Burnley.gov.uk	**RECOMMENDATION REPORT FOR DECISION UNDER DELEGATED AUTHORITY**		
Application Number:	PA/2026/0205	**Case Officer:**	Richard J Byrne
Ward:	Trinity	**Received:**	12/05/2026
Address:	Coal Clough Academy, Swindon Street, Burnley, BB11 4PF		
Proposal:	Erection of (1) an external staircase including a landing level and balustrade (2) an enclosing 2.4 metre high paladin mesh fence and access gate with building alterations to create a new first floor access door.		
Drawing Numbers:	RLB ID: 019167 Drg No. 05 Rev P04 - Proposed Ground Floor Plan RLB ID: 019167 Drg No. 06 Rev P03 - Proposed First Floor Plan RLB ID: 019167 Drg No. 08 Rev P04 - Proposed Elevations RLB ID: 019167 Drg No. 11 Rev P02 – Demolition Works RLB ID: 019167 Drg No. 12 Rev P02 - Proposed Fabric Works RLB ID: 019167 Drg No. 20 Rev P03 - Proposed External Staircase Option 2 RLB ID: P-029456-N Drg No. 24 Rev P01 – Location Plan RLB ID: P-029456-N Drg No. 25 Rev P01 – Site Plan RLB ID: 019167 Sheet No. 15 Rev P02 - Proposed WC / Stair Section Job No. Y26060 Drg No. 03 – Foundation Details Job No. Y26060 Drg No. 02 – Steelwork Details		
Target Date	23/07/2026	**EoT date:**	N/A
Recommendation	Approve		

SITE AND SURROUNDINGS

This application relates to an established school for children aged 11 to 16 years, located off Sindon Street, Burnley. The school site comprises a large, natural stone building with slate roof set within a clearly defined operational curtilage.

The site is situated within a predominantly residential urban area, with surrounding development consisting mainly of two-storey terraced housing. The school complex is, however, visually and functionally distinct from its surroundings due to its scale, institutional character, parking and playing out areas. The part of the school, subject to this application, is located on the southern side facing Swindon Street.

Figure 1: Location Plan

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a fire escape galvanised finished staircase which would have an approximate overall height of 3.4m, inclusive of guard rails. The existing first floor window is proposed to be replaced by an access door. The application includes a 2.4 metres high paladin mesh fence (coloured black) for security reasons preventing access to the underside of the staircase.

Figure 2: Proposed South Elevation (without fence)

Figure 3: Proposed South Elevation (with Fence)

Figure 4: Isometric View of Proposal

PLANNING HISTORY

None relevant.

CONSULTATION RESPONSES

County Highways – No objection.
The Coal Authority – no objection.

LOCAL REPRESENTATIONS

A Site Notice was erected on 11 June 2026. Seventeen notification letters have been sent to adjacent properties. As a result of the publicity no representations have been received.

RELEVANT POLICIES AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise.

Adopted Development Plan

The Adopted Development Plan for this site is The Burnley Local Plan 2018 and the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD. The relevant Development Plan policies for the determination of this application are:

Burnley Local Plan

Policy SP1: Achieving Sustainable Development

Policy SP4: Development Strategy
Policy SP5: Development Quality and Sustainability
Policy NE5: Environmental Protection
Policy CC1: Renewable and Low Carbon Energy (not including Wind Energy)
Policy IC1: Sustainable Travel
Policy IC3: Car Parking Standards
Policy IC5: Protection and Provision of Social and Community Infrastructure

Burnley Supplementary Planning Documents (SPD)

None relevant

The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

None relevant

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 39 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application as (originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns.

As a result, the Local Planning Authority has been able to recommend the proposal favourable, in accordance with the presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

The main planning issues considerations for this application are:

- Principle of Development
- Design and Layout
- Impact on Amenity
- Highways and Parking
- Ground conditions

Principle of Development

Policy SP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF. Local Plan Policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale supported in smaller settlements. Policy IC5 supports safeguarding existing social infrastructure and where new facilities are required to ensure that is provided close to the need arising.

The site is within the Development Boundary and the proposal would enhance existing social infrastructure by improving the means of fire escape of the school building. The application is therefore acceptable in principle subject to adherence with other Policies.

Design and Layout

Policy SP5 amongst other considerations seeks new development to respect existing, or locally characteristics street layouts, scale, massing and use an appropriate palette of

materials. This is further supported in the NPPF, Paragraph 135, which advocates other factors, that developments are visually attractive and sympathetic to the local character.

The proposed external staircase sits back from the boundary with Swindon Street and as such would not be overly prominent within the streetscene. Given the presence of the high boundary railing and internal site fencing the proposed galvanized staircase and fencing would not be untoward to the general appearance and setting of the school building.

Impact on Amenity

Local Plan Policy SP5 seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking.

It is not anticipated that the proposed staircase, in respect of overlooking would adversely affect the properties on Swindon Street given the separation distance and relationship with the application site.

Highways and Parking

No objection has been raised by County Highways and as such it is considered the position of the external staircase and paladin fence would not affect highway visibility and the current layout of car parking bays accessed from Swindon Street.

It is noted that the surrounding area is subject to pedestrian movement and that County Highways have requested submission of a Construction Management Plan. However, given the scale of the work and the applicant can suitably time to coincide with school holidays, it is considered there would naturally be sufficient control over the health and safety of the works and its effect on the environs outside of this application. Furthermore, the area immediately adjacent to the proposed staircase is currently hardstanding with two gated established points of access/egress onto Swindon Street.

Ground Conditions

Policy NE5 is overarching covering a number of different pollution types which includes contaminated land and unstable land.

The site falls partly within a Coal Mining Development High Risk Area. Within the site and surrounding area there are coal mining features present at surface or shallow depths. Although the staircase is a relatively lightweight construction which may not require significant groundworks the applicant has submitted a Coal Mining Risk Assessment to accompany the planning application. It is recommended that a minimum of two rotary boreholes are taken out to 30 metres depth followed by a ground stability assessment, in order to determine whether remedial measures are required for the proposed development.

It is considered the approach would ensure public safety is maintained, especially as the proposal comprises an emergency exit which would need to be in permanent safe operation.

Taking a proportional approach it is considered expedient in securing the recommendation within the Coal Minig Risk Assessment. A further condition is recommended to require remediation details submitting for approval should any action be required.

Conclusion

Having regard to the Local Plan as a whole and other material considerations, the proposal is considered to represent sustainable development. In accordance with the presumption in

favour of sustainable development set out in the National Planning Policy Framework, planning permission should therefore be granted subject to the recommended conditions.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

   Reason: 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. The development shall be carried out in accordance with the following submitted Drawings and Documents:

   RLB ID: 019167 Drg No. 05 Rev P04 - Proposed Ground Floor Plan
   RLB ID: 019167 Drg No. 06 Rev P03 - Proposed First Floor Plan
   RLB ID: 019167 Drg No. 08 Rev P04 - Proposed Elevations
   RLB ID: 019167 Drg No. 11 Rev P02 – Demolition Works
   RLB ID: 019167 Drg No. 12 Rev P02 - Proposed Fabric Works
   RLB ID: 019167 Drg No. 20 Rev P03 - Proposed External Staircase Option 2
   RLB ID: P-029456-N Drg No. 24 Rev P01 – Location Plan
   RLB ID: P-029456-N Drg No. 25 Rev P01 – Site Plan
   RLB ID: 019167 Sheet No. 15 Rev P02 - Proposed WC / Stair Section
   Job No. Y26060 Drg No. 03 – Foundation Details
   Job No. Y26060 Drg No. 02 – Steelwork Details

   Reason: To ensure continued compliance with the Local Plan.

3 No above ground development shall commence until the recommendations set out in 2.3 of the Coal Mining Risk Assessment (Author: Sub Surface, Report No. 8413 dated May 2026), have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

   Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Local Plan Policy NE5 and paragraphs 187, 196 and 197 of the National Planning Policy Framework.

4 Should the Ground Stability Assessment, pursuant to Condition 3 of this permission, identify that remediation measures are required, prior to the staircase hereby approved first being brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm that the mitigation measures necessary to address the risks posed by past coal mining activity have been implemented in full.

   Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before

building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Local Plan Policy NE5 and paragraphs 187, 196 and 197 of the National Planning Policy Framework.

5. The external materials to be used in the construction of the extension hereby approved, including all walls, roofing materials, windows, doors, rainwater goods and other external fenestration details, shall match those of the existing medical centre in terms of material type, colour, finish and texture.

   Reason: To ensure a satisfactory appearance of the development and to safeguard the character and visual amenity of the site and surrounding area in accordance with Policy SP5 of the Burnley Local Plan.

Informative Notes:

1 - Ground Investigations and groundworks
Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 - Requirement for Incidental Coal Agreements
If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at:
www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.