



# DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Tuesday, 21<sup>st</sup> July 2015

## PRESENT

## MEMBERS

Councillor Frank Cant, in the Chair.

Councillors Saeed Chaudhary, Trish Ellis, Roger Frost, Sue Graham, John Harbour, David Heginbotham, Marcus Johnstone, Arif Khan, Sobia Malik, Neil Mottershead and Cosima Towneley

## OFFICERS

Mick Cartledge	-	Director of Community Services
Paul Gatrell	-	Head of Housing & Development Control
Graeme Thorpe	-	Principle Planner
Cathy Ryder	-	Senior Planner
Amanda Hubberstey	-	Property Solicitor
Imelda Grady	-	Democracy Officer

### 9. Apologies

Apologies for absence were received from Councillors Charlie Briggs, Tom Porter, Paul Reynolds and Betsy Stringer

### 10. Minutes

The Minutes of the last meeting held on the 2<sup>nd</sup> July 2015 were approved as a correct record and signed by the Chair.

### 11. Declarations of interest

Councillor Porter declared in advance of the meeting a personal and prejudicial interest in item APP/2014/0534.

Councillor David Heginbotham declared a personal and prejudicial interest in item APP/2014/0534. He left the room and took no part in the debate or vote on this item.

**12. 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>
Mr Doug Metcalfe	APP/2014/0534 Burnley Football Club Training Ground Stockbridge Drive Burnley

**RESOLVED** That the deposited plan be dealt with in the manner shown in the appendix to these minutes

Appendix – Minute No.12

**PLANNING APPLICATIONS APPROVED**

**APP/2015/0534**            **Full Planning application  
Gawthorpe Ward  
Erection of new indoor training facility (Use Class D2) with  
associated outdoor football pitches, access, car parking,  
landscaping, ancillary infrastructure and floodlighting to one  
existing pitch.  
BURNLEY FOOTBALL CLUB TRAINING GROUND,  
STOCKBRIDGE DRIVE, BURNLEY**

**Decision:**            That the Committee is minded to approve the application subject to the conditions set out below and the completion of an appropriate Section 106 Obligation to be approved by the Head of Housing and Development Control.

Before the application is granted it will need to be referred to the Secretary of State, under the Town and Country Planning (Consultation) (England) Direction 2009, to allow him a 21day period to decide whether or not to call the application in for a decision, if he considers this necessary. If the application is called in the Secretary of State will make the decision.

- Conditions:**
1. The development must be begun within three years of the date of this decision.
  2. The development shall be carried out in complete accordance with the approved application plans and details, together with the provisions of a Section 106 Obligation which relates to this application.
  3. The site shall only be used as a sports' training facility and ancillary facilities building for Burnley Football Club, in accordance with the details set out in the application hereby granted and for no other purpose including any purpose within Class D2 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.
  4. A Management Plan which details the proposed operations and levels of usage of the Gawthorpe Training Complex as a whole shall be submitted to and agreed in writing by the local planning

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authority before the building is occupied. Any increase in proposed operations or levels of usage above those set out in the agreed Management Plan shall be submitted to and approved in writing by the local planning authority.

5. A Landscape and Habitat Management Plan, covering the construction period and a minimum of 5 years following the start of development, detailing all proposed landscaping, compensation and mitigation measures to be implemented in relation to the ecological interests, including barn owls, bats, breeding and wintering birds on the site, working methods and details of future management, including timings of management operations shall be submitted to and approved in writing by the local planning authority. The Landscape and Habitat Management Plan shall be fully implemented as approved, to the satisfaction of the Local Planning Authority.
6. All proposed floodlighting / lighting for the development shall be of the LED type lighting, and shall be directional towards the application areas it is intended for. Where necessary, louvres (integral or external) shall be able to be fitted to ensure that the light spill onto identified foraging and commuting bat routes or the surrounding landscape is minimised. The proposed lighting shall be suitably controlled so that it is only lit when the facilities are in use and no further lighting shall be provided without a further planning permission being sought and granted.
7. The development permitted by this planning permission shall only be carried on in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed in the FRA:
  - The finished floor levels of the development are set no lower than 79.12m above Ordnance Datum (AOD)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

8. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing

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by the local planning authority. The drainage strategy should

- a) demonstrate that the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
- b) investigate whether it is feasible for the surface water drainage of the pitches to be designed so as to contribute to the water levels in the wetland area.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

9. A scheme for the enhancement of the setting of the Great Barn, a Grade I Statutory Listed Building, shall be submitted to and approved in writing by the local planning authority before any construction works commence on the new building hereby approved. The scheme shall be implemented as approved in accordance with a programme to be agreed, before the building is brought into use.
10. The development shall not begin until:
  - a. A scheme of intrusive site investigations to determine whether there is any risk associated with the coal mining legacy of the site, has been submitted to and approved in writing by the local planning authority;
  - b. The investigation has been carried out in accordance with the approved strategy;
  - c. A written report, detailing the findings of the investigation, has been submitted to and approved in writing by the local planning authority.
  - d. A scheme which sets out any necessary remedial works shall be submitted to and approved in writing
  - e. Any necessary remedial works, identified by the site investigation shall be undertaken before any development starts.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

11. Prior to the commencement of development, a detailed method statement for the removal or the long term management / eradication of Japanese knotweed and Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of the species during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and the Countryside Act 1981. Development shall proceed only in accordance with the approved method statement.
12. Notwithstanding any description of materials in the application, no work shall start on the construction of buildings until precise details of all materials to be used in the development have been 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.
13. The approved car parking layout shall be implemented before the building hereby approved is first brought into use and thereafter be maintained and kept available for the use of staff and visitors to the premises and shall include provision for the secure parking of a minimum of 4 bicycles and 2 motorcycles. The car park shall remain available at all times for the use of staff and visitors to the premises.
14. All hard and soft landscape works as detailed in the application 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.

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15. All works on the site that may affect nesting birds shall be avoided between March and July inclusive, unless absence of nesting birds has been confirmed by further surveys and inspections. If evidence of nesting is found, no vegetation shall be cleared within 5 metres of an active nest, until nesting is complete (the young have fledged and left the nest and the nest has been abandoned) and a suitably qualified ecologist will declare the nest clear prior to vegetation clearance.
16. No site clearance, site preparation or site development work shall take place until a construction method statement has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in full as approved. The scheme shall include details of (but not be limited to) measures that will be implemented for the protection of watercourses.

**Reasons:**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure continued compliance with the Development Plan.
3. The application is granted for inappropriate development in the Green Belt, having regard to the special circumstances of Burnley Football Club and to enable the local planning authority to consider any future change having regard to Policy E26 of the Burnley Local Plan Second Review, highway safety considerations and any other material considerations.
4. To enable the local planning authority to reconsider a significant intensification of the use of the site, having regard to Policies TM1, TM2 and TM15 of the Burnley Local Plan Second Review.
5. To ensure that the ecological interests on the site are protected and suitably managed having regard to Policies E3, E4, E5, E6 and E7 of the Burnley Local Plan Second Review.
6. To ensure that light pollution is kept to a minimum and does not cause undue disturbance to foraging and commuting bats or have an adverse impact on the landscape character of the area, having regard to Policies GP7.
- 7/8. In order to ensure that the development does not lead to an increase risk of flooding or that the the development would be at risk itself from flooding, having regard to the provisions of Policy

E8 of the Burnley Local Plan Second Review.

- 9.. In order that the development delivers appropriate public benefits to offset the harm which may be caused to the setting of the Gawthorpe complex of Listed Buildings, having regard to the requirements of the National Planning Policy Guidance, paragraph 134 and Policy E10 of the Burnley Local Plan Second Review.
10. To ensure that risks associated with the coal mining legacy on the site are adequately dealt with, in accordance with Policy GP7 of the Burnley Local Plan Second Review.
11. To prevent the spread of non-native invasive species Japanese knotweed and Himalayan balsam having regard to Policy GP1 of the Burnley Local Plan Second Review
12. To secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity and in accordance with policy GP3 of the Burnley Local Plan, Second Review.
13. To ensure that adequate car parking facilities are available for the development and in order to encourage alternative methods of travel and a wider choice of transport modes, in accordance with Policy TM4 and TM15 of the Burnley Local Plan Second Review.
14. In order to ensure that landscaping works contribute to a satisfactory standard of completed development and habitat enhancement and the long term appearance of the site harmonises with its surroundings, all in accordance with policy GP6 and E5 of the Burnley Local Plan, Second Review..
15. To ensure that species/habitats protected by the Wildlife and the Countryside Act 1981 are protected, in accordance with policy E5 of the Burnley Local Plan, Second Review.
16. To ensure that construction traffic conflict arising from the use of the facility is adequately managed having regard to pedestrian and highway safety and that appropriate provision is made for the protection of the watercourse during the construction period, in line with Policy GP1 of the Burnley Local Plan Second Review.