

Outline Planning Permission

**Agent:**

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Applicant:

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Part 1 Particulars of Application: APP/2007/0475 received 15 May 2007

Proposal: Proposed erection of 4 three bedroom town houses and 6 two bedroom apartments including details of layout and means of access (all other matters reserved for future approval)

Location: GARAGE SITE AT DUNCAN STREET BURNLEY

Plans: Plan & Location Plan received 04 May 2007.
Design & Access Statement received 14 May 2007.

Part 2 Particulars of Decision:

The Council gives notice under the Town and Country Planning Act 1990 (as amended) that Outline Planning Permission has been **Granted** for the carrying out of the development in accordance with the application and plans submitted, referred to in Part 1 above, and 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 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. No development shall be commenced unless and until three copies of a site investigation report (the Report) has been submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of ground contamination and ground gases on site and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of ground conditions on the health and safety of site workers, on nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The investigation shall where appropriate include a risk assessment and an options appraisal including the remedial strategy.

The proposed risk assessment, including the sampling and analytical strategy shall be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

The development shall be carried out in accordance with the approved Report including its risk assessment, options appraisal and recommendations for implementation of the remedial strategy.

Prior to discharge of the Contaminated Land Condition, a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works were completed in accordance with those agreed by the Local Planning Authority.

6. Before any development commences a scheme for the provision of Public Open Space in connection with the development whether by the making of a planning obligation pursuant to s.106 of the Town and Country Planning Act 1990 or otherwise shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within one year of the start of the development or as otherwise agreed in writing by the Local Planning Authority.
7. The section of Duncan Street between Metcalfe Street and Leaver Street shall be upgraded to an adoptable standard, and the access to the parking area shall be surfaced and widened at its junction with Duncan Street, in accordance with a scheme having the prior written approval of the Local Planning Authority, prior to the occupation of the dwellings.

Reasons:

1. 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 a safe form of development that poses no unacceptable risk of pollution to water resources or to human health, in accordance with Policy E34 of the Burnley Local Plan Second Review.
6. To ensure that the residential development is adequately served by public open space in accordance with Policy H7 of the Burnley Local Plan (Second Review).

7. In the interest of Highway safety.

Summary of Reason for Recommendation:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

H1 - Land for new housing development

H3 - Quality and design in new housing development

H4 - Providing a choice of housing in new development

H7 - Open space in new housing development

TM15 - Car parking standards

Notes:

1. The Burnley Local Plan Second Review may be inspected free of charge during normal office hours at this office. A copy can be purchased on request, price £50.00 plus £4.00 postage.
2. Your attention is drawn to the informatory notes on the back of this notice.
3. Please take careful note of the conditions attached to this permission. It is in your own interests to make sure that you satisfy the conditions at an early stage, as it can save unnecessary delay when development starts. The Council can serve a notice, if the conditions are not complied with, which could result in the development having to stop until a particular condition is fulfilled. If you are in any doubt about what you need to do, please contact this office for advice.
4. This development should not be carried out otherwise than in strict accordance with the application and plans approved. You are advised to contact the local planning authority if there is any variation from the approved application, as a further planning permission may be required.
5. Please remember to remove all site notices which have been displayed in connection with this application.

For Head of Planning & Environment

Decision Date: 16 July 2007