



# DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Wednesday, 19<sup>th</sup> October, 2016

## PRESENT

## MEMBERS

Councillor Arif Khan, in the Chair.

Councillors Charlie Briggs, Frank Cant, Trish Ellis, Sue Graham, John Harbour, Tony Harrison, Marcus Johnstone, Lubna Khan, Liz Monk, Mark Payne, Asif Raja and David Roper

## OFFICERS

Graeme Thorpe	-	Planning Team Manager
Janet Filbin	-	Senior Planner
Paul Gatrell	-	Head of Housing and Development Control
Amanda Hubberstey	-	Property Solicitor
Imelda Grady	-	Democracy Officer

### 27. Apologies

Apologies for absence were received from Councillor Neil Mottershead and Tom Porter

### 28. Minutes

The Minutes of the last meeting held on the 22<sup>nd</sup> September 2016 were approved as a correct record and signed by the Chair.

### 29. Declarations of Interest

Councillors Arif Khan declared prejudicial (other) interests in APP/2016/0247 – Crow Wood Leisure Ltd. Royle Road, Burnley. He vacated the Chair for this item, left the room and took no part in the debate or vote on the matter. The Vice Chair Councillor Frank Cant took this item.

Councillor David Roper declared prejudicial (other) interests in APP/2016/0247 – Crow Wood Leisure Ltd. Royle Road, Burnley. He exercised his right to speak on the application and then left the room and took no part in the debate or vote on the matter.

**30. 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>
Colin Clinkard Michael Wellock Andrew Brown	APP/2016/0247 – Crow Wood Leisure Ltd, Royle Road, Burnley
John Nicholas	APP/2016/0383 – 27 Clover Crescent, Burnley
Claire Bradley Richard Turner Jon Antoniou	APP/2016/0357 – Land off Bancroft Road, Burnley

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

**31. Decisions taken under the scheme of delegation**

Members received for information a list of decisions taken under delegation for the period 12<sup>th</sup> September to 2<sup>nd</sup> July 2016.

Appendix – Minute No.30

**PLANNING APPLICATIONS APPROVED**

**APP/2016/0247**

**Full Planning application  
Daneshouse with Stoneyholme Ward  
Proposed erection of a hotel with associated parking,  
servicing and landscaping  
LAND ADJACENT CROW WOOD LEISURE LTD, ROYLE  
LANE, BURNLEY**

**Decision:**

That the Secretary of State be advised that Committee are minded to approve the application subject to the following conditions, and that the final decision be delegated to the Head of Housing and Development Control to approve, if appropriate, following the decision made by the Secretary of State.

**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:  
PA(00) 001 Rev. A, PA(00) 002 Rev. A, PA(00) 003 Rev. A, PA(00) 004 Rev. B, PL(00)005 Rev C, PL(00)006 Rev B, PL(00)007 Rev B, PL(00)008 Rev B, PL(00)009 Rev B, PA(00) 010 Rev. A, PA(00) 011 Rev B, PL(00)012 Rev B, PL(00)013 Rev B, PL(00)014 Rev B, PL(00)015 Rev C, PL(00)016 Rev B, PL(00)017 Rev B, BTC951-TCP, BTC951-TIP, plan entitled 'Required Visibility Splay' (with reference NW91471\_004 Rev. A) and plan entitled 'Proposed Footpath to Royles Lane' (with reference NW91471\_004 Rev. A) both received 12th August 2016.
3. No development shall take place until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
  - a) The parking of vehicles of site operatives and visitors
  - b) The loading and unloading of plant and materials
  - c) The storage of plant and materials used in constructing the development
  - d) The erection and maintenance of security hoarding
  - e) Wheel washing facilities,
  - f) Details of the routeing of construction vehicles and

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- materials delivery vehicles, and
- g) Details of road cleaning schedule.
4. 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.
  5. Notwithstanding the submitted details, as indicated on plan drawing numbers 2048\_01 and 2048\_02, within six months of the commencement of any built development above slab level, full and final details of the proposed comprehensive hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.
    - a. Hard landscaping shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant].
    - b. Soft landscaping shall include full details of the proposed lake (including site sections and construction details), schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate.
    - c. The scheme shall also include details of habitat mitigation enhancement measures such as bat and bird boxes which could be installed on retained semi-mature trees or on the new buildings. Details of these shall be submitted to the LPA for approval in writing.
  6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development or in accordance with a programme approved in writing by the local

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planning authority.

7. Notwithstanding the submitted details, as indicated on plan drawing numbers 2048\_01 and 2048\_02, within six months of the commencement of any built development above slab level, full and final details of the proposed replanted and replacement woodland areas on site shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The planting of the replacement trees shall be carried out within the next planting season following the felling of the trees, it will use native species and will be of local provenance, if available, and shall thereafter be maintained in accordance. If at any time the replacement trees die, they shall be replaced within three months of dying.

The above details shall also include mitigation measures for the temporary loss of nesting sites while the newly planted habitat matures, and shall include a minimum of ten bird boxes to be installed within retained woodland.

8. No development shall start until the details of the means of protecting trees and hedges, including root structures from injury or damage prior to or during the development works, have been submitted and approved in writing by the Local Planning Authority. Such protection measures shall be implemented before any works are carried out and retained during building operations and furthermore no excavations, site works, trenches or channels should be cut or services laid or soil, waste or other materials deposited so as to cause damage or injury to the root structure of the trees or hedges.
9. Any removal of potential breeding bird habitat (hedgerow and plantation woodland) shall be completed outside the breeding bird season (which runs from approximately late February to end August). Any vegetation clearance works that must be carried out within the bird breeding season will be subject to a pre-clearance bird survey carried out by a suitably experienced ecologist, the details of which shall be submitted to the Local Planning Authority prior to works being carried out. In the event that the site investigations confirm the need for mitigation measures, the measures identified by the site investigation shall be undertaken prior to commencement of the development. Verification that the measures have been carried out/incorporated into the scheme shall also be submitted for approval by the LPA.

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10. No site clearance, site preparation or development work shall take place until a scheme for the control and eradication of plant species (including Himalayan Balsam) listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
11. As the site is potentially suitable for badger, a pre-commencement walkover survey will be undertaken to check for any setts which may have been excavated in the area to be cleared, the details of which shall be submitted to the Local Planning Authority prior to works being carried out. In the event that the site investigations confirm the need for mitigation measures, the measures identified by the site investigation shall be undertaken prior to commencement of the development. Verification that the measures have been carried out/incorporated into the scheme shall also be submitted for approval by the LPA.
12. The recommendations made in Section 6, paragraphs 6.2 to 6.4, of the Great Crested Newt Survey report (Appletons, 2016) should be adhered to throughout the development.
13. Notwithstanding any description of materials in the application, prior to the commencement of any built development above slab level, a scheme and samples of the precise details of all materials to be used in the construction of the development hereby approved, including facing and roofing materials, shall be submitted to and approved in writing by the Local Planning Authority. The materials used in the development shall be in accordance with the approved scheme, to the satisfaction of the local planning authority.
14. Prior to the commencement of built development on site the following shall be submitted to the LPA for approval in writing,
  - 1) details of a scheme of intrusive site investigations on site shall be submitted for approval in writing by The Coal Authority. The agreed scheme of intrusive site investigations shall then be carried out and,
  - 2) a report of findings arising from the intrusive site investigations shall then be submitted for approval in writing by the LPA.
  - 3) In the event that the site investigations confirm the need for remedial works, the remedial works identified by the site investigation shall be undertaken prior to commencement

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- of the development.
- 4) Verification that the remedial works have been carried out shall also be submitted for approval by the LPA.
15. No development shall take place until further investigations are carried out to establish the location, capacity, condition and discharge point of the culverted watercourse referred to in Section 3.2.2 of the FRA (Ref: '2015s3292', By: 'JBA Consulting'; Dated: 'December 2015').
  16. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
    - a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
    - b) The drainage strategy should demonstrate that the surface water run-off must not exceed 8.3 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
    - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
    - d) Flood water exceedance routes, both on and off site;
    - e) A timetable for implementation, including phasing as applicable;
    - f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
    - g) Details of water quality controls, where applicable.
    - h) Finished floor levels

The scheme shall be implemented in accordance with the approved details prior to first use of the development, or

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completion of the development, whichever is the sooner.  
Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

17. No development hereby permitted shall be occupied or open for business until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
18. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
  - a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
  - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
    - i. on-going inspections relating to performance and asset condition assessments
    - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
  - c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.  
Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

19. Notwithstanding the submitted details, prior to the completion of any built development on site, the final scheme for the parking and manoeuvring of vehicles on the site, including the proposed coach drop off area shown on plan reference PA (00) 004 Rev. B, shall



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be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out before any part of the facility hereby approved is open for use and it shall remain available for the parking of vehicles and turning of coaches for the dropping off of passengers in connection with the development hereby approved at all times. For the avoidance of doubt, the scheme shall include details of materials to be used, boundary and edging treatments, details of illumination within the car parking areas and signage.

20. Details of parking for cycles / motorcycles / electric charge vehicles within the proposed car park shall be submitted to and approved in writing by the Local Planning Authority. The spaces / facilities shall thereafter be provided in accordance with the approved plan before the use of the premises hereby permitted becomes operative, and shall remain so in perpetuity.
21. Prior to the first use of the facility hereby approved, a detailed car park management scheme shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include methods to prevent the parking of vehicles anywhere other than the existing and proposed designated car parking areas, and details of signage and road markings, where required.
22. There shall be no burning of waste or other materials within the curtilage of the premises.
23. The use of the building hereby approved shall not start until an assessment has been submitted for written approval to the Local Planning Authority which details the levels of internal and external noise likely to be generated from the proposed use of the site. This assessment shall be used to identify and determine appropriate noise mitigation measures (such as soundproofing or site specific external sound equipment) required to protect the amenity of adjacent noise sensitive properties. The approved noise mitigation measures shall be implemented prior to the start of the proposed use and retained thereafter in perpetuity.
24. Within six months of the commencement of the development, a scheme and programme for any other lighting on the site, outside of the proposed car parking areas, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme and programme shall include details of:
  - a) Location, type and intensity of lights.

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- b) Types of masking or baffle at head.
- c) Type, height and colour of lighting columns.
- d) Number and size of lighting units per column.
- e) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on nearby properties.

The lighting shall only be installed in accordance with the approved scheme and programme.

25. Notwithstanding the submitted details, as indicated on plan drawing numbers 2048\_01 and 2048\_02, prior to the commencement of development on site full details of the proposed diverted bridleway (as indicated on plan drawings 2048\_01, 2048\_02 and plan entitled 'Proposed Footpath to Royles Lane' (with reference NW91471\_004 Rev. A) shall be submitted to the local planning authority for approval in writing. The details shall include materials to be used and clear detail on how the bridleway will be accessed off Royle Lane. The diverted route shall be created prior to substantive works beginning on site and prior to the closure of the existing route for site access.
26. Prior to the commencement of Development, the applicant shall submit to the Council, for approval in writing, an Employment and Skills Plan. The Employment and Skills Plan shall include arrangements setting out how the applicant and/or the developer and their contractors will work directly with local employment/training agencies/the Council as part of an employment and training consortium including but not limited to;
- a. Jobcentre Plus and the Learning & Skills Council;  
and
  - b. Voluntary and private sectors providers; and
  - c. Sixth form colleges; colleges of further education;  
and universities.

The Employment and Skills Plan shall specify the provision for training opportunities and other initiatives in respect of the vocational and employability skills required by the owner/developer, their contractors and future occupiers, for any new jobs and business opportunities created by the Development.

Following approval of the Employment and Skills Plan by the Council, the applicant will implement and where necessary procure implementation and promote the objectives of the approved plan and ensure that so far as is reasonably practicable the objectives are met.

**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 ensure that the LPA are satisfied in regards to the safety of other vehicles and pedestrians in this locality whilst construction works are being carried out, to ensure the construction works have an acceptable impact upon the wider area, and to prevent the spread of mud onto the adjoining highway network in accordance with Policy GP7 of the Burnley Local Plan.
4. To protect the amenities of the occupiers of nearby residential properties and users of the adjacent facilities, in accordance with Policy GP7 of the Burnley Local Plan.
5. On the basis that full and final details of the proposed scheme have not been provided, and to ensure that the proposed scheme contributes to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in full, and in order to ensure a net gain for nature. In accordance with the NPPF and Policies GP6, E3, E5, E6, E7, E8, E26 and E27 of the Burnley Local Plan.
6. 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, and in order to ensure that the landscaping works proposed are carried out in full. In accordance with Policies GP6, E3, E5, E6, E7, E8, E26 and E27 of the Burnley Local Plan.
7. On the basis that full and final details of the proposed scheme have not been provided, and to ensure that the proposed scheme contributes to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in full. In order to provide suitable temporary mitigation for breeding bird habitats. In accordance with Policies GP6, E3, E5, E6, E7, E8, E26 and E27 of the Burnley Local Plan.
8. In order to protect the long term health and wellbeing of existing trees on site In accordance with Policies E5 and E6 of the Burnley

Local Plan.

9. In order to satisfy the requirements of the NPPF, the Wildlife and Countryside Act 1981, the Natural Environment and Rural Communities Act 2006, and The Conservation of Habitats and Species Regulations 2010.
10. To ensure proper management of plant species otherwise harmful to the built environment.
11. In order to satisfy the requirements of the NPPF, the Wildlife and Countryside Act 1981, the Natural Environment and Rural Communities Act 2006, and The Conservation of Habitats and Species Regulations 2010.
12. In order to comply with the NPPF, the Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981, as whilst no great crested newts have been identified on site, significant numbers of common toad (a Biodiversity Species of Principal Importance) were recorded.
13. To ensure that the final materials proposed are satisfactory and appropriate to the locality, in the interests of the wider visual amenity of the area, and to ensure that samples of the materials can be agreed prior to their implementation within the development.
14. In the interests of site safety and on the advice given by The Coal Authority that they concur with the recommendations of the Coal Mining Risk Assessment Report (October 2015, prepared by PSA Design Limited); that probable shallow mine workings potentially pose a risk to both public safety and the stability of the proposed development. Consequently, intrusive site investigation works should be undertaken in order to establish the exact situation regarding them.
15. To ensure that the culverted watercourse does not pose a flood risk, on-site or off-site.
16. To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development, and to ensure that water quality is not detrimentally impacted by the development proposal.

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17. To ensure that the drainage for the proposed development can be adequately maintained, and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.
18. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
19. To ensure the final scheme is satisfactory, to allow for the effective use of all the parking and drop off areas, and to ensure there is a safe location off Royle Lane for visitors arriving by coach to alight thereby preventing unnecessary impacts upon the free flow of traffic on Royle Lane.
20. To allow for the effective use of the parking areas. For the avoidance of doubt the cycle facilities shall be the individual locker type.
21. To ensure the effective use of all the parking and drop off areas, and to ensure there are no unnecessary impacts upon the free flow of traffic on Royle Lane.
22. In the interest of residential amenity and to prevent air pollution.
23. To ensure that noise nuisance to adjoining properties is controlled in order to protect the residential amenity of the occupiers in accordance with policy GP1 of the Burnley Local Plan, Second Review.
24. To ensure that the visual impact and impact on the amenity of the wider area is acceptable and that the scheme is appropriate in terms of its close proximity to potential bat roosting and foraging areas, and other nearby wildlife habits. Also in the interests of highway safety, and to safeguard the amenity of local residents and adjacent properties/landowners. To conform with Policy GP7 of the Burnley Local Plan, Second Review.  
The lighting scheme for the proposed hotel will be carefully designed such that it avoids light spillage on the potential bat roost tree at TN6 and the retained hedgerows in the vicinity.

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25. To ensure the final scheme is satisfactory and safe for users, particularly given the access point off Royle Lane, and to ensure the route is maintained open for use at all times in accordance with previously approved development agreements on site.
26. In order to secure, where reasonably possible, jobs and/or employment for people from the Burnley/East Lancashire area, particularly unemployed client groups, and in order to ensure that a number of the wider economic benefits put forward by the development are held accountable for by the applicant. In accordance with Local Plan Policy EW10 and paragraph 18 of the NPPF.

**APP/2016/0347**

**Full Planning Application  
Lanehead Ward  
Proposed single storey rear extension and extension of  
existing kitchen area (re-submission of APP/2016/0032)  
363 COLNE ROAD, BURNLEY**

**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 hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. COL 20 BUR 01-03 & 05 received 27 Jul 16. Amended drawing no. COL 20 BUR 04 received 7 Oct 16.
3. The car parking space indicated on drg. no. COL 20 - BUR - 04 received 7 October 2016 shall be provided before the new extension is brought into use. It shall thereafter remain available for the parking of residents and visitors of the dwelling 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.

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3. To ensure that adequate car parking facilities are provided at the property having regard to Policy TM15 and in the interests of highway safety.

**APP/2016/0383**

**Full Planning Application  
Whittlefield with Ightenhill Ward  
Proposed single storey extension, including the installation  
of a flue.  
25 CLOVER CRESCENT, BURNLEY**

A correction to the site plan at page 49 of the agenda was circulated.

**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. Notwithstanding the indicated position of the flue, the development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, existing and proposed site plans and 4 detailed drawings received 22 Aug 16
3. Before the development begins a plan showing a revised position for the flue shall be submitted to and approved in writing by 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 to avoid ambiguity.
3. The position of the flue must be in accordance with building regulation requirements.

**APP/2016/0359**

**Full Planning Application  
Gawthorpe Ward  
Proposed extension and alterations  
13 DRYDEN STREET, PADIHAM, BURNLEY**

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

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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 application drawings, namely: Location plan,, received 1 Aug 16; existing & proposed site plans and drawing no. D.S13/1 A (Rev A – Layout altered Sep 16) received 26 Sep 16.
  3. The external materials shall match the colour of the corresponding materials of the existing house.

- Reason:**
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 visual amenity in accordance with Policy H13 of the Burnley Local plan, Second Review, currently saved.

**APP/2016/0357**

**Full Planning Application  
Lanehead Ward  
Small scale gas fired energy reserve facility and ancillary infrastructure  
LAND OFF BANCROFT ROAD, BURNLEY**

**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 permitted shall be carried out in accordance with the following approved plans: 9655-0003-01 (1:1250 location plan) and 9655-0001-03, received on 5 August 2016; and, 9655-0002-04, received on 28 September 2016.
  3. Notwithstanding any indication on the approved plans, detailed specifications, including colour finishes, of the external walls and roof of the building, exhaust stacks and ancillary structures shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The development shall thereafter only be carried out in accordance



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with the approved details.

4. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding including decorative displays
  - v. measures to control the emission of dust and dirt during construction
  - vi. wheel washing facilities
  - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
  - viii. details of working hours.
5. Prior to the commencement of development, details of a scheme of intrusive site investigations relating to potential unrecorded previous mining activity and features affecting the site and details of any findings, remedial works or mitigation measures that are necessary to accommodate the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works and mitigation measures shall thereafter be carried out in accordance with the approved details and shall be completed prior to the approved development is first brought into use.
6. No development shall be commenced unless and until a scheme for the means of protecting trees and hedges (including measures for pruning and thinning out where appropriate), which are to be retained within and immediately adjacent to the site in accordance with BS 5837 (2012), including the protection of root structures from injury or damage prior to and during the development works, has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also provide for no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees or hedges. The approved scheme of protection measures shall be implemented in its entirety before any works are carried out, including any site

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clearance work, and thereafter retained during building operations until the completion of the development.

7. Prior to the commencement of development, a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and details of new native species planting within this area shall be submitted to and approved in writing by the Local Planning Authority.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of any of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.
9. Prior to any development being commenced, details of a scheme of external lighting shall be submitted to and first approved in writing by the Local Planning Authority. The submitted scheme shall demonstrate the avoidance of artificial lighting on wildlife, hedgerows and trees within the adjoining River Don-Brun Valley Biological Heritage Site. The development shall thereafter only be carried out in accordance with the approved scheme and no additional external lighting shall at any time be installed without the prior written permission of the Local Planning Authority.
10. Prior to any site clearance or commencement of development, a scheme of precautionary measures to protect bats, birds, badgers, great crested newts and wildlife that may be affected by the development during the course of construction works, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and adhered to at all times until the completion of the development.
11. Prior to the commencement of development, a further noise assessment to take into account the detailed specifications of the equipment to be used at the plant, together with appropriate mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures and

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recommendations contained within the approved noise assessment shall be carried out and completed prior to the development being first brought into use and shall be retained thereafter in perpetuity.

12. The development shall be constructed and maintained thereafter in accordance with the amended height of exhaust stacks (15m) and the details of maximum emissions contained within the letter headed 'Response to Air Quality Questions' from RPS Planning and Development Ltd, dated 29 September 2016.
13. Prior to the commencement of development, a ground investigation report shall be submitted to and first approved in writing by the Local Planning Authority in accordance with the recommendations of the Desk Study and Preliminary Risk Assessment (prepared by RPS Planning and Development, dated 19 July 2016). Any remediation or other recommendations contained within the approved report shall be implemented in full during the course of the development and shall be completed prior to the approved development being first brought into use. In the event that the approved report makes recommendations for future monitoring then this should also be adhered to in accordance with the details of the recommendations and any results of such monitoring shall be submitted to the Local Planning Authority.
14. Prior to the commencement of development, details of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall thereafter be carried out only in accordance with the approved 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 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 a satisfactory appearance to the development, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006). The details of materials are required prior to the commencement of development to ensure that only approved materials are used throughout the development process.
4. To ensure that the safety and amenities of other businesses and

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employees in the vicinity of the construction works are satisfactorily protected, in accordance with Policy GP1 of the Burnley Local Plan, Second Review (2006).

5. To ensure adequate investigations and precautions are carried out to take account of the ground conditions from past mining operations on the site, in accordance with the National Planning Policy Framework.
6. To ensure adequate protection for the long term health of woodland trees/hedges which should be retained in the interests of the visual amenities and biodiversity of the site and its surroundings, in accordance with Policies E2, E3 and E6 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.
7. In the interests of the visual amenities of the site and to ensure the use of species that will enhance the biodiversity of the site, in accordance with Policies GP3 and E2 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.
8. In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings, in accordance with Policies GP3 and EW5 of the Burnley Local Plan, Second Review (2006).
9. To safeguard birds, bats and other wildlife that would be adversely affected by excessive lighting, in accordance with Policies E2, E3 and E5 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that the measures identified in the scheme can be properly carried out at the appropriate stage of construction.
10. To provide adequate protection measures for wildlife that is known to be present within the adjoining River Don-Brun Valley Biological Heritage Site or close to the site, in accordance with Policies E2, E3 and E5 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that the measures identified in the scheme can be properly carried out at the appropriate stage of construction.

11. To safeguard the residential and local amenities of the area, in accordance with Policy GP1 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that the measures identified in the scheme can be properly carried out at the appropriate stage of construction.
12. To adequately control emissions and to safeguard against pollution in the local area, in accordance with the National Planning Policy Framework.
13. To ensure the site is suitable or can be made suitable for the construction of the development, in accordance with GP7 of the Burnley Local Plan, Second Review (2006) and the National Planning Policy Framework. It is necessary for the ground investigation report to be submitted and approved prior to the commencement of development in order to ensure that any remediation measures that may be necessary can be carried out at the appropriate stage in the development process.
14. To ensure a satisfactory appearance to the development, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006).