



# DEVELOPMENT CONTROL COMMITTEE

BURNLEY TOWN HALL

Thursday, 27<sup>th</sup> August 2015

## PRESENT

## MEMBERS

Councillor Frank Cant, in the Chair.

Councillors Charlie Briggs, Trish Ellis, Sue Graham, John Harbour, David Heginbotham, Marcus Johnstone, Arif Khan, Sobia Malik, Neil Mottershead and Paul Reynolds

## OFFICERS

Paul Gatrell	-	Head of Housing & Development Control
Graeme Thorpe	-	Principal Planner
Aftab Ahmed	-	Assistant Planner
David Talbot	-	Senior Solicitor
Imelda Grady	-	Democracy Officer

### 18. Apologies

Apologies for absence were received from Councillors Saeed Chaudhary, Tom Porter, Betsy Stringer and Cosima Towneley

### 19. Minutes

The Minutes of the last meeting held on the 30<sup>th</sup> July 2015 were approved as a correct record and signed by the Chair.

### 20. 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>
Ian Plowright, Amir Akhtar and Neil Hutchinson	APP/2015/0309 – Prairie Sports Village
Craig Greaves	APP/2015/0275 – 18 Parkwood

**RESOLVED** That the list of deposited plans be dealt within the manner shown in the appendix to these minute

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

Members received for information a list of decisions taken under delegation for the period 18<sup>th</sup> July to 16<sup>th</sup> August 2015.

Appendix – Minute No. 20

**PLANNING APPLICATIONS APPROVED**

**APP/2015/0309**                    **Full Planning Application**  
**Variation of condition 9 on planning permission**  
**APP/2013/0397 to change operating hours to closing at Mon-**  
**Thu 10.30pm, Fri - 11pm, Sat 12 midnight and Sun 10pm**  
**PRAIRIE SPORTS VILLAGE, WINDERMERE AVENUE,**  
**BURNLEY**

**Decision:**                    That Condition 9 on planning permission APP/2013/0397 be varied to read:

**Conditions:**                    (1) The pavilion building hereby approved shall not operate outside the hours of 7 a.m. to 10.30 p.m. Monday to Thursday; 7 a.m. to 11 p.m. on Friday; 7 a.m. to 12 midnight on Saturday; and 7.a.m. to 10 p.m. on Sunday and Bank Holidays.

    (2) The permitted operating hours shall cease no later than 12 months from the date of the opening of the pavilion and revert to the hours approved under planning permission APP/2013/0397, unless a further permission has been sought and granted by the Local Planning Authority. The Local Planning Authority shall be notified in writing of the opening date to enable the monitoring period to begin.

**Reasons:**                    (1) The operating hours are as requested by the applicant and are considered acceptable subject to the monitoring period set out in paragraph (2) above.

    (2) To enable the Local Planning Authority to reconsider the hours of operation to assess their impact having regard to Policy H12 of the Burnley Local Plan Second Review.

**APP/2015/0251**                    **Application for the discharge of planning obligations in relation to Section 106 Agreement of Pendle View Garden Centre.**  
**Whittlefield with Ightenhill Ward**  
**PENDLE VIEW GARDEN CENTRE, IGHTEHILL PARK LANE,**  
**BURNLEY**

**Decision:**                    (1) It is determined that the obligation no longer serves a useful purpose; and

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(2) The obligation is hereby discharged.

**APP/2015/0275**

**Full Planning Application  
Whittlefield with Ightenhill Ward  
Retention of timber post and panel fence to garden.  
18 PARKWOOD AVENUE, BURNLEY**

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

- Conditions:**
1. The evergreen hedge along the Parkwood/Ighten Road boundary with the property as indicated on the approved drawing received 25 June 2015 shall be retained at all times at a height no less than 1.5m unless otherwise approved in writing by the Local Planning Authority.
  2. The evergreen hedge as noted on the plan received 25 June 2015 must be planted within 2 months from the date of this permission and shall remain in situ in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

- Reasons:**
1. In the interests of visual amenity having regard to Policy GP1 of the Burnley Local Plan, Second Review.
  2. In order to keep control of the tree work in the interests of the visual amenity of the area.

**APP/2015/0172**

**Full Planning Application  
Gawthorpe Ward  
Proposed change of use from public house to childrens day nursery (opening hours 07.30 to 18.30 Monday to Friday).  
VICTORIA HOTEL, 121 BURNLEY ROAD, PADIHAM,  
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 shall be carried out in accordance with the approved plans and details.
  3. The nursery shall not operate outside the hours of 7:30am to

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6:30pm Monday to Friday and not at all on weekends and Bank Holidays.

- Reason:**
4. The highway works as shown on the submitted plan shall be implemented prior to the premises being open for business.
  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 Development Plan.
  3. In the interest of the amenity of occupants residing at the flat above, having regard to Policy CF14 of Burnley Local Plan Second Review.
  4. In the interests of highway safety, having regard to Policy CF14 of the Burnley Local Plan Second Review.

**APP/2015/0245**

**Full Planning Application  
Daneshouse with Stoneyholme Ward  
Proposed change of use from Use Class A1 (Retail) to Use Class A5 (Hot Food Take-away).  
UNIT 4, 54 CHURCH STREET, 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 use hereby approved shall not start until a scheme for the collection and dispersal of cooking odours has been submitted to and approved in writing by the local planning authority, ensuring that the extraction system and ventilation is designed to meet requirements of relevant legislation including the Gas Safety (Installation and Use) Regulations 1998. Such a scheme as may be approved shall be implemented before the use starts and thereafter maintained in good working order at all times.
  3. The development shall not start until details of refuse storage enclosures showing the design, location and external appearance have been submitted to and approved in writing by the local planning authority. The approved enclosures shall be provided before start of the use and thereafter permanently retained.

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4. The use hereby permitted shall not be open to customers outside the following time; 1000 to 2200 hours Sunday to Thursday and 1000 to 2400 hours Friday to Saturday.

**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 protect the surrounding environment, including occupiers of nearby premises, from nuisance from noise and cooking odours, in accordance with Policy CF13 of the Burnley Local Plan Second Review.
3. To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality and to ensure compliance with Policy CF13 of the Burnley Local Plan, Second Review.
4. To safeguard the local amenity, in regard to Policy GP1 of the Burnley Local Plan Second Review.

**APP/2015/0262**

**Outline Planning Application**

**Bank Hall Ward**

**Proposed development of 2 and 3 storey extra care sheltered housing scheme (22no. 1 and 2 bed units) including details of access and layout (all other matters reserved for future approval).**

**BANK HALL NURSING HOME, COLNE ROAD, BURNLEY**

**Decision:**

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

**Condition:**

1. Approval of the details of the scale, appearance 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 appearance 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.

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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. The development shall be carried out in accordance with the application plans and details and any subsequently approved reserved matters.
6. The development shall not begin until:
  - a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;
  - b. An investigation has been carried out in accordance with the approved strategy;
  - c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination 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.

7. Details of the proposed positions and species of two replacement trees shall be submitted to and approved in writing by the Local Planning Authority within 28 days from the date of this decision. The planting of the replacement trees shall be carried out within the next planting season following the construction of the development and shall thereafter be maintained in accordance with good horticultural practice and replaced if they die within three months. The replacement trees will be protected by the existing Tree Preservation Order. Confirmation of the date the replacement trees are planted shall be sent to the Local Planning

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Authority within 28 days of their planting.

8. The protection of the remaining trees and hedges on the site, including root structures from injury or damage prior to or during the development works shall be carried out as detailed in the Arboricultural Method Statement received 25 September 2012. 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. The driveway areas shall be constructed as set out in the methodology detailed in the Arboricultural Implications Assessment received 25 September 2012, to the satisfaction of the local planning authority.
10. Before any development commences, a scheme detailing a safe pedestrian route to the proposed and existing buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in its entirety prior to the building being brought into use.
11. Before any development commences, facilities for the external storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and available for use prior to the first occupation of the building.
12. The premises shall be used for extra care housing as set out in the approved details and for no 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.
13. No works shall start in connection with the development hereby granted until the developer has secured the implementation of a programme of archaeological recording, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. A copy of the archaeological record shall be lodged with the local planning authority within two months of its completion.



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14. The development shall be undertaken in accordance with Secured by Design principles.
15. Before any development starts a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall be adhered to throughout the construction period. it shall provide for:
  - The parking of vehicles of site operatives and visitors
  - The loading and unloading of plant and materials
  - The storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding
  - Wheel wash facilities
  - Details of working hours.
16. No works shall start in connection with the development hereby granted, until a survey has been conducted by a person who is registered by Natural England to investigate whether the site is utilised by bats or other protected species and the survey results have been submitted in writing to the local planning authority. If such a use is established a scheme for the protection of the species or habitat shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before any work starts.

**Reason:**

- 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 continued compliance with the Development Plan.
6. To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecology systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policy GP7 of the Burnley Local Plan Second Review.
7. In order to maintain a continuation of tree cover in the area having regard to Policy E6 of the Burnley Local Plan Second Review.
- 8-9. To ensure the trees are not damaged during construction works having regard to Policy E6 of the Burnley Local Plan Second

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Review.

10. In the interests of pedestrian safety having regard to Policy GP1 of the Burnley Local Plan Second Review.
11. In the interests of the amenity of the surrounding area having regard to Policy GP1 of the Burnley Local Plan Second Review.
12. To enable the local planning authority to consider any future change having regard to housing land availability and any other material considerations in respect of H4 and H5 of the Burnley Local Plan Second Review.
13. 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.
14. To maximise the security of residents of the development having regard to Policy of the Burnley Local Plan Second Review.
15. In the interests of highway safety having regard to Policy GP1 of the Burnley Local Plan Second Review.
16. 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.

**APP/2015/0183**

**Full Planning application**

**Trinity Ward**

**Proposed construction of 81 no. dwellings including parking, highway works and landscaping**

**LAND SOUTH OF ACCRINGTON 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 permission shall relate to the development as shown on the Location Plan and drawing nos. 13002 (Site location plan), 2008/SD/107, 2008/SD/109, 2008/SD/110, 2014/649-PL Rev A, 2014/832v1-PL, 2014/849v2-PL, 2014/851-PL, 2014/857-PL, 2014/867-PL, 2014/1062v2-PL and Street Scene Plan (job no. 13002 03) received 23 Apr 15, plan ref. no. 13002 06 received

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29th June 15, and plan ref. no's 4992.01 Rev. C, 13002 01 Rev. H, and the ECUS Bat and Bird Box Plan received 13 Aug 15.

3. Notwithstanding any description of materials in the application, prior to the commencement of built development a scheme showing precise details of all materials, 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.
4. All hard and soft landscape works shall be carried out in full, and in accordance with the approved details, as presented on plan drawing numbers 4992.01 Rev. C, 2008/SD/107, 2008/SD/109, 2008/SD/110 and 13002 06. The works shall be carried out in accordance with a programme to be approved in writing by the local planning authority prior to the commencement of built development on site. The works shall then be completed in the first planting season following the completion of the development.
5. 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:
  - a) the parking of vehicles of site operatives and visitors,
  - b) loading and unloading of plant and materials,
  - c) storage of plant and materials used in constructing the development,
  - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate,
  - e) wheel washing facilities,
  - f) measures to control the emission of dust and dirt during construction,
  - g) hours of operation on site, and
  - h) a scheme for the recycling/disposing of waste arising from demolition and construction works.
6. No construction work shall take place on the development hereby approved outside the hours of 8am to 2pm on Saturday and not at any time on Sundays or Bank Holidays. Hours of operation on Monday to Friday shall be agreed within the Construction Method Statement (Condition 5).

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Where permission is sought for works to be carried out outside the hours stated, a formal request to the Local Planning Authority must be made in writing at least seven days before that date.

7. Prior to the commencement of development a scheme of intrusive site investigations, in accordance with the recommendations of the Geoenvironmental Appraisal Report, shall be submitted for approval in writing by the Local Planning Authority.

The scheme of intrusive site investigations shall then be undertaken, and a report of findings arising from the intrusive site investigations shall then be submitted to the Local Planning Authority.

Should the findings indicate the need for any remedial works, a scheme for such remedial works shall then also be submitted to the Local Planning Authority for approval, and those remedial works shall thereafter be implemented.

8. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Smirthwaite Street, Burnley, BB11 4AZ, RSK) and the mitigation measures detailed within this FRA. 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 in consultation with the lead local flood authority.
9. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development 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:

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- i. on-going inspections relating to performance and asset condition assessments, and
  - 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no means of enclosure shall be erected other than in accordance with the approved landscape scheme, or as may be otherwise approved in writing by the Local Planning Authority.
11. Unless otherwise agreed in writing, all the mitigation recommendations highlighted on the ECUS Bat and Bird Box Plan received 13 August 15 shall be incorporated into the development hereby approved as ecological, habitat and landscape mitigation/compensation/enhancement measures. Details of their implementation shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of those dwellings associated with the mitigation measures.
12. Any windows for WC, bathroom or en-suite, as shown on the approved plan drawings, shall be obscurely glazed to the satisfaction of the Local Planning Authority and shall remain so in perpetuity.
13. Unless otherwise agreed in writing by the Local Planning Authority, development must not start until conditions a) to d) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to

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the extent specified by the Local Planning Authority in writing until condition d) has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. Details of the contents of the scheme should be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report should be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- o adjoining land,
- o groundwaters and surface waters,
- o ecological systems,
- o archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

The investigation and risk assessment must be conducted in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11' produced by DEFRA and the Environment Agency.

b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a

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condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme

(i) The approved remediation scheme must be carried out in accordance with its terms prior to the start of development (other than that required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

(ii) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.

d) Reporting of Unexpected Contamination

(i) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b), which should be submitted to and approved in writing by the Local Planning Authority.

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(ii) Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which must be submitted to, and approved in writing by the Local Planning Authority, in accordance with condition c) (ii).

e) Long Term Monitoring and Maintenance

(i) A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed in writing by the Local Planning Authority, and the provision of reports on the same must be prepared, both of which must be submitted to and approved in writing by the Local Planning Authority.

(ii) Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

The measures in condition e) must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

**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 is carried out in accordance with the submitted plans.
3. 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.
4. 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.
5. In order to avoid nuisance to the occupiers of nearby properties.



6. To protect the amenities of nearby residents, in accordance with the Burnley Local Plan, Second Review.
7. The coal mining legacy of this site potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.
8. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to prevent flooding elsewhere by ensuring that compensatory storage and safe routes of exceedance of flood water are provided, and to reduce the risk of flooding to the proposed development and future occupants.
9. To ensure that appropriate and sufficient funding and maintenance mechanisms are in place for the lifetime of the development, as defined under the Planning Practice Guidance, to minimise 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.
10. To enable the local planning authority to consider future development having regard to Policy GP6 of the Burnley Local Plan, Second Review and all relevant material considerations.
11. To satisfy the requirements of the NPPF, the Wildlife and Countryside Act 1981, DEFRA Circular 01/2005, Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System, and The Conservation of Habitats and Species Regulations 2010.
12. In order to protect the amenity of the occupiers of nearby residents.
13. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy GP7 of the Burnley Local Plan, Second Review.

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**APP/2015/0282**                    **Full Planning Application**  
**Cliviger with Worsthorne Ward**  
**Proposed 2 storey extension, K-rendering and alterations to**  
**windows on front elevation.**  
**5 INCHFIELD, WORSTHORNE-WITH-HURSTWOOD,**  
**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 shall be carried out in accordance with the drawings listed above.
  3. The development shall not be begun until details of the colour of the render for the elevations ( existing house and extension) have been submitted to and approved in writing by the local planning authority. The colour of the render shall be in the colour agreed in writing.

- 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. To ensure the rendering is in a colour which is in harmony with adjacent dwellings in the interests of visual amenity and in accordance with policy GP3 of the Burnley Local Plan Second Review.

**APP/2015/0289**                    **Full Planning Application**  
**Queensgate Ward**  
**Proposed change of use of land from playing field to garden**  
**curtilage.**  
**Land adjacent to 36 DISRAELI STREET, 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

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this decision.

2. The development shall be carried out in accordance with the details submitted with the application.

**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.