report of the Survey identifying any ecological impacts and making proposals for managing, mitigating or compensating therefor, shall be submitted to and approved in writing by the Local Planning Authority.
7. Proposals in respect of any ecological impacts approved for the purposes of condition 6 shall be carried out as approved.

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 that the development remains in accordance with the development plan.
3. To secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity and

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in accordance with policy GP3 of the Burnley Local Plan, Second Review.

4. To enable the local planning authority to consider any future change having regard to Policy EW3 of the Burnley Local Plan, Second Review and any other material considerations.
5. To prevent pollution of the water environment in accordance with Policy GP7 of the Burnley Local Plan Second Review.
- 6-7. To safeguard habitats and species in accordance with Policy E5 of the Burnley Local Plan Second Review.

APP/2013/0103

Full Planning Application

Gannow Ward

Replacement of fire damaged shop

SPAR STORES, PADIHAM 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

EW4 - Expansion and Improvement of existing businesses

TM15 - Car parking standards

GP7 – New development and the control of pollution

National Planning Policy Framework (NPPF)

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.
2. The development shall be carried out in accordance with the application details and the drawings listed above.
3. All specified plant and machinery shall be enclosed with sound insulating materials in accordance with a scheme to be agreed with the Local Planning Authority, which shall be permanently retained and maintained thereafter to the satisfaction of the

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Local Planning Authority.

4. The use hereby approved shall not operate, nor shall deliveries to or from the premises be undertaken, outside the hours of 0600 to 2300 on any day.

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 that the development remains in accordance with the development plan.
3. To prevent noise nuisance to adjoining properties in accordance with policy GP1 of the Burnley Local Plan, Second Review.
4. To protect the amenities of nearby residents, in accordance with policy GP7 of the Burnley Local Plan, Second Review.

APP/2013/0060

**Full Planning Application
Lanehead Ward
Proposed conservatory to rear of dwelling
1 CHINGFORD BANK, BURNLEY**

**Reason for
Decision:**

Subject to restrictions relating to the finished level of the conservatory and the obscure glazing of the windows on the boundary, 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 in the Urban Boundary
GP3 – Design and Quality
H13 – Alterations and extensions to dwellinghouses

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 conservatory shall be constructed in accordance with the levels information submitted with the application.
3. The development shall be carried out in accordance with the application plans and details.

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. For the avoidance of doubt, to minimise any impact on neighbouring dwellings having regard to Policy H13 of the Burnley Local Plan Second Review.
3. To ensure continued compliance with the Development Plan.

APP/2013/0017

**Full Planning Application
Cliviger with Worsthorne Ward
Proposed erection of a holiday-let bungalow
LAND ADJ. TO THE HOLLINS, RED LEES ROAD, CLIVIGER**

**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

E10 - Alterations, extensions, change of use and development affecting listed buildings
E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt
GP1 – Development within the Urban Boundary
GP2 - Development in the Rural Areas
GP3 - Design and Quality
TM15 - Car parking standards

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.

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2. The premises shall be used as holiday accommodation only and shall not be used as a person's sole or main place of residence.
3. The owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday let and their main home addresses, together with their dates of stay, and shall make this information available at all reasonable times to the local planning authority within 21 days of such a request being made in writing to the owner/operator.
4. 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.
5. The development hereby approved shall be constructed using natural stone, matching as closely as possible the stonework of The Hollins adjacent, with a natural grey slate roof, as set out in the application details.
6. Notwithstanding the position of the front boundary wall of the property, indicated in the application, before the wall is erected, a scheme for the position of the wall shall be submitted to and approved in writing by the local planning authority. No wall shall be constructed other than that in accordance with the approved scheme.
7. The development shall be carried out in accordance with the application plans and details.

Reason:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Town and Compulsory Purchase Act 2004
2. The use as a permanent dwelling would be contrary to policy GP2 of the Burnley Local Plan, Second Review.

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3. To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation having regard to Policy GP1, GP2 and H2 of the Burnley Local Plan Second Review.
4. To enable the local planning authority to consider future development having regard to all relevant material considerations, having regard to the location of the building in a rural area and having regard to Policy GP2 of the Burnley Local Plan Second Review.
5. To ensure that the materials are in keeping with the character and appearance of the adjacent Listed Building, having regard to Policy E10 of the Burnley Local Plan Second Review.
6. To enable the position of the front boundary wall to be determined having regard to the existing use of the private access drive for vehicular turning movements, having regard to Policy GP3 of the Burnley Local Plan Second Review.
7. To ensure continued compliance with the Development Plan.

APP/2013/0039

Full Planning Application

Queensgate Ward

Application for variation of condition 2, The retail sales are restricted to two days per week only (ie Monday and Thursday), of planning application (APP/2001/0031) to allow to open 6 days a week Monday to Saturday.

1 BRIGHT 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

CF11 - District and local centres

E21 - Gateways and throughroutes

EW4 - Expansion and Improvement of existing businesses

GP1 - Development within the Urban Boundary
H12 - Non-residential uses in residential areas
H9 - Regenerating urban areas and neighbourhoods
TM15 - Car parking standards
TM7 - Cycling network
TM8 - Quality bus routes

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.
 3. The retail use shall not operate outside the hours of 9am to 5pm Monday to Saturday, and not at all on Sundays or Bank Holidays.
 4. The retail use of six days a week shall revert back to 2 days a week (in accordance with application APP/2001/0031) 12 months after the extended opening (6 days a week) begins unless a further planning permission has been sought and granted. The date the use (6 days per week) begins shall be notified in writing to the Local Planning Authority.
 5. The retail use shall be limited to the sale of textile fabrics (and associated items).

- 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.
 3. In order to protect the amenities of neighbouring residents, having regards to policies EW4 and CF11 of the Burnley Local Plan Second Review.
 4. To enable the local planning authority to re-consider the extended use, taking into account the impact of the extended opening on the the neighbouring residential properties, in accordance with policies EW4 and CF11 of the Burnley Local Plan Second Review.

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5. Other retail uses (such as a supermarket) could seriously injure the amenity of surrounding dwellings; restricting the type of retail sales can avoid this possibility. In accordance with policies EW4 and CF11 of the Burnley Local Plan Second Review.

APP/2013/0145

**Full Planning Application
Whittlefield with Ightenhill Ward
Proposed 2 storey extension (re-submission of
APP/2012/0529)
61 BAMBURGH 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

GP1 - Development within the Urban Boundary
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 additional car parking space shall be completed in accordance with the submitted drawing within three months of the substantial completion of the extension hereby approved and shall thereafter be retained as a parking space for use by occupants of the dwelling.
3. The development hereby approved shall be carried out in accordance with the submitted drawings.

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 proposal does not lead to an unacceptable loss of parking space, in accordance with policy H13 of the Burnley Local Plan, Second Review.

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3. To ensure continued compliance with the policies of the Burnley Local Plan, Second Review.

APP/2013/0099
APP/2013/0100
APP/2013/0101
APP/2013/0102
APP/2013/0104
APP/2013/0105
APP/2013/0106
APP/2013/0107

**Full Planning Applications for various alleygating schemes
Trinity; Rosehill with Burnley Wood; Bank Hall;
Daneshouse with Stoneyholme; Queensgate Wards**

**APP/2013/0099 – 3 no. sets of 2 metre high gates
REAR OF 2-34 SCARLETT STREET, 1-31 QUEENSBERRY
ROAD AND 46-52 COAL CLOUGH LANE, BURNLEY**

**APP/2013/0100 – 2 sets of 2m high and 3.6m wide gates
REAR OF 41-73 DALL STREET AND TO REAR OF 34-68
HOLLINGREAVE ROAD, BURNLEY**

**APP/2013/0101 – 4 sets of 2m high gates
REAR OF 83-93 THURSBY ROAD & 90-102 CLEAVER
STREET, BURNLEY**

**APP/2013/0102 – 2 sets of 2m high and 3.6m wide gates
REAR OF 1-25 MONTAGUE ROAD, 2-32 CARLTON ROAD,
50-58 ALBION STREET AND 151-161 MANCHESTER ROAD,
BURNLEY**

**APP/2013/0104 – 2 sets of 2m high gates
REAR OF 41-65 WATERBARN STREET AND 232-260
COLNE ROAD, BURNLEY**

**APP/2013/0105 – 3 sets of 2m high gates
REAR 15-23 ST MATTHEW STREET, 24-43 PRITCHARD
STREET, 30-50 GRANGE STREET, BURNLEY**

**APP/2013/0106 – 2 sets of 2m high, 3.6m wide gates and an
additional 5.5m of fencing on the exit of New Hall Street
REAR OF 1-49 FRANCIS STREET, 66-114 NEW HALL
STREET AND 143-151 ABEL STREET, BURNLEY**

**APP/2013/0107 – 2 sets of 2m high gates
REAR 12-50 BRANCH 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:

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Relevant Policies:

Burnley Local Plan Second Review

- GP3 - Design and Quality
- GP9 - Security and Planning Out Crime
- H8 - Environmental improvements in existing residential areas

Decision: That the applications 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 shall be carried out in accordance with the submitted drawing.

- 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. In order to ensure continued compliance with the Burnley Local Plan.

PLANNING APPLICATIONS REFUSED

APP/2012/0444

**Full Planning Application
Hapton with Park Ward
Proposed change of use of former public house into a children's day nursery, external alterations, laying out of play area and staff car parking on land to the rear; together with provision of drop-off car park (with landscape screening) on part of adjacent landscaped area.
BRIDGE INN (FORMER PUBLIC HOUSE), 4 MANCHESTER ROAD, HAPTON**

Relevant Policies:

Burnley Local Plan Second Review

- CF14 - Provision, retention and enhancement of community facilities

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E15 - Locally important buildings, features and artefacts
E6 – Trees, hedgerows and woodlands
GP5 - Access for All
TM15 - Car parking standards

Members refused the application for the following reason:

Reason:

The development would have a detrimental effect on the visual amenity of the residents and the streetscene generally, in accordance with Policies GP1 and E6 of the Burnley Local Plan Second Review.