

**Application Recommended for Approval**  
Queensgate Ward

**APP/2015/0353**

Full Planning Application

change of use from dwelling to A1 with single storey extension to rear and new shop front

368 COLNE ROAD BURNLEY

**Background:**

The application relates to a mid-terrace dwelling house in a long terrace also containing individual and small groups of shops.

**Relevant Policies:**

Burnley Local Plan Second Review

CF11-District and local centres

CF12 - Local and village shops

E25 - Shop fronts

EW9 - Small businesses, working from home and community enterprises in residential areas

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H12 - Non-residential uses in residential areas

TM15 - Car parking standards

**Article 35 Statement**

The application as submitted was in accordance with the local plan policies and the National Planning Policy Framework and there was no need for any negotiation with the applicant.

**Site History:** No previous applications.

**Consultation Responses:**

Highway Authority – No objections.

Environmental Health Section advised the imposition of two conditions, one relating to construction works hours and the other relating to no burning of waste or other materials in order to protect the amenities of nearby residents and to prevent air pollution.

No representations have been received.

**Planning and Environmental Considerations:**

The application relates to a house in a long terrace (29 properties) fronting the west side of Colne Road. Colne Road runs northwards from Burnley Town Centre. Around its junction with Briercliffe Road (Duke Bar) its frontages form a shopping centre – north of this it gradually becomes more mixed with residential use.

Subject site





The proposals are to change the use of the property to an optician on the ground floor with the first floor used as storage. The proposals require the re-siting of the current staircase, a new shop front, and a small extension in the rear yard.



Subject site (rear)



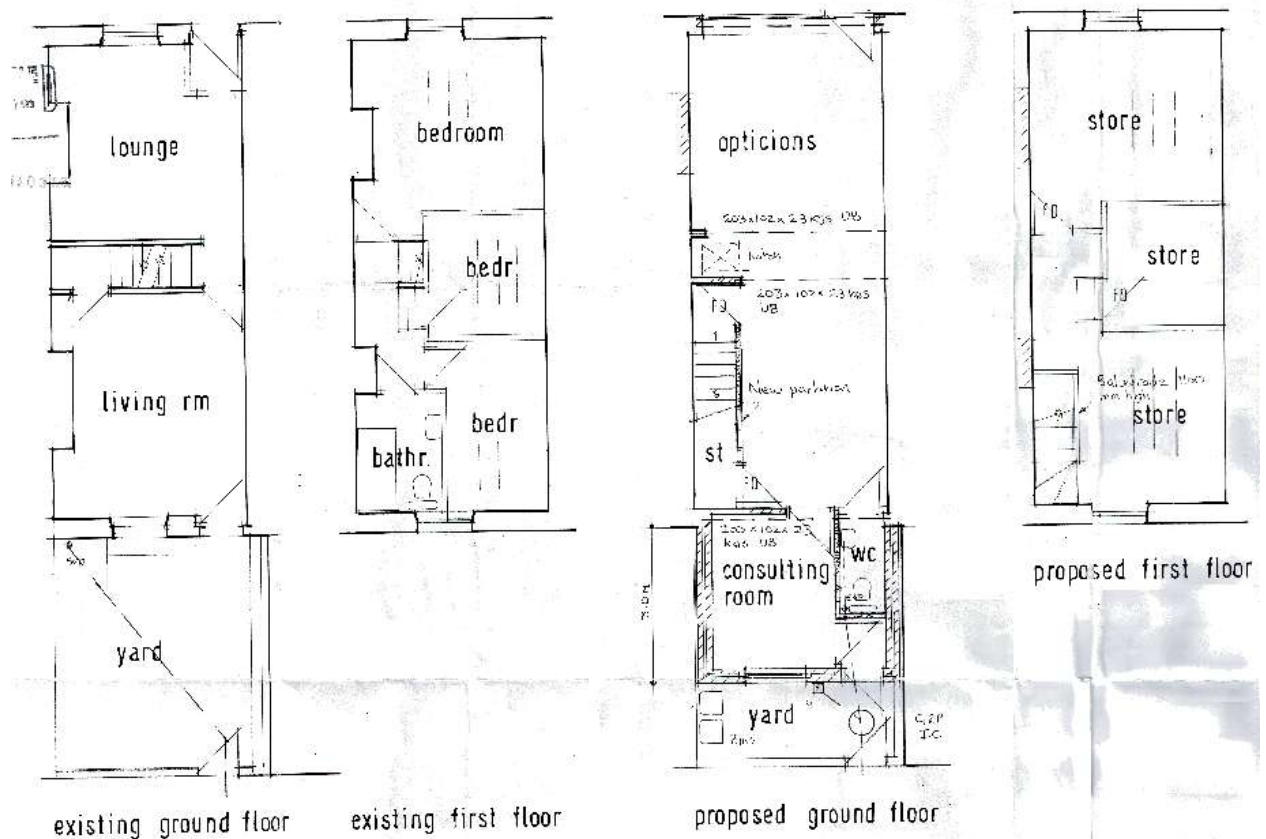
#### *Policy and Assessment*

**Policy CF11** identifies District and Local Centres, including the Duke Bar District Centre. Although the centre boundaries are not defined, the presence of shop and associated uses becomes more intermittent along this part of Colne Road, and the terrace should not be regarded as within the District Centre.

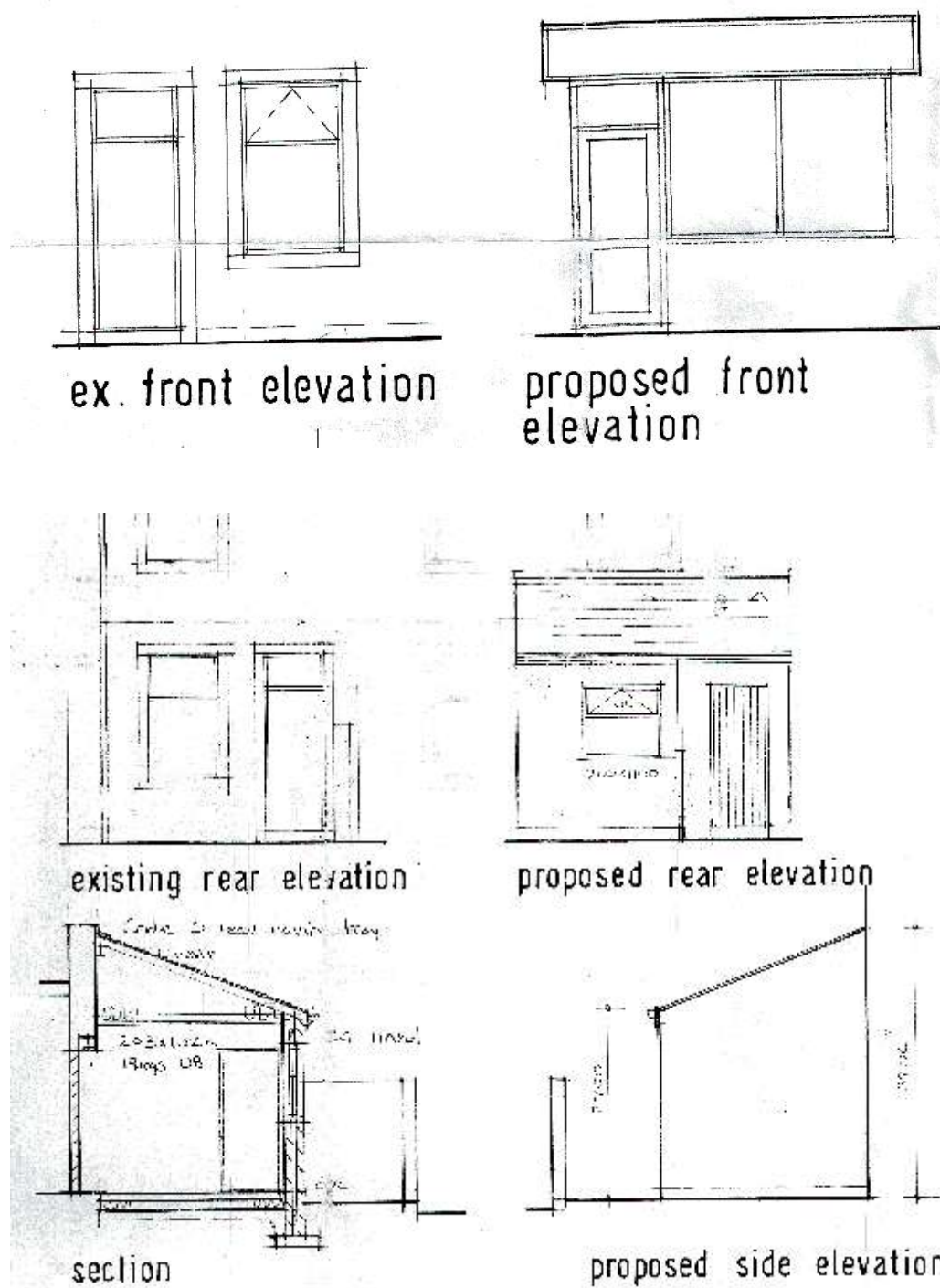
**Policy CF12** states that local shops outside designated district or local centres will be permitted subject to the following:

- (a) The proposal meets purely local needs – *There is no optician in the vicinity of the subject site; it is likely to draw much of its clientele from the surrounding, densely occupied, residential area.*

- (b) The gross floorspace does not exceed 150 sq metres – *the proposed floorspace is around 82 sq metres*
- (c) The proposal does not adversely affect the amenity of adjoining property – *the change to a shop use would be expected to increase activity at the site. Given that Colne Road carries a heavy volume of traffic with consequentially high noise levels, it is unlikely that there would be a significant loss of amenity to the two adjoining dwelling houses during daytime and early evening.*
- (d) The development is accessible by public transport – *the site is on a Mainline bus route and has excellent public transport accessibility.*
- (e) Detrimental impact on road safety and traffic flow can be safely mitigated – *the Highway Authority has advised that there are no objections on highway safety grounds.*



The proposed shop front is of standard design comparable to other shops front in the vicinity, therefore it is acceptable. The rear extension would be of similar dimensions to other extensions at the rear of the terrace.



**Recommendation:**

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 shall be carried out in accordance with the application details and the drawings submitted on 24<sup>th</sup> August.2015.

3. The premises shall not be open to customers outside the hours 0800 to 1800 on any day.
4. The external materials of construction of the extension shall be of matching appearance to the materials of the existing building.
5. 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 on Sundays and Bank Holidays.
6. There shall be no burning of waste or other materials within the curtilage of the premises.

## **Reasons**

- 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 To safeguard the amenities of nearby residents, in accordance with Policy CF12 of the Burnley Local Plan, Second Review.
- 4 In the interests of the visual amenities of the area, in accordance with Policy GP3 of the Burnley Local Plan, Second Review.
- 5 To protect the amenities of nearby residents, in accordance with Policy H12 of the Burnley Local Plan, Second Review.
- 6 In the interest of residential amenity and to prevent air pollution, in accordance with Policy H12 of the Burnley Local Plan, Second Review.

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