



DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 2nd June 2016

PRESENT

MEMBERS

Councillor Arif Khan, in the Chair.

Councillors Charlie Briggs, Frank Cant, Trish Ellis, Sue Graham, John Harbour, Marcus Johnstone, Liz Monk, Neil Mottershead, Tom Porter, David Roper, Asif Raja and Cosima Towneley

OFFICERS

Graeme Thorpe	-	Planning Team Manager
Cathy Ryder	-	Senior Planner
David Talbot	-	Senior Solicitor
Imelda Grady	-	Democracy Officer

1. Apologies

Apologies for absence were received from Councillor Lubna Khan, Tony Harrison and Mark Payne

2. Minutes

The Minutes of the last meeting held on the 28th April 2016 were approved as a correct record and signed by the Chair.

3. Declarations of Interest

Councillor Liz Monk declared a personal interest in item 8 on the agenda – Tree preservation order at The Old Vicarage, Whalley Road, Padiham, she left the room for this item and took not part in the debate or vote on the matter.

4. 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.

<u>Name</u>	<u>Planning Application</u>
Alan Kerr	APP/2016/0118 – 7 Southern Avenue, Burnley
Andrew Hill	APP/2016/0158 – land adjacent 38 Ormerod Street, Worsthorne
Joanne Whitaker	Tree Preservation Order – The Old Vicarage, Whalley Road, Padiham

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

5. Decisions taken under the scheme of delegation

Members received for information a list of decisions taken under delegation for the period 18th April to 22nd May 2016..

6. Appeals and other Decisions

Confirmation of a Tree Preservation Order – The Old Vicarage, Whalley Road, Padiham

Consideration was given to a provisional tree preservation order at The Old Vicarage, Whalley Road, Padiham.

Decision That The Burnley (The Old Vicarage, Whalley Road, Padiham) Tree Preservation Order (TPO) 2016 – B139(X) be confirmed.

Appendix – Minute No. 4

PLANNING APPLICATIONS APPROVED

APP/2016/0118 **Outline Planning Application
Gannow Ward
Outline application for erection of single dwelling including
details of access and layout (other matters reserved for future
approval)
7 SOUTHERN AVENUE, BURNLEY**

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

- Conditions:**
1. Approval of the details of the scale and appearance of the building and the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.
 2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the scale and appearance of any building to be erected and 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 matters 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 last of the reserved matters to be approved.
 5. Construction works shall not take place in connection with the development outside the hours of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and no works shall take place on Sundays or Bank Holidays.
 6. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings DWG 00B, DWG 01B, DWG 02C and DWG 03B received 13/03/16, together with any detailed plans subsequently approved in respect of the reserved matters.
 7. No development shall start until a scheme detailing the

THURSDAY 2nd JUNE 2016

improvements to the junction of Southern Court and Ightenhill Park Lane has been submitted to and approved in writing by the local planning authority. The development hereby approved shall not start until the scheme has been implemented in accordance with the approved details.

- 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 protect the amenities of nearby residents, in accordance with Policy GP7 of the Burnley Local Plan Second Review.
 6. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
 7. In the interests of highway safety having regard to the poor sightlines at the junction of Southern Court and Ightenhill Park Lane.

APP/2016/0177 **Full Planning Application
Cliviger with Worsthorne Ward
Proposed single storey extension to side and rear of existing dwelling, conversion and extension of existing garage to create 'granny annexe' and erection of new garage**

APP/2016/0178 **Listed Building Application
Cliviger with Worsthorne Ward
Proposed single storey extension to side and rear of existing dwelling, conversion and extension of existing garage to create 'granny annexe' and erection of new garage**

**HIGHER BOTTIN FARM, COTTAGE EXTWISTLE RD,
WORSTHORNE, BURNLEY**

Decision: That planning permission and listed building consent be granted subject to the following conditions:

Conditions: **APP/2016/0177**

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: Location plan and

THURSDAY 2nd JUNE 2016

drawing no. 15091-001-01 received 8 Apr 16. Drawing nos. 15091-004-02 received 14 Apr 2016. Drawing no. 15091-003-04 received 20 Apr 16. Drawing No. 15091-002-03 as amended received 20 May 2016.

3. The annexe building subject of this application shall remain ancillary to the main dwelling to be used only by members of the same family / household as occupiers of the main dwelling and shall not be used as a separate unconnected dwelling.
4. The proposed materials for the extensions shall match as closely as possible in colour, size, coursing and texture to the materials of the building to which they are attached, to the satisfaction of the Local Planning Authority.

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 prevent the establishment of a separate dwelling which would be contrary to Policy GP2 of the Burnley Local Plan Second Review and to enable the additional impact on the highway access to be reconsidered.
4. To ensure that the materials are in keeping with the Listed Building and appropriate for the rural area in the interests of visual amenity and policies GP2 and E10 of the Burnley Local Plan Second Review.

Conditions:

APP/2016/0178

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 and drawing no. 15091-001-01 received 8 Apr 16. Drawing nos. 15091-004-02 received 14 Apr 2016. Drawing no. 15091-003-04 received 20 Apr 16. Drawing No. 15091-002-03 as amended received 20 May 2016.
3. The proposed materials for the extensions shall match as closely as possible in colour, size, coursing and texture to the materials of

the building to which they are attached, to the satisfaction of the Local Planning Authority.

- Reasons:**
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 that the materials are in keeping with the Listed Building and appropriate for the rural area in the interests of visual amenity and policies GP2 and E10 of the Burnley Local Plan Second Review.

APP/2016/0158 **Outline Planning Application**
Cliviger with Worsthorne Ward
Erection of dwelling including layout & access (all other
matters reserved for future approval). Resubmission of
APP/2015/0106
LAND ADJACENT 38 ORMEROD STREET, BURNLEY

Decision: That Outline Planning Permission be Granted subject to the following conditions:

- Conditions:**
1. Approval of the details of the scale and appearance of the buildings, and the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.
 2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the scale and appearance of any buildings to be erected and 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 matters 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 last of the reserved matters to be approved.
 5. Details of proposals for foul and surface water drainage of the

THURSDAY 2nd JUNE 2016

development shall be submitted to and approved in writing by the Local Planning Authority before any development commences.

6. 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.
7. The development shall not be commenced until a scheme specifying the provisions to be made to control noise and dust emanating from the site during construction works has been submitted to, and approved in writing by, the Local Planning Authority. This scheme should include details of the construction methods to be employed and the equipment to be used.
8. The scale and appearance of the hereby permitted building shall be substantially in accordance with the indicative details shown on the 'Proposed Front Elevation' drawing No. SCW 01.
9. There shall be no windows to rooms above ground floor level in the rear elevation of the hereby permitted building at any time unless they are non-opening and obscurely glazed.

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 satisfactory provision of a sustainable form of drainage of the development and to safeguard against localised surface water flooding.
- 6-7. To ensure that the proposed construction work does not cause nuisance and disturbance to neighbouring occupiers.
8. In the interests of the visual amenities and character of the area, including the adjoining Worsthorpe Conservation Area, in accordance Policies H3 and E12 of the Burnley Local Plan, Second Review.
9. To safeguard the privacy of adjacent private residential gardens in accordance with Policy H3 of the Burnley Local Plan, Second Review, currently saved.

APP/2014/0167

**Full Planning Application
Queensgate Ward**

THURSDAY 2nd JUNE 2016

Retrospective application for the change of use of part of unit to private/contract bus hire with associated parking and retention of roller shutter.

UNIT 4 BRITANNIA BUSINESS PARK, BRITANNIA MILLS, WINDERMERE AVENUE, BURNLEY

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

Conditions:

1. (a) Permission is granted for the parking of vehicles for a limited period of one year from the date of this permission unless a scheme is submitted to and approved in writing by the Local Planning Authority identifying measures to be taken at all times to minimise noise and emission of fumes from the engines of vehicles using the parking area. The measures shall include:
 - Measures to avoid unnecessary engine running before and after the operational use of a vehicle;
 - Identification of normal operating hours;
 - Restriction of vehicle movement outside normal operating hours.

(b) At all times following such approval the measures shall be implemented as approved and the permission shall enure for the benefit of the land without the time restriction contained in paragraph (a) above.

2. The existing boundary hedge and fence along the northern and eastern boundary of the bus parking area shall be retained at all times that the area is in use for parking of buses.
3. At any time only single-deck vehicles shall be parked in the parking bay at the eastern end of the row of parking bays.

Reasons:

1. To safeguard neighbouring residents from undue loss of amenity caused by noise and fumes from the vehicles, in accordance with Policy EW4 of the Burnley Local Plan, Second Review, currently saved.
- 2-3. To safeguard the visual amenities of neighbouring residents, in accordance with Policy EW4 of the Burnley Local Plan, Second Review, currently saved.