

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER

TO: WEST CRAVEN COMMITTEE

DATE: 8th November 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE ON 8 NOVEMBER 2016

Application Ref: 16/0477/FUL

Proposal: Full: Major: Excavation and removal of 12,600m³ of spoil, erection of extensions to North and South elevations of fan blade building and erection of associated retaining walls.

At: Rolls Royce, Bankfield Site, Barnoldswick

On behalf of: Rolls Royce PLC

Date Registered: 19 July 2016

Expiry Date: 18 October 2016

Case Officer: Lee Greenwood

Site Description and Proposal

This proposal is brought to Committee as a major development for extensions and earthworks at the Rolls Royce Bankfield facility on Skipton Road, Barnoldswick. It was deferred at the previous meeting to allow for the submission of further information regarding the scope of the scheme. Those details are awaited at the time of writing and will be reported by way of an update. The report below therefore remains as presented at the October meeting.

The site is within the settlement boundary of the town and allocated as a Protected Employment Area in the Local Plan.

This second scheme also seeks to erect two extensions to the existing fan blade building, which is located to the rear of the site. Owing to the position of 'Luke's Mound' (a significant man made bund adjacent to the boundary) and land levels within the site, excavation works are required to accommodate the proposed developments and their associated infrastructure. This will be discussed in more detail below.

In total roughly 12,600 cubic metres of spoil and earth would be removed as part of the scheme. The primary difference between this and the earlier proposal (16/0476/FUL) lies in that all excavated materials would be removed from the site and not partially used to re-profile the mound at the rear of the site.

In all other respects the submissions are the same.

Planning History

The site has an extensive planning history, below are the most recent decisions;

13/10/0471P- Full: Major: Erection of industrial building (5,520 sq.m.); operation of a circulation space; realign security fence and additional 52 car parking spaces -
Approved

13/14/0197P – formation of car park, external lighting columns, fencing and retaining wall –
Approved

13/15/0002P - Erection of single storey extension to side (West Elevation) to form 138 Sq.m. of B2 industrial use – **Approved**

13/15/0246P - Demolition of effluent treatment plants and erection of replacement effluent treatment plant and chemical storage facilities in four locations – **Approved**

13/15/0526P - Construction of retaining wall 6.2m high and demolition of buildings 8, 22, 23, 29 and 31 - **Approved**

Consultee Response

LCC Highways; no objections – recommend conditions relating to the construction period of development.

Lancs Constabulary; no comments received at time of writing.

PBC Env Health; request standard land contamination condition; advise that radon protection measures may be needed; request that noise mitigation measures as detailed in D&A and Noise Assessment are implemented.

Canal and River Trust; main issues relate to the structural integrity of the canal and these matters have been discussed with the applicant. Request a condition requiring a detailed method statement for the works to be submitted and agreed prior to commencement. Separate consents from the C&R Trust may also be required and should be obtained directly.

HSE: site is within consultation distance of a major hazard site/pipeline. However based on the information provided, the HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Natural England; no comments to make

LLFA; no comments received at time of writing.

Yorkshire Water; no comments received at time of writing.

United Utilities; no comments received at time of writing.

Barnoldswick TC; no comments received at time of writing.

Public Response

Fifty three neighbours notified, site and press notices also displayed; one response received, commenting on;

- Existing noise impacts/nuisance from the site
- Factory doors often left open which exacerbates issues
- Both day and night time noise impact on residents
- Do not believe that noise is taken seriously by the company
- Development will add to these problems and impact on enjoyment of dwellings
- Expansion is incompatible with the area
- Acknowledge the importance of RR in the town
- Ask Committee to ensure that no addition to ambient background noise levels
- Ask committee to consider installation of permanent noise monitoring equipment

Policy Issues

Local Plan

The starting point for the consideration of any planning application is the development plan. The Core Strategy ("the Local Plan") was adopted in December 2015.

Policy ENV1 requires new development to ensure that natural and historic environments are protected.

Policy ENV2 requires development to be of the highest possible standards of design in new development.

Policy ENV4 requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused.

Policy ENV5 seeks to minimise air, water, noise, odour and light pollution. New development should account for these issues, addressing any resulting impacts relating to unstable or polluted land.

Policy ENV7 requires developments to consider the potential for flood risk on and off site.

Policy WRK1 seeks to support development which helps to strengthen and diversify the local economy. With regard to the West Craven Towns, it states that new development should help to support locally important aerospace and advanced engineered sectors.

Saved Policies 4C (Natural Heritage), 8 (Contamination and Pollution), 22 (Protected Employment Areas) and 23 (Location of Employment Development) of the Replacement Pendle Local Plan also carry some weight in the decision making process. Their relevance to this scheme will be discussed below.

National Planning Policy Framework

The Frameworks seeks to support sustainable development and economic growth in existing business sectors (para.21); refuse new development where cumulative highway impacts are severe (para.32); ensure good design in new development (para.64) and prevent unacceptable risks from pollution and land instability (para's 120 and 121).

These aims are echoed in the aforementioned policies of the recently adopted Local Plan.

Officer Comments

Principle of Development

The application seeks to extend the existing fan blade building. The additions to the north and south elevations respectively are required to accommodate new technologies and production facilities in association with the existing use.

Both national and local policies seek to support existing businesses and the local economy. The site is designated as a Protected Employment Area and is home to a long standing and established use. Policy supports the new development within these designated areas.

The principle of the proposed expansion is therefore acceptable and compliant with Policy WRK1 and saved policies 22 and 23.

Design and Visual Impact

The existing building is located to the rear, northern most section of the site. It is bound by the Leeds Liverpool Canal to the east, existing site infrastructure to the south and west, with 'Luke's Mound' to the north.

The design of the extensions and use of materials is typical of modern industrial development. As such their appearance raises no adverse issues accounting for the immediate setting. Their scale is also acceptable in this location, immediately adjacent to existing structures on site and forming part of the network of buildings.

North Extension

This addition would prove an additional 1,832 sq m of floor space. Due to the position of the extension, excavation from Luke's Mound is necessary to accommodate the building and surrounding infrastructure. 11,000 cubic metres of material would be removed and exported from site. In visual terms these works are acceptable. The excavated area would be retained by a new gabion wall and allow circulation space around the building for deliveries and servicing.

South Extension

This is the smaller of the two additions and would create an additional 624 sq m of floor space. The land here is within a dip in the topography and between two existing buildings. 1,600 cubic metres of earth would be removed to facilitate the works and the remaining land retained by a new 3m high wall. These works are in relatively close proximity to the adjacent canal, the implications of this are discussed in a separate section below.

In visual and design terms, neither of the proposed extensions raise significant or unacceptable concerns. The development is contained wholly within the established boundaries of the site.

The development does not conflict with the Local Plan and as such is acceptable.

Excavation Works

As detailed above, both aspects of the scheme require substantial earthworks to facilitate the development. Retaining and supporting features are proposed to ensure that land stability is maintained in accordance with Policy ENV5. This is crucial accounting for the position of the canal the east. The works would remove material adjacent to the embankment; therefore the structural integrity of the works is of paramount importance.

The applicant was advised to speak to the Canal and River Trust prior to submission and discussions were held. The Trust have not subsequently objected to the application but have requested a detailed method statement is submitted for approval prior to the commencement of any works. This can be controlled by condition and would allow for suitable arrangements to be agreed during and post construction.

Noise and Pollution

Concerns have been raised from a local resident that the proposed development would lead to an increase in noise from the site.

The application is supported by a Noise Assessment, which covers both impacts from construction works and from the operation of the proposed extensions. The former is not deemed to raise any significant issues with regard to the southern extension and any associated noise would only endure for the lifetime of the build.

The northern extension is likely to generate greater noise due to its location and proximity to dwellings. These again would however be intermittent and would only cover the life of the works.

With regard to the extensions and their future use, the Assessment recommends mitigation measures to control and reduce any increase in noise (attenuators to flues, sensitive location of associated plant away from the boundary; installation of acoustic louvres). This would ensure no significant increase in operational noise.

This report has been considered by the Council's Environmental Health Services and found to be acceptable, subject to the implementation of the measures identified. This can be controlled by condition.

An Air Quality Impact Assessment has been undertaken and submitted as part of the application. This found a good baseline standard of air quality and predicts that the changes resulting from the construction, implementation and subsequent operation of the development would only lead to moderate changes. Again the Council's Environmental Health Officers have raised no concerns.

A contaminated land risk assessment has been undertaken, looking at the site and Luke's Mound. Some initial borehole trials have been carried out and further tests have been commissioned. A condition relating to contaminated land can be added should approval be granted. It is likely that the additional tests will then be able to confirm the presence or absence of any known contaminants.

In light of the above, the proposal accords with Policy ENV5.

Drainage

Whilst the site is in Flood Zone 1 (low risk) a flood risk and drainage assessment has been provided.

This concludes that flood risk is low, with limited potential for groundwater ponding. A drainage strategy is recommended which would restrict flows from the site and ensure capacity is available for extreme weather and climate change. This is acceptable in principle and these details can be subject to condition.

The development therefore accords with Policy ENV7.

Residential Amenity

The nearest properties to the site would be those on Whitworth Way to the north east of the development site. The topography of the area means that the dwellings sit above the site, separated by the canal.

The design, appearance and location of the development within the site would not lead to any undue loss of amenity for those residents and the impacts of noise/odours etc are detailed above.

The extensions therefore do not raise any adverse concerns.

Natural Heritage and Ecology

The site is located immediately adjacent to the canal, which is designated as a biological heritage site in the Local Plan. An Ecology Survey and Appraisal has been undertaken.

The report finds that no protected species or habitats would be lost as a result of the proposal. A recommendation is made however that works which may remove or modify potential areas for breeding birds take place outside of the defined season. This can be controlled by condition.

The development thereby accords with Policy ENV1 and saved Policy 4C.

Highway Safety

Access to the site remains via the main entrance on Skipton Road. The most obvious impacts from a development of this nature is traffic associated with the construction phase of works. The Design and Access Statement advises that no additional jobs will arise from the extensions, therefore no additional parking is proposed.

It is intended to introduce an internal single route system within the site to ensure that any conflicts between traffic and existing operations are minimised. LCC Engineers have assessed the proposed strategy and raise no objections subject to the imposition of conditions relating to the management of construction traffic.

Summary

Subject to the imposition of appropriate conditions, the proposed development is acceptable and compliant with the Local Plan Part 1. Any outstanding matters will be considered on receipt of additional information from the applicant and reported by way of an update. Should the details remain outstanding at the time of the meeting, the recommendation would be to defer the application.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development complies with the Local Plan Part 1. There is a positive presumption in favour of approving the application and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (As Amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 70-001 3, 70-002 3, 1009801-CL-XX-(90)-1007 A, 1009801-CL-XX-(90)-1008 A, 20-001 9, 20-002 6, 20-03 6, 20-004 2, 20-005 5, 20-006 4, 20-007 3, 24-001 4, 24-002 2.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All materials to be used in the proposed development shall be as stated on the approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The development hereby approved shall not commence unless and until a method statement detailing the particulars of any excavation, earthworks and retaining structures within the site has been submitted to and approved in writing by the Local Planning Authority. The statement shall include all necessary and associated structural information and the development shall be carried out in strict accordance with the approved details and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To safeguard the adjacent canal bank and ensure appropriate construction methods.

5. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. The scheme shall include details of the flow attenuation measures for the surface water disposal system including final run off rates. The approved systems shall be installed in their entirety prior to the first use of the extensions hereby approved and shall thereafter be retained.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding

6. The recommended mitigation measures as outlined in the Noise Assessment report carried out by AECOM dated July 2016, detailed in paragraphs 6.41 of the document shall be installed in their entirety prior to the first use of any extension hereby approved. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: In the interests of residential amenity

7. No vegetation or tree clearance work shall take place during the bird breeding season. Such activities shall be confined between the months of October (start) to February (end) unless a bird breeding assessment and is undertaken by a suitably qualified ornithologist along with a report of the findings to identify if any breeding birds would be affected. Any clearance outside of the period between October to February (inclusive) must be agreed in writing by the Local Planning Authority and clearance thereafter shall be undertaken in strict accordance with the approved details.

Reason: To ensure that suitable habitats for breeding birds are not harmed.

8. Prior to the commencement of development on site a method statement shall be submitted to the Local Planning Authority for written approval which shall include the following:
 - i) the parking of vehicles of site-operatives and visitors

- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) wheel-washing facilities
- v) measures to control the emission of dust and dirt during construction

the development shall proceed strictly in accordance with that method statement.

Reason: In the interests of residential amenity and highway safety

9. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority;

And,

b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

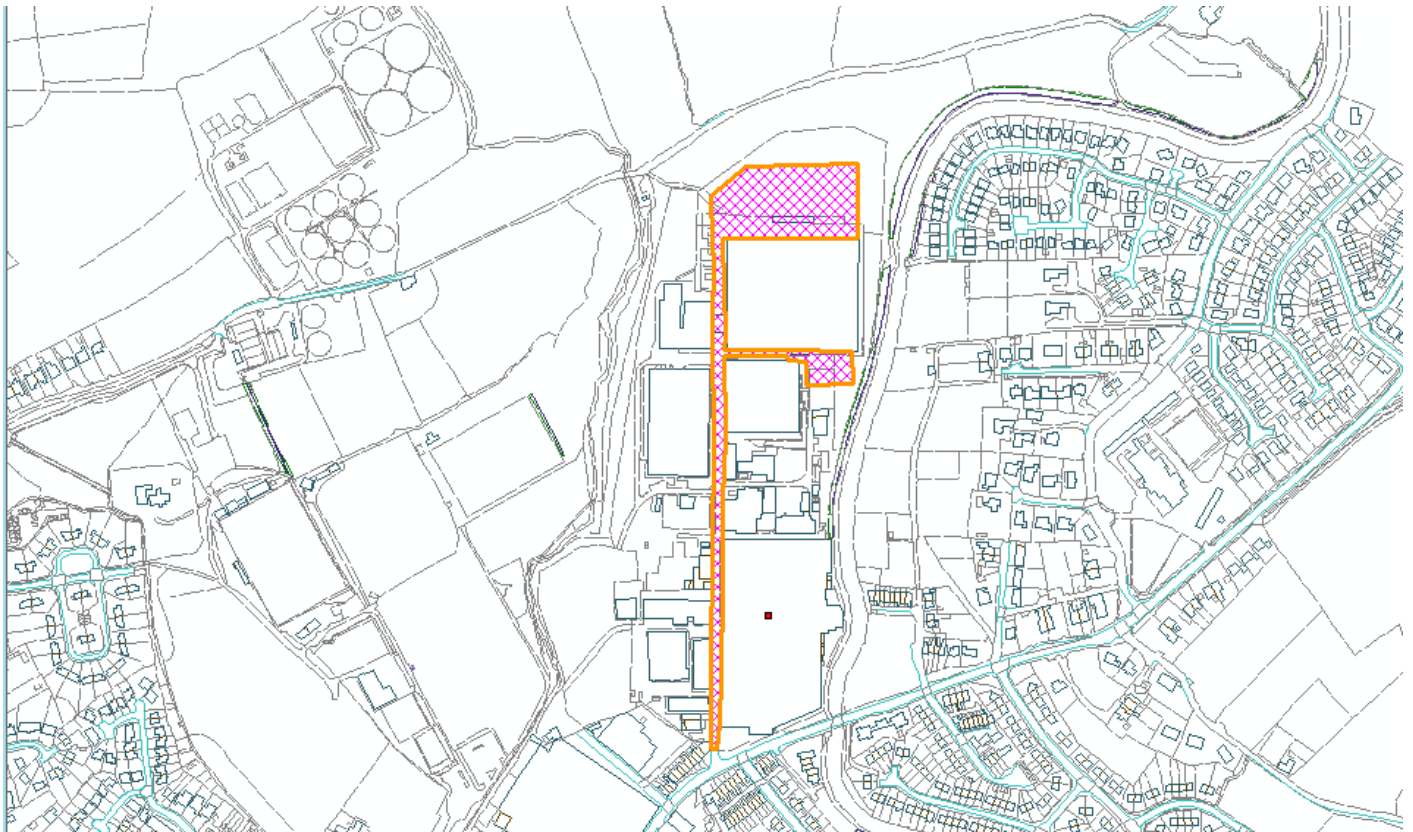
Advisory Notes:

(i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled "Information for Developers on the investigation and remediation of potentially contaminated sites" will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.

(ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.

(iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: To identify any contamination of the site from previous uses and to ensure remediation of any contamination to safeguard future users or occupants and the environment beyond the site and prevent contamination of the controlled waters.



Application Ref: 16/0477/FUL

Proposal: Full: Major: Excavation and removal of 12,600m³ of spoil, erection of extensions to North and South elevations of fan blade building and erection of associated retaining walls.

At: Rolls Royce, Bankfield Site, Barnoldswick

On behalf of: Rolls Royce PLC

REPORT TO WEST CRAVEN COMMITTEE ON 8 NOVEMBER 2016

Application Ref: 16/0597/OUT

Proposal: Outline: Major: Erection of twenty dwelling houses and construction of access road from Greenberfield Lane (Access, Layout and Scale) (Re-Submission).

At: Land at Greenberfield Lane/Gisburn Road, Barnoldswick

On behalf of: Ann Brooks and Elizabeth Beezley

Date Registered: 25 August 2016

Expiry Date: 24 November 2016

Case Officer: Lee Greenwood

Site Description and Proposal

This application is brought to Committee as a Major development and is a resubmission of a previously refused application (16/0382/RES) for residential development on land at the junction of Greenberfield Lane and Gisburn Road in Barnoldswick.

The site comprises an area of open, maintained grassland, roughly 0.48 hectares in size. It is located adjacent to, but outside of the settlement boundary in this northernmost part of the town. Access to the site is via Greenberfield Lane. The earlier submission was refused on highway safety grounds, which this revised scheme seeks to address.

Outline consent, including matters of access, layout and scale, is sought for the erection of 20 houses on the site.

Relevant Planning History

16/0382/RES – Outline: Erection of 20 dwellings - **Refused**

Consultee Response

LCC Highways; no objections in principle. TRICS data shows a predicted trip generation of 130 vehicular movements a day, with an estimated peak flow of 12 during morning and evening periods. Five year database for Personal Injury Accidents shows no reported incidents near the access.

Proposed development will allow for the safe passage of two way traffic and will improve pedestrian safety by way of the new footpath.

Recommend that a 2m wide path is extended round to the adjacent bus stop to support sustainable travel options.

Access geometry is to the prescribed standards. Sight lines should be a minimum 2m x 25m as per Manual for Streets.

Natural England; no comments to make.

Environment Agency; no need to comment.

Yorkshire Water; a water supply can be provided – UU should comment on waste water.

United Utilities; have assessed the FRA and proposals are acceptable in principle, subject to implementation of drainage strategy in line with the recommendations in the Assessment. A public sewer crosses the site, applicant must discuss necessary easements or diversions with UU.

PBC Trees and Conservation; no objections – root protection zones accounted for as part of the design and protected trees would not be harmed. Report advises trees T1 to T3 are in poor condition and removal may be preferable if within the applicants control.

PBC Environmental Health; recommend dwellings are provided with electric vehicle charging point; that protective measures against radon are installed; that construction dust is managed.

Lancashire Constabulary; as per previous comments - make design recommendations prior to reserved matters application including use of natural surveillance, types of locks/doors/windows, boundary treatments, parking and use of lighting.

Barnoldswick Town Council; no comments received at time of writing.

Public Response

Thirty two neighbours notified, site and press notices also displayed; eight responses received, objecting on the following grounds;

- Does not address previous concerns
- Lane is still busy with traffic and narrow in parts
- Field acts as a collection point for water from higher ground
- Drainage is poor
- Limited visibility and recent accidents in area
- Lane regularly used by walkers etc but not footpaths
- Impact on water supply/pressure
- Negative impact on the open countryside
- Movements of large vehicles from nearby businesses
- Area busy at weekends due to sports ground
- Land forms part of attractive and important outdoor leisure activities in the town
- Loss of views

Policy

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework (the Framework) must be given full weight in the decision making process. Other material considerations may then be set against the Local plan policies so far as they are relevant.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Local Plan Part 1: Core Strategy

The following Local Plan policies are relevant to this application:

Policy ENV1 requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings. The proposal's compliance with this policy is addressed in the design and amenity sections.

Policy ENV7 does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere. The proposal's compliance with this policy is addressed in the drainage and flood risk section.

Policy LIV1 sets out the housing requirements for 2011 to 2030 and how this will be delivered.

Policy LIV3 provided guidance on the housing needs in order to provide a range of residential accommodation.

Policy LIV4 sets out the targets and thresholds required to contribute towards the provision of affordable housing.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

The following saved policies from the Replacement Pendle Local Plan are also relevant:

Policy 31 'Parking' requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP. This is addressed in the Highways Issues/Parking section.

National Planning Policy Framework

In national terms the National Planning Policy Framework ("the Framework") provides guidance on housing requirements, design and sustainable development which is relevant to this proposal.

Paragraph 47 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements. The SHLAA was updated in support of the publication of the Core Strategy. This is dealt with in detail below.

Section 7 of the Framework deals with design and makes it clear that design is a key aspect of sustainable development. Paragraph 64 of the Framework states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

The Framework expects that Councils meet their full objectively assessed housing needs and to annually update their supply of specific deliverable sites to meet a five year supply. Where there has been persistent under delivery a 20% buffer needs to be added to the 5 year supply.

The Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using

streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

Para 64 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area and the way it functions. This paragraph is unqualified. If a development is poor in design it should be refused. There is no balancing exercise to be undertaken with other sections of the Framework as poor design is not sustainable development and the requirement under paragraph 14 is to allow sustainable development to come forward.

Principle of Housing

Proposals for new development should be located within a settlement boundary. These boundaries will be reviewed as part of the site allocations and development policies in order to identify additional sites to meet development needs where necessary.

This site is Greenfield land and whilst it is outside of the settlement boundary, it is immediately adjacent to it.

Policy LIV1 of the Pendle Local Plan: Part 1 Core Strategy states that until the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development policies then sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land, will encourage significant and early delivery of the housing requirement.

This site would be as sustainable as the surrounding residential housing and would be accessible in terms of local services and facilities in the town.

In this instance the proposed site would be sustainable, the principle of housing is acceptable and accords with policy LIV1.

Officer Comments

The primary issues for consideration are policy issues, layout, access and highway safety, impact on amenity, impact on Open Countryside, flooding and drainage, ecology and trees.

The layout is primarily the same as previously considered, with the exception of a revised access design and provision of additional pedestrian footway.

Layout, Landscape and Amenity Impact

Three of the proposed units (plots 3, 4 and 5) are intended to face out on to Gisburn Road and provide a frontage to this highly visible area of the site. The remainder of the development takes the form of an inward facing cul-de-sac, centred around the primary access road from Greenberfield Lane and an area of public open space to the eastern boundary of the land.

The scheme provides for a combination of 2 and 3 bedroom properties (inc. bungalows), some within short terraces and others detached or semi-detached. Each would be afforded an acceptable amount of curtilage with parking to be provided by way of spaces and/or garages on or adjacent to each plot. The orientation and layout of the site ensures that adequate separation distances to existing properties are maintained.

The land itself is not overly prominent in terms of wider public viewpoints owing to its topography and location immediately adjacent to existing built form. The proposed dwellings are set in to the

site on the eastern and southern boundaries meaning that a 'soft edge' is provided as the area transitions in to more rural open countryside. Whilst landscaping is reserved at this stage, a suitable scheme which compliments existing foliage on the site would help reduce any visual impacts that the development may have.

In this case the development of the land would not result in an unacceptable loss of open countryside, constituting the rounding off of development in the area, rather than representing an unacceptable or isolation incursion in to the landscape. The proposed layout retains a sense of space and is not overly cramped, being suitable for a site such as this.

Whilst it is acknowledged that the views of adjacent residents will change as a result of the development, it would not be to an unacceptable degree.

In light of the above the proposed development is acceptable in terms of impact on the Open Countryside and accords with policies ENV1, ENV2 and LIV1.

Highway Safety

Access is proposed via the point of an existing field gate on Greenberfield Lane. A new and improved pedestrian footway would be provided around the Gisburn Road elevation and on to the Lane, leading in to the development and extending beyond to the bus terminal and football club access. No such path currently exists and such an arrangement represents an improvement in terms of pedestrian safety, as walkers, runners etc currently have to stand within the highway at this junction. The path would run in such a way as to ensure that the existing trees on the grass verge are retained.

The internal estate road is to be 5m wide with 2m pavements on either side, with a turning head at the southern end of the site. The current maximum parking standards would require 2 spaces per plot for dwellings of this size. The proposed scheme shows all 3 bedroom properties (14 in total) with 2 on site spaces. All 2 bedroom properties (6 in total) would have a single on site space. Accounting for the accessible location of the site, adjacent to existing bus routes and stops, a reduction in the level of provision would be acceptable.

Of primary concern from third party objectors is the potential for accidents arising from increased traffic at the site entrance and then at the junction with Gisburn Road.

LCC Engineers have assessed the scheme and requested amendments which have been incorporated in to amended plans.

The TRICS database shows a peak flow of 12 vehicles at the junction during key morning and evening periods. County Engineers are satisfied that this is acceptable and would not create safety or capacity issues in the vicinity. The area is also considered to have a good accident record, based on LCC's injury database.

Visibility splays of 2m by 25m have been provided which complies with the requirements in Manual for Streets. The revisions have therefore addressed any outstanding highway issues.

Drainage and Flood Risk

Whilst not strictly required for a development of this scale, a Flood Risk and Drainage Impact Assessment has been provided to address any potential issues associated with the proposals.

The report advises, having sought pre-application advice from United Utilities (UU), that foul water can be discharged in to the public sewer and that as soakaways are not suitable in this location, surface water will discharge to the adjacent watercourse with restricted rates of flow.

The site lies within Flood Zone 1 and is therefore low risk. The report advises that a suitably designed drainage scheme should also be able to mitigate and reduce any possible future incidences of both pluvial and fluvial flooding.

UU have confirmed that they are happy with the proposed arrangements subject to the imposition of conditions. The development thereby accords with Policy ENV7.

Affordable Housing

A condition will be added requiring one house to be an affordable unit in accordance with adopted policy LIV 4 to any grant of permission. The applicant has highlighted this point within their supporting statement and Plot 13 on the plans is denoted as being a 2 bedroom affordable property.

Trees

The applicant has provided a tree survey to account for the presence of protected trees adjacent to the site (TPO No.4 1990). The plans show root protection details for all trees to be retained to ensure they are not harmed during development. This can be controlled by condition to ensure that the proposed measures are correctly installed prior to the commencement of development.

Open Space

Policy LIV5 requires all proposals for residential units to provide on-site open space. The development provides a relatively large area adjacent to the eastern boundary which is overlooked by the majority of units.

This combined with the overall layout and the potential for suitable landscaping means that the proposal complies with Policy.

Summary

The principle of residential development in this location is acceptable subject to confirmation of the access design/arrangements and any subsequent amendments which may be necessary. The proposed development would not have a detrimental impact on Open Countryside or residential amenity and accords with the adopted policies of the Pendle Local Plan: Part 1.

RECOMMENDATION: Approve

Subject to the following conditions:

1. An application for approval of the reserved matters (namely the appearance and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 2631B

Reason: For the avoidance of doubt and in the interests of proper planning.

4. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:
- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
 - b) The areas and methods of loading and unloading of plant and materials.
 - c) The areas for the storage of plant and materials.
 - d) Details of wheel-washing facilities including location
 - e) Measures related to construction waste management
 - f) Measures to ensure that vehicle access of adjoining access points are not impeded.
 - g) Location and details of site compounds
 - h) Hoarding details during construction
 - i) Parking area(s) for construction traffic and personnel
 - j) Measures to control the emission of dust and dirt during construction

All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

The car parking shown on each plot shall be provided prior to occupation of the dwelling it relates to. This shall include surfacing of the driveway in accordance with the materials to be first agreed in writing by the Local Planning Authority. The spaces shall thereafter be retained at all times for the parking of cars in association with the occupants of the dwelling

Reason: To allow for the effective use of the parking areas.

4. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

5. The dwellings hereby approved shall not be occupied unless and until a scheme for all highway works to facilitate the proposed access to the site from Greenberfield Lane, including the creation of the new pedestrian footway to Gisburn Road and Greenberfield Lane have been submitted to and approved in writing by the Local Planning Authority. The new access and associated works shall be constructed in accordance with the agreed details before any dwelling hereby approved is occupied.

Reason: To ensure that the access can be achieved to a suitable standard to enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users.

7. Within two weeks of the commencement of development details of a maintenance plan for the future management and maintenance of the public open space as shown on approved drawing 2631B shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the timescales and work required to be carried out on the site. The open space shall then be provided in its entirety prior to the occupation of any dwelling hereby approved and maintained in accordance with the agreed plan thereafter.

Reason: To ensure that the site is maintained in an appropriate manner.

8. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E, F and G of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Part 1

A) no extensions shall be erected

B+C) no alterations to the roof of the building shall be carried out

D) no porches shall be erected

E(a)) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the building(s)

F) no hard surface shall be provided within the curtilage of the building(s)

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties.

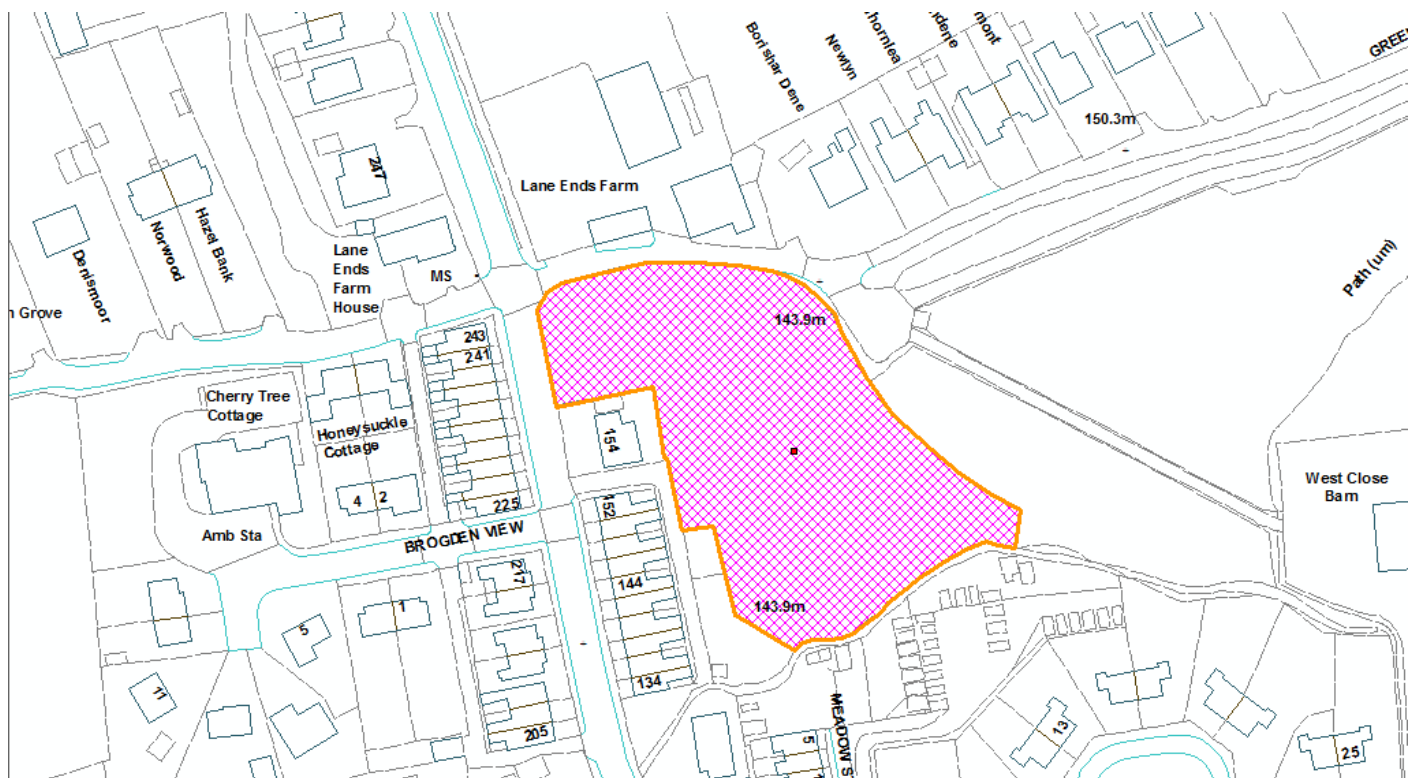
9. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. The scheme shall include details of the flow attenuation measures for the surface water disposal system including final run off rates. The approved systems shall be installed in their entirety prior to the first occupation of any dwelling and shall thereafter be retained.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding

10. Unless approved in writing by the Local Planning Authority no ground clearance, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including service runs, the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, with in the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To ensure that the trees are suitably protected throughout the construction process.



Application Ref: 16/0597/OUT

Proposal: Outline: Major: Erection of twenty dwelling houses and construction of access road form Greenberfield Lane (Access, Layout and Scale) (Re-Submission).

At: Land at Greenberfield Lane/Gisburn Road, Barnoldswick

On behalf of: Ann Brooks and Elizabeth Beezley

REPORT TO WEST CRAVEN COMMITTEE ON 8TH NOVEMBER, 2016

Application Ref: 16/0602/FUL

Proposal: Full: Change of use of former restaurant to serve industrial building to single dwelling with associated curtilage and parking.

At: Barn adjacent Silentnight Earby Road Salterforth

On behalf of: Ms D Atkinson

Date Registered: 24 August 2016

Expiry Date: 19 October 2016

Case Officer: Kathryn Hughes

This application has been brought before Committee at the request of a Member.

Site Description and Proposal

The application seeks permission for the change of use of this former industrial building to form a single dwellinghouse. The application site lies within the settlement boundary of Salterforth and is the former staff canteen building attached to the Silentnight premises off Earby Road, Salterforth.

No external alterations are proposed.

The existing vehicular access is to be retained. Three parking bays are shown within the site. There are protected tree just outside the site.

Relevant Planning History

13/86/0725P - Demolition of existing farmhouse, construction of new office building and conversion of barn to company restaurant - Approved 20/10/86

13/87/0193P - Conversion of barn to restaurant & formation of access and car park - Approved 23/06/87

13/08/0139P – Full: Change of use of former industrial building to form five dwellings with additional openings – Approved 7th May, 2008.

13/11/0211P – Extension of Time: Extend time limit for implementation of Planning Permission 13/08/0139P (Change of Use of former industrial building to five dwellings, with additional openings) – Approved 7th July, 2011.

Consultee Response

LCC Highways – The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway safety grounds, subject to the following conditions being applied to any formal planning approval:

Conditions

1. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in

accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter. Reason: Vehicles reversing to and from the highway are a hazard to other road users.

2. The car parking shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas laid out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.

3. Any external source of lighting shall be effectively screened from the view of a driver on the adjoining public highway. Reason: To avoid glare, dazzle or distraction to passing motorists.

PBC Environment Officer – A tree protected by TPO No. 9, 1981 is situated just outside the south boundary towards the east corner of the site and this should be protected by a fence in accordance with BS5837 (2012) for the duration of the development with no work or changes of levels or service runs etc within the fenced area.

No bat survey has been submitted and such a building is likely to be used by bats.

Salterforth Parish Council

Public Response

Nearest neighbours notified by letter. One response received raising the following concerns:

- There have previously been two planning applications for this restaurant and I have attended both applications.
- As far as I was aware the two planning applications were granted but with conditions:- Traffic Calming measures would be put in place at the cost of the owner(s) along Earby Road, as the access onto the road is very difficult- this of course has never happened as the barn has never been changed into accommodation.
- I would like this to be considered again into the planning conditions of the above as I feel that the speed of which cars come along the 'straight' outside Moor View has been constant since we arrived a number of years ago.
- I am also extremely concerned that we would be restricted to parking opposite the access to the barn, and along Moor View that this would cause great upset as to where we would park our cars, we already struggle at times to park, I would like assurances that we would not be expected to relinquish any of the car parking along Moor View.

Officer Comments

The main issues for consideration with this application are compliance with policy, impact on amenity, highway issues and ecology, protected trees and landscaping.

1. Compliance with Policy

The relevant policies for this proposal are:

Policy ENV1 requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

Policy 16 'Landscaping in New Development' requires all development proposals to include a scheme of landscaping sympathetic to the site's character and vicinity.

Policy 31 'Parking' supports car parking in new developments in line with the Maximum Car and Cycle Parking Standards. All new parking provisions should be in line with these standards unless this would compromise highway safety.

2. Impact on Residential Amenity

The application site is located within a residential area and as such there would be no conflict between this proposed use and the existing surrounding residential uses. There are no new openings proposed and the separation distances are as existing. The new residential development to the south east is not unduly affected by this proposal as the potential for overlooking and therefore detrimental impact on residential amenity is minimal.

3. Highway Issues

The Highways Authority have not raised any objections regarding the proposals subject to conditions. Sufficient off road parking can be achieved within the site.

The access is an existing access related to an industrial permission and therefore this access could be used for unlimited coming and goings in connection with such a business, a level of activity which could be expected to be above that which would be expected from residential dwellings.

There is no requirement for traffic calming for this proposal. The traffic calming scheme proposed for Earby Road is no longer feasible and therefore traffic calming measures and a reduction in the speed limit are not proposed on Kelbrook Road and a planning obligation for this was attached to the permission granted for 49 houses and is in the process of being agreed and finalised.

4. Ecology, Protected Trees and Landscaping

No details of the proposed landscaping have been submitted. This can be controlled by an appropriate condition. There are protected trees adjacent to the site and one very close to the boundary which will not be affected by this proposed use.

Whilst a bat survey has not been submitted with this application it is for change of use only with no external alterations or new openings proposed. This would be similar to the building being brought

back into its existing use with the onus on the owner/occupier to ensure that if any bats are present that these are safeguarded. Bats are protected under the Wildlife and Countryside Act 1981 in any event.

Summary

The proposed change of use of this former barn presently part of the Silentnight business is acceptable in principle and complies with current local plan policies on housing provision. No external alterations are proposed and this would result in sensitive and acceptable scheme for conversion.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed change of use of the building into a residential unit is acceptable in principle and in line with local plan policy. The proposals would not result in any detrimental impact to neighbouring residential amenities or highway safety. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from the date of the permission.

Reason: This condition is required to be imposed by virtue of Section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 001/02, 6475 L(0)01 & 001 01.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Within two weeks of the commencement of development details of both hard and soft landscape proposals shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;

The approved scheme shall be implemented in its entirety within the first planting season following the occupation of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure a satisfactory appearance to the development.

4. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

5. Any rooflight used shall be of a low profile design flush fitting with the plane of the roof and shall have a surround of a dark matt finish.

Reason: In order to ensure a satisfactory appearance to the development.

6. Any replacement window frames and doors shall be of timber construction only and shall be painted, not stained, in a colour to be first agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory details that are appropriate for the building and area.

7. Any replacement rainwater goods or soil pipes shall be in cast iron, aluminium or wood, and painted black, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance to the building.

8. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D and E(a) of Part 1 and Class A of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Part 1

A) no extensions shall be erected

B+C) no alterations to the roof of the building shall be carried out

D) no porches shall be erected

E(a)) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the buildings

Part 2

A) no gates, fence or wall structures shall be erected within the curtilage of the buildings

Reason: In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of the area and impacts on neighbouring properties.

9. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space shall be laid out and be available for use before the development is brought into use.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

10. The proposed development shall not be brought into use unless and until the car park shown on approved plan has been constructed, surfaces, sealed, drained and marked out in

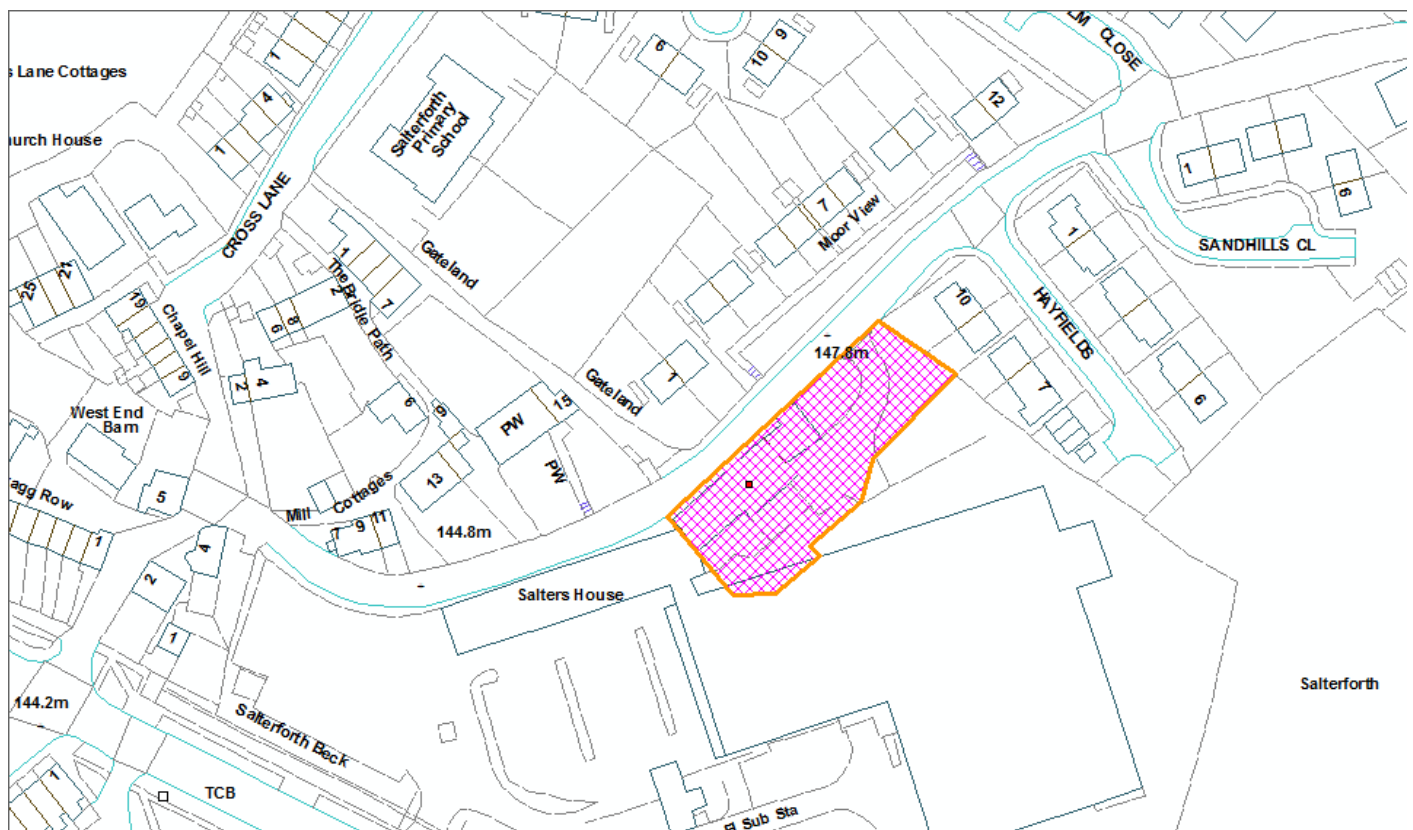
accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The three parking spaces and turning area shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In order to provide sufficient off street parking for the development in the interests of highway safety.

11. Before the dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate storage facilities for domestic refuse, in the interest of residential amenity

Note: The developers attention is drawn to the possibility of bats using the building to roost and therefore if any evidence of bats is discovered then a suitably qualified person shall investigate and advise of details of provisions to be made for them in order to safeguard any existing bat habitat which are protected by the Wildlife and Countryside Act 1981.



Application Ref: 16/0602/FUL

Proposal: Full: Change of use of former restaurant to serve industrial building to single dwelling with associated curtilage and parking.

At: Barn adjacent Silentnight Earby Road Salterforth

On behalf of: Ms D Atkinson

REPORT TO WEST CRAVEN COMMITTEE ON 8th NOVEMBER, 2016

Application Ref: 16/0630/OUT

Proposal: Outline: Major: Erection of 34 dwellinghouses (1.26ha) (Access and Layout only) (Re-submission)

At: Land at field number 0087, Earby Road, Salterforth

On behalf of: Cross Construction

Date Registered: 22 September 2016

Expiry Date: 22 December 2016

Case Officer: Kathryn Hughes

Site Description and Proposal

This application seeks outline for the erection of thirty four dwellinghouses with access and layout only. Details of appearance, landscaping and scale will be dealt with at a later stage under the Reserved Matters submission.

The application site is agricultural land located in the parish of Salterforth on the west side of Earby and lies outside the settlement boundary in Open Countryside.

The site is a triangular piece of land which measures 1.26ha and slopes down to the east. It is bounded by housing on Kennilworth Drive to the East, Open Countryside to the South and Earby Road to the North.

The scheme would consist of eleven 2 bed bungalows in four blocks with parking spaces, ten 3/4 bed semi-detached units with parking spaces and thirteen 3/4 bed detached units with garages and parking spaces. Six of the proposed units would be social units.

Access to the thirty four dwellinghouses would be off Earby Road.

A previous application for a similar scheme was refused in July this year on the following grounds:

The development would have a severe detrimental impact on road safety and this would significantly and demonstrably outweigh the benefits.

Relevant Planning History

16/0329/OUT – Outline: Major: Erection of 34 dwelling houses (Access and Layout only) – Refused 26th July, 2016.0630630

Consultee Response

LCC Highways – The site was visited on the 11th October 2016 at 10:45

The Highway Development Control Section does not have any objections in principle to the proposed 34 dwellings and are of the opinion that the development will not have a severe impact on the surrounding highway.

The Highway Development Control Section understands the current planning application is concerned with the principle and access to the site only and as such only provisional highway comments have been made regarding the internal layout of the site.

The proposed development is to provide 34 new dwellings on an undeveloped field with no permitted development and as such the existing land currently generates very small numbers of traffic movements. The applicant is proposing to access the site via a new access on to Earby Road. Earby Road is classified as the C684 road and is categorised as a secondary access road with a speed limit of 40 mph fronting the site access.

The planning application is for less than 50 new dwellings and as such the applicant does not need to provide a transport assessment or Travel Plan.

As part of the planning application the applicant has provided a Transport Statement by DTPC consultants dated August 2015. The statement indicates:-

The existing average weekday daily traffic flow is 429 vehicles northbound and 786 vehicles southbound

The existing average weekday morning peak traffic flow between 9am and 10am is 54 vehicles northbound and 57 vehicles southbound. The existing average weekday evening peak traffic flow between 6pm and 7pm 77 vehicles northbound and 68 vehicles southbound.

TRICS is the national standard system used to predict trip generation and analysis of various types of development. Using a typical TRICS report for a privately owned housing development, the development will generate an estimated 221 two way vehicular movements a day.

The Transport Statement by DTPC consultants has provided a morning and evening peak period TRICS assessment for this development. The TRICS report within the Transport Statement by DTPC consultants indicates the development will generate an estimated 19 additional two-way traffic movements at the morning peak traffic flow between 9am and 10am and an estimated 20 additional two-way traffic movements at the evening peak traffic flow between 6pm and 7pm.

The Highway Development Control Section is of the opinion that Transport Statement by DTPC Consultants has demonstrated that the proposed development would not have a severe impact on highway capacity in the immediate vicinity of the site.

The Lancashire County Councils five year data base for Personal Injury Accident (PIA) was checked on the 10th June 2016 and the 11th October 2016. The data based indicates:-

Two incidents to the west of the proposed site access, one of the incidents was a pedestrian being struck by a passing vehicle and the other incident is a vehicle losing control.

One incident to the east of the site access involving a dog running in front of a cyclist, the Highway Development Control Section is of the opinion that this is not related to the highway.

Three incidents near the junction of Earby Road and Colne Road, these include a shunt, passenger falling on a bus and a pedestrian being struck by a car reversing.

Whilst any accident is regrettable, the junction with Earby Road and Colne Road is considered to have a good accident record and indicates there is no underlying issue which the proposed development would exacerbate.

Using the basic formula for calculating Stopping Sight Distances (SSD) from Manual for Streets and the traffic 85th percentile speed survey information, from the Transport Statement by DTPC Consultants, of 33.5 mph the sight lines of 2.4 x 50m are required. Avalon drawing CROS/19/Dwg 02 "Proposed Site Plan" shows acceptable sightlines and the offset from the kerb line to the west of the site access is acceptable based on the guide lines from Manual for Streets 2.

From observations on site and the sight lines information provided on Avalon drawing CROS/19/Dwg 02 rev E "Proposed Site Plan" the recommended sight lines can be fully achieved as shown.

The Highway Development Control Section is of the opinion that the location of the proposed new site access is acceptable.

The Highway Development Control Section is of the opinion that the carriageway geometry of the site access is to prescribed design standards.

The Highway Development Control Section is of the opinion that proposed change of road alignment and the provision of a 2m wide footpath from Kenilworth Drive to the west of site access is acceptable and will provide a safe place for pedestrians, protection of the sight lines and a better road alignment which should slow vehicle speeds to the east of the site access.

Following discussions with our traffic section the relocation of the change in speed limit would have a minimal advantage to the scheme. The relocation of the change in speed is therefore not required.

The new site access and associated off-site works will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for 278 agreement.

The Highway Development Control Section is of the opinion that the proposed development should have a negligible impact on safety and capacity in the immediate vicinity of the site.

From our mapping system "Mapzone", the proposed development is near definitive footpath 13-5-FP48 and a connection from the site should be investigated as part of the reserved matters application.

The Highway Development Control Section is of the opinion that site has a low to medium accessibility score and to support sustainable transport and improve social inclusion within the vicinity of the site, the Highway Development Control Section recommends a section 106 highway contribution of £22,000 to upgrade the two bus stops near the site to quality bus stops,

The Highway Development Control Section recommends the local planning authority attaches conditions requiring the applicant to provide details of the proposed arrangements for future management and maintenance of the proposed streets within the development and to include dates for the phasing of entering either a section 38 agreement of the Highways Act 1980 or the establishment of a private management and Maintenance Company.

As part of any future reserved matters application the applicant is advised to consider the following provisional comments regarding the internal highway layout:-

1. The minimum internal single garage size to be 6x3m and this includes integral garages.
2. All private drives fronting garages to be a minimum of 6m long, this must not include any of the required 2m wide service verge or footpath. This can be reduced to 5.5m if roller shutters are fitted and conditioned as part of the planning decision.
3. The highway associated with plots 1 to 11 is not adoptable see adoption comments below.
4. The highway associated with plots 1 to 11 to have 6m manoeuvring space to reduce over running of the opposite parking bays and reduce the likelihood to parked cars.
5. At plot 19 and 26 the turning head is not adoptable as shown, see adoption comments below.

6. The Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards - recommends two to three bedroom properties to have 200% parking and four to five bedroom properties to have 300% parking. From the details provided this requirement affects plots 1 to 11.
7. At plots 32 to 34 the second parking bay is not the splayed and the dropped crossing to be provided for the full width of the drive.
8. The trees within 2m of the carriageway channel line to be removed as this will affect the future adoption of the highway and the trees are to be outside the sight lines from the drives. The recommended sight lines from the drives to be 2.0x11m based on an estimated 85th percentile design speed of 15mph

The following provisional comments are regarding the future highway adoption under a section 38 agreement with Lancashire County Council and the applicant is advised to consider these comments as part of any future reserved matters application, where they wish to offer the road for adoption. Where the recommendations below are not implemented the highways may not be suitable for adoption. Further guidelines regarding highway adoptable layout can be found on the Lancashire County Council Residential Road Design Guide and the construction of the highway to be to the Lancashire County Council Specification for Estate Roads 2011 edition:-

1. All trees should be removed from the service verge, as they are not performing a highway function and they are a highway maintenance and safety issue which the highway authority is not willing to accept. The trees would only be permitted within the adoptable highway if a section 96 agreement of the 1980 Highways Act is entered with the district authority and they accept full liability for the trees for perpetuity. The section 96 agreement would need to be entered with the district authority before the section 38 agreement is entered. Where the district authority is willing to accept liability for the trees the sight lines from private drives to be considered, based on the guide lines from Manual for Streets and an estimated 85th percentile speed of 15mph.
2. A service verge is required on both sides of the new carriageway. A 2m wide service verge is required for locating statutory undertakes equipment and should be provided where buildings front onto the road. The minimum width of the remaining service verge can be reduced to 0.5m providing no street lighting. If street lighting is required on the narrow service verge the minimum width is 800mm. From Lancashire County Council Residential Design Guide. Please note - the car parking spaces must not be over the service verge area.

The Highway Development Control Section recommends conditions be attached to any grant of permission relating to wheel washing, layout of the development to allow vehicles to enter and leave the highway in forward gear, construction of estate road, visibility splays, car parking and manoeuvring, restriction on garages, off site highway works, traffic management plan, completion of estate roads and full details of engineering, drainage, street lighting and constructional details of street of adoption.

LCC Education – an education contribution is not required at this stage in regards to this development.

Architectural Liaison Unit

Natural England - No objection.

Environment Agency – No comments.

Lead Local Flood Authority – Based on the previous application: The Flood and Water Management Act 2010 sets out the requirement for LLFAs to manage 'local' flood risk within their

area. 'Local' flood risk refers to flooding or flood risk from surface water, groundwater or from ordinary watercourses.

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority (LPA) whether any such recommendations are acted upon. It is ultimately the responsibility of the Local Planning Authority to approve, or otherwise, any drainage strategy for the associated development proposal. The comments given have been composed based on the current extent of the knowledge of the LLFA and information provided with the application at the time of this response.

Flood vulnerability:

It is evident that the proposed development will result in a change in Flood Risk Vulnerability Classification from Less Vulnerable to More Vulnerable under Paragraph: 66 of the Planning Practice Guidance.

Flood Risk Assessment:

An important part of the planning application process is consideration of flood risk as detailed under Footnote 20 of Paragraph 103 of the National Planning Policy Framework (NPPF). This is facilitated through a site-specific flood risk assessment (FRA) which is required for this development proposal as the site area is larger than 1 hectare. The Lead Local Flood Authority advises that flooding from local sources should be appropriately assessed within the FRA, in addition to the flood risk from fluvial and coastal sources.

Climate change impacts should also be considered when modelling flood risk to comply with the Environment Agency's guidelines for flood risk assessment, where applicable. In line with the Environment Agency's 'Climate Change Allowance for Planners' guidance, the Lead Local Flood Authority expects flood risk to be calculated for the following flood events:

- 1 in 1 year
- 1 in 2.2 year (Qbar)
- 1 in 30 year
- 1 in 100 year PLUS the applicable climate change allowance (see 'Climate Change Allowances for Planners')

The Lead Local Flood Authority (LLFA) has reviewed the FRA provided (Ref: B1867 Earby Road FRA, Dated: 13th April 2016) and has the following comments to make:

Comment 1: As this is an outline application, it is recognised that the final proposals for the formal surface water drainage strategy are yet to be finalised. It is essential therefore, that a formal detailed surface water drainage strategy is submitted to and approved in writing by the local planning authority, prior to the commencement of any development. This is to ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development. The LLFA would ask to be formally consulted on all subsequent drainage strategies for this proposed development.

Comment 2: Whilst it is evident from the FRA that various SuDS techniques have been considered for the site, the Lead Local Flood Authority recommends for the applicant to also explore the use of other SuDS features in order to further reduce the rate and volume of surface water draining from the site. Please note that some SuDS features may require certain permitted development to be removed from land on or within close proximity to where it is located. It is advised that the Local Planning Authority take note of this and if minded to approve, an appropriate informative is attached to the formal Decision Notice.

It should also be noted that some SuDS features such as permeable paving, water butts and planted beds **must not** be included as part of the hydrological calculations. The reason for this is that occupants may change or remove these in the future and this has the potential to increase surface water runoff which was previously unallocated for in the design of the sustainable drainage system. Where these are included in the hydrological calculations of a development proposal, the local planning authority is advised to consider the removal of permitted development rights.

Surface water discharge:

The Planning Practice Guidance (PPG) establishes a hierarchy for surface water disposal, which encourages a SuDS approach:

Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- *into the ground (infiltration);*
- *to a surface water body;*
- *to a surface water sewer, highway drain, or another drainage system;*
- *to a combined sewer*

It is evident that the applicant intends to discharge surface water to the New Cut watercourse (designated as a Main River). Whilst other preferable runoff destinations should be considered first, namely infiltration to the ground, it is noted from section 3.0 of the FRA that the site is located in an area with low permeability. For this reason, the Lead Local Flood Authority considers discharge to the watercourse to be acceptable, subject to sufficient evidence of permeability testing for the site and subject to agreement from the Environment Agency.

Sustainable Drainage Systems:

Paragraph 103 of the National Planning Policy Framework (NPPF) and Written Statement on Sustainable Drainage Systems (HCWS161) requires that surface water arising from a developed site should, as far as it is practical, be managed in a sustainable manner to mimic surface water flows arising from the site prior to the proposed development, whilst reducing flood risk to the site itself and elsewhere, taking climate change into account.

The Lead Local Flood Authority encourages that site surface water drainage is designed in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems and Planning Practice Guidance, including restricting developed discharge of surface water to greenfield runoff rates making suitable allowances for climate change and urban creep, managing surface water as close to the surface as possible and prioritising infiltration as a means of surface water disposal where possible.

Regardless of the site's status as greenfield or brownfield land, the Lead Local Flood Authority encourages that surface water discharge from the developed site should be as close to the greenfield runoff rate as is reasonably practicable in accordance with Standard 2 and Standard 3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open space.

The wide variety of available sustainable drainage techniques means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Prior to designing site surface water drainage for the site, a full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means. For example, should the applicant intend to use a soakaway, they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

The LLFA also strongly encourages that the developer should take into account designing drainage systems for exceedance working with the natural topography for the site. Should exceedance routes be used, the applicant must provide a site layout plan with these displayed, in line with Standard 9 of DEFRA's Technical Standards for SuDS.

Flow balancing SuDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the pre-development greenfield runoff rate. Flow balancing should seek to achieve water quality treatment as part of a treatment train and amenity benefits as well as managing flood risk.

Lead Local Flood Authority (LLFA) Position:

The Lead Local Flood Authority has **no objection** to the proposed development subject to the inclusion of appropriate conditions

If there are any material changes to the submitted information which impact on surface water, the local planning authority is advised to consider re-consulting the LLFA. The LLFA also wishes to be formally consulted on all subsequent drainage strategies for this proposed development.

Yorkshire Water – If planning permission is to be granted, the following condition should be attached in order to protect the local aquatic environment and YW infrastructure:

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

(To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network)

Drainage

SURFACE WATER - The public sewer network does **not** have capacity to accept any discharge of surface water.

It is noted that the planning application form states 'SUDS' for surface water disposal.

Sustainable Systems (SUDS), for example the use of soakaways and/or permeable hardstanding, may be a suitable solution for surface water disposal that is appropriate in this situation. The use of SUDS should be encouraged and the LPA's attention is drawn to NPPF. The developer and LPA are advised to seek comments on the suitability of SUDS from the appropriate authorities. The developer must contact the Highway Authority with regard to acceptability of highway drainage proposals.

The developer is advised to contact the relevant drainage authorities with a view to establishing a suitable watercourse for the disposal of surface water.

The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network.

Water Supply

A water supply can be provided under the terms of the Water Industry Act, 1991.

Lancashire Fire & Rescue – comments relate to Building Regulation submissions.

PBC Environmental Health – Request conditions be attached to any grant of permission for constructions, dust and electric vehicles.

Earby Parish Council – comments awaited.

Salterforth Parish Council – Council holds many concerns about this development as follows:

- The access, egress and line of sight are very poor, particularly on a road that is a well-known black spot where deaths have occurred.
- There are no footpaths into towns/villages posing a major threat to foot traffic.
- The infrastructure is at or near saturation point, particularly the water and sewage systems.

This was illustrated dramatically over the Christmas/New Year period in Earby where the flooding caused widespread disruption and much damage.

This will be made worse when the development at the old Silentnight site comes on line and worse still if the nearby mill site on the outskirts of Barnoldswick is successful at appeal.

- Schools, doctors surgeries, pharmacies etc. are stretched to full capacity given the many developments recently undertaken in both Salterforth and Earby.
- There are brownfield sites in the area available for development so there is no need to build here.
- Council see this as overdevelopment and outside the settlement boundary.

Object on the grounds given above.

Public Response

Site and press notices posted and nearest neighbours notified by letter. Publicity expires on the 9th November any further comments will be reported to the meeting. 12 responses received to date objecting on the following grounds:-

- The site is designated Green Belt
- Earby Road has been the sight of many accidents some fatal. Increased traffic on this perilous road would be an accident waiting to happen especially as a new road access would be required;
- Earby surgery is at capacity and serves Earby, Salterforth, Kelbrook and Sough. These new development would seek to put more pressure on the service and would make it harder to get an appointment;
- There is no footpath and it's already dangerous for people to walk along without more traffic. Many young children live on the road side and play in the park;
- Can Salterforth Primary School accommodate a further 68 pupils (assuming each household has 2 children) along with children from the new Silentnight site at Salterforth?
- Danger of Earby losing its identity with villages expanding;
- Road signage is poor;
- The new 2m wide path will reduce the current road width, it would be wrong to sacrifice Tree 24 to gain a few inches of road space;

- Local sewerage and water systems already under pressure. Recent flooding issues could reoccur;
- Salterforth will gain 34 properties with potentially 4 people in each who will most likely use the Doctors, Schools and emergency services in Earby free of charge whilst Earby residents pay precept changes;
- Bus and library services are diminishing and mobile and internet connections in Earby are poor;
- The type of houses proposed so not fit in the current house styles;
- The revised plans go some way to making the route safer but the 30 & 40 mph limits are regularly breached. The limit should be reduced further or traffic calming measure in place;
- The road widening could be dangerous and bring the road closer to my property and could result in grates needing to be moved;
- This section of the road is poorly lit and creating the 2m wide footpath and widening the road will cause traffic to drift into the middle of the carriageway;
- Salterforth has reach its targets for new houses;
- If the HGV's come along from Salterforth the road has a bad blind corner that would cause congestion and accidents plus parents use this road to drop off and collect children from the school. Can the HGV's access the site or will they be abandoned on the road side and unloaded there?
- All the wildlife and trees will be torn down;
- Whilst the highways issue might have been addressed the flood issue has not. Details have not been provided on the drainage culvert and how it will reach 'New Cut'. Above ground surface water storage is a reliable way of providing enough capacity for the site and the current proposals are ineffective and poorly designed; and
- Construction of a foul sewerage pumping station should this site is poorly located and what happens when this fails?

Officer Comments

The issues for consideration are policy issues, layout and impact on amenity, impact on Open Countryside, flooding and drainage, ecology and highways issues.

• Policy

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework (the Framework) must be given full weight in the decision making process. Other material considerations may then be set against the Local plan policies so far as they are relevant.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Local Plan Part 1: Core Strategy

The following Local Plan policies are relevant to this application:

Policy ENV1 Protecting and Enhancing Our Natural and Historic Environments requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings. The proposal's compliance with this policy is addressed in the design and amenity sections.

Policy ENV7 does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere. The proposal's compliance with this policy is addressed in the flooding and drainage section.

Policy LIV1 sets out the housing requirements for 2011 to 2030 and how this will be delivered.

Policy LIV3 provided guidance on the housing needs in order to provide a range of residential accommodation.

Policy LIV4 sets out the targets and thresholds required to contribute towards the provision of affordable housing.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

The following saved policies from the Replacement Pendle Local Plan are also relevant:

Policy 16 'Landscaping in New Development' requires that developments provide a scheme of planting which is sympathetic to the area.

Policy 31 'Parking' requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP. This is addressed in the Highways Issues/Parking section.

In national terms the National Planning Policy Framework ("the Framework") provides guidance on housing requirements, design and sustainable development which is relevant to this proposal.

Paragraph 47 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements. The SHLAA was updated in support of the publication of the Core Strategy. This is dealt with in detail below.

Section 7 of the Framework deals with design and makes it clear that design is a key aspect of sustainable development. Paragraph 64 of the Framework states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

The Framework expects that Councils meet their full objectively assessed housing needs and to annually update their supply of specific deliverable sites to meet a five year supply. Where there has been persistent under delivery a 20% buffer needs to be added to the 5 year supply.

The Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to

local character and history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

Para 64 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area and the way it functions. This paragraph is unqualified. If a development is poor in design it should be refused. There is no balancing exercise to be undertaken with other sections of the Framework as poor design is not sustainable development and the requirement under paragraph 14 is to allow sustainable development to come forward.

1. Principle of Housing

Proposals for new development should be located within a settlement boundary. These boundaries will be reviewed as part of the site allocations and development policies in order to identify additional sites to meet development needs where necessary.

This site is Greenfield land which although it lies with the parish of Salterforth is immediately adjacent to the settlement boundary for Earby and has a much closer relationship to the facilities in Earby rather than the rural village of Salterforth.

It is likely that if permission for housing was approved here that the site would be brought into the urban area as part of the settlement review.

Policy LIV1 of the Pendle Local Plan: Part 1 Core Strategy states that until the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development policies then sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land, will encourage significant and early delivery of the housing requirement.

This site would be as sustainable as the surrounding residential housing and would be accessible in terms of public transport, local shops, primary school and pubs and has two play areas located close by.

In this instance the proposed site would be sustainable and the principle of housing acceptable and accords with policy LIV1.

- Layout and Impact on Amenity

The application site is wholly outside the settlement boundary which lies along the boundary to the eastern side. The housing along this boundary and Earby Road to the North would form a natural boundary to this site.

The nearest properties are to the development are to the east. The site proposes a mix of housetypes and although the details of the scale and design have not been applied for the layout indicates that acceptable distances between existing and proposed units can be achieved.

The site is accessible in terms of distance from public transport routes

Six of the 34 dwellings are proposed to be affordable and offered for social rent or through another mechanism.

Plots 1 – 11 would be 2 bed bungalows in two blocks of three and a pair of semi-detached. These units would be sited to the north east part of the site close to the access and to the rear of properties on Kennilworth Drive. A total of 19 parking spaces would be provided for these units. Which equates to 1.5 spaces per unit. Units 1-6 are proposed as affordable units.

Plots 12-21 would be 3/4 bed three storey semi-detached units with two parking spaces per unit. These units would be sited to the south east part of the site with units 12-19 sited to the rear of properties on Kennilworth Drive. Whilst plots 20-21 are located to the west of the access road.

Plots 22 -23 would be 3/4 bed two storey detached with a single garage and two parking spaces per unit. These units would be sited to the west of the access road around the middle of the site.

Plots 24-29 would be 4 bed detached properties with a double garage and two parking spaces per unit. These units would be sited to the south west of the site.

Plots 30-34 would be 3/4 bed two storey detached with a single garage and two parking spaces per unit. These units would be sited to the north of the site close to Earby Road and the access.

The site is not prominent in terms of views, however, details of heights, design and materials for the proposed housing will be essential in terms of how this development would affect the landscape and visual amenity of the area.

Details of boundary treatments have not been submitted and can be controlled by condition at the reserved matters stage if necessary.

Subject to appropriate conditions and details of the appearance, scale and landscaping this layout would be acceptable in terms of design and impact and accords with policies ENV1 and ENV2.

- Impact on Open Countryside

Although the site is in Open Countryside as mentioned above it lies immediately adjacent to the settlement boundary of Earby which lies to the East. The site is not over prominent and views and is limited in terms of its landscape value.

The proposed layout would result in a density of 27 dph which is acceptable and provides for a spacious layout which benefits this location outside of the settlement boundary.

All the properties would have garden areas and off-street parking provision as well as a green zone to the southeast of the site and new hedge along Earby Road to compensate for that removed.

A number of existing trees will remain and further details of the proposed landscaping of the scheme can be controlled as part of the Reserved Matters.

Therefore the proposed development is acceptable in terms of impact on the Open Countryside and accords with policies ENV1, ENV2 and LIV1.

- Flooding and Drainage

The site lies within Flood Zone 1.A Flood Risk Assessment has been submitted as the site is above 1 hectare in size.

In terms of drainage this scheme proposes that a Sustainable Drainage System will be installed and details of this can be controlled by an appropriate condition at this stage. Drainage issues are technical ones which can be resolved and will result in betterment than the existing drainage situation and reduce fluvial flooding issues.

Both the Lead Local Flood Authority and Yorkshire Water have no objections to this scheme subject to conditions relating to appropriate drainage scheme which will need to be agreed prior to commencement of development.

Provided that plans are submitted to show an acceptable drainage scheme prior to development commencing then the development is acceptable in terms of flood risk and accords with policy ENV7,

- Ecology

An updated ecology report has been submitted which is acceptable.

- Highways Issues

The proposed development proposed an acceptable access from Earby Road to accommodate the amount of development proposed and subject to appropriate conditions would not result in any adverse impact on highway safety issues.

The scheme had proposed a 2m wide footpath along the north east edge of the site to Kenilworth Drive which can accommodate pedestrians and will protect sight lines and an improved road alignment which should then encourage slower vehicle speeds. This involves widening Earby Road on the opposite side to the proposed 2m footpath and removal of a highway tree which has been accepted by LCC Highways.

Consideration has been given to the relocation of the change in speed limit, however, as this would have a minimal advantage to the scheme it is not necessary here.

This scheme would provide off-street car parking for vehicles in a combination of garages and driveways.

This would provide a minimum of two off-street car parking spaces per dwelling which is in line with the car parking standards set out in the Replacement Pendle Local Plan.

This scheme therefore provides the 2m wide footpath which was not accommodated within the previous scheme to allow for safe pedestrian movements between the site and nearby facilities. This addresses the issue of the severe detrimental impact on road safety that the previous planning application was refused on.

Open Space and Landscaping

The site lies within Salterforth Ward. Policy LIV5 requires all proposals for residential units to provide on-site open space which can take the form of Green Corridors and spacious layouts.

The site layout provides ample private amenity spaces for the plots and also some green amenity space which helps to soften the scheme and provide some visual interest in the overall layout.

The proposal therefore accords with this policy.

- Contributions

A request for £22,000 for improved bus stops has been requested by LCC Highways.

This is under consideration and an update on this will be provided prior to the meeting.

Summary

The principle of residential development in this location is acceptable subject to appropriate drainage proposals and highway conditions and the submission for reserved matters in terms of design, materials and landscaping. The proposed development would not have a detrimental impact on Open Countryside or residential amenity and accords with the adopted policies of the Pendle Local Plan: Part 1.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Subject to conditions relating to an acceptable drainage scheme and highway conditions the development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

5. An application for approval of the reserved matters (namely the access, appearance, layout, scale and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

6. Details of the access, appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

7. The development hereby permitted shall be carried out in accordance with the following approved plans: CROS/19 – Dwg 00 A & CROS/19/Dwg 02 E.

Reason: For the avoidance of doubt and in the interests of proper planning.

8. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

9. No part of the development hereby permitted shall be commenced until details of the proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the floor levels of any proposed dwelling/buildings through which the sections run and shall extend beyond the site boundaries to include any surrounding, adjacent properties. The development shall thereafter be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to assess how the development will accommodate the varied land levels and control the final form.

10. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:
- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
 - b) The areas and methods of loading and unloading of plant and materials.
 - c) The areas for the storage of plant and materials.
 - e) Details of wheel-washing facilities including location
 - g) Measures related to construction waste management
 - i) Soil resource management including stock-pile management
 - n) Location and details of site compounds
 - o) Hoarding details during construction
 - s) A Construction Waste minimisation Strategy.
 - t) A Construction-Risks Education plan/programme
 - u) Parking area(s) for construction traffic and personnel
 - v) Routeing of construction vehicles

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

11. The car parking areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.
Reason: To allow for the effective use of the parking areas.
12. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority
Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
13. No part of the development hereby approved shall be occupied until all the off-site highway works have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority.
Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
10. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road.
Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
11. The access shall be so constructed that there is clear visibility from a point 1.05m above ground level at the centre of the access road and 2.4m distant from the adjoining edge of the carriageway, to points 1.05m above ground level at the edge of the carriageway and 52m distant in each direction measured from the centre of the access along the nearside adjoin edge of carriageway prior to the commencement of any other works on site and thereafter be permanently retained.
Reason: To order to ensure satisfactory visibility splays are provided in the interests of highway safety.
12. As part of any reserved matters application and prior to the commencement of any development, the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority. As a minimum, the surface water drainage scheme shall include:
a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
b) The drainage scheme should demonstrate that the surface water run-off must not exceed 14.72 litres/second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include the refurbishment of any existing culverts and headwalls, the removal of any unused culverts where relevant and the construction of any new surface water drainage systems off-site);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.
- h) Details of finished floor levels.

The scheme shall be fully implemented and subsequently maintained, 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.

Reasons:

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
 2. To reduce the risk of flooding to the proposed development, elsewhere and to future users.
 3. To ensure that water quality is not detrimentally impacted by the development proposal.
 4. To ensure a satisfactory standard of development.
13. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted 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:
 - i. on-going inspections relating to performance and asset condition assessments
 - 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.

Reasons:

1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development
2. To reduce the flood risk to the development as a result of inadequate maintenance
3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

14. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons:

1. To ensure that the drainage for the proposed development can be adequately maintained.
 2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.
15. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the Local Planning Authority.

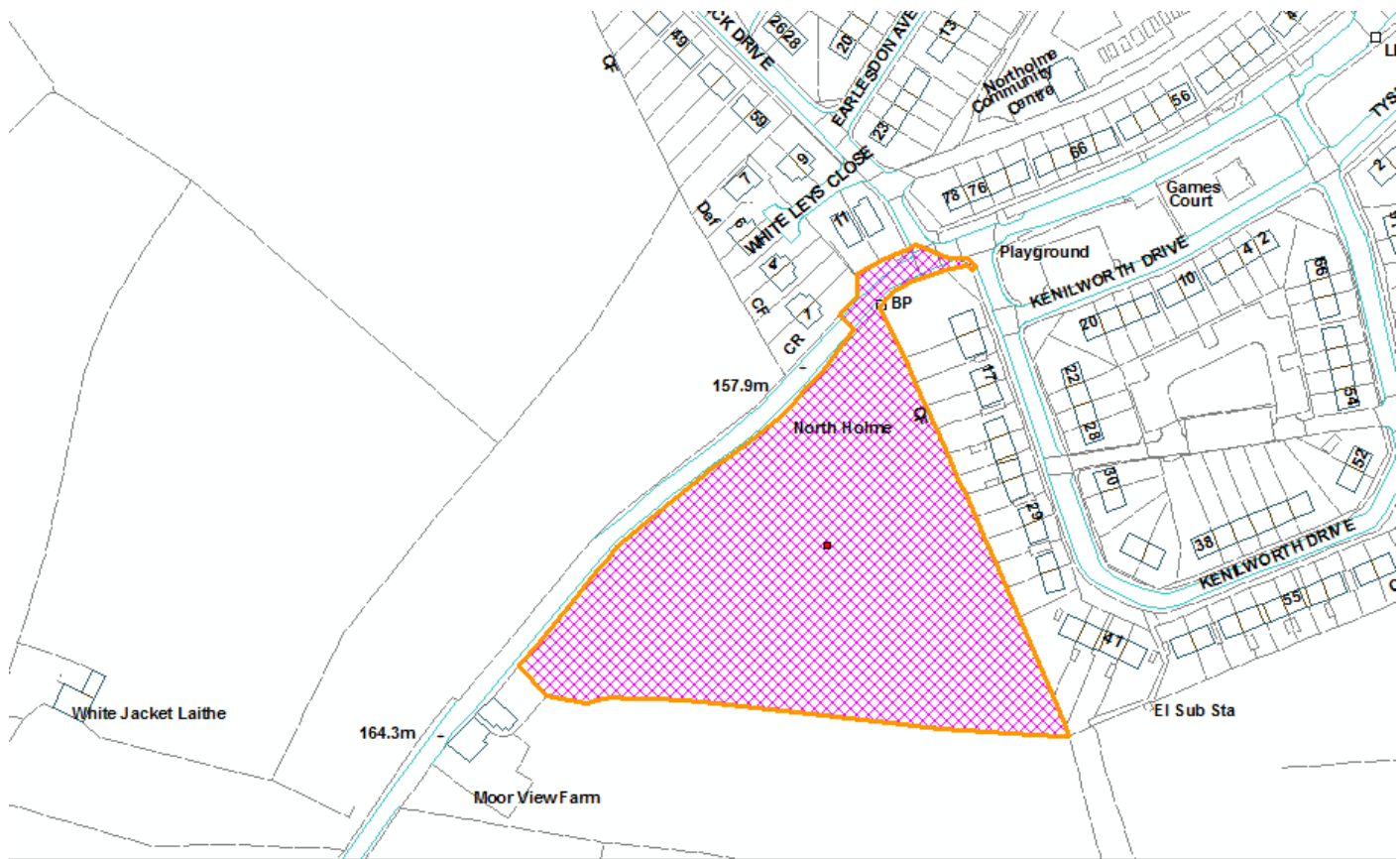
Reasons:

1. To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere;
 2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.
16. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network

17. No development shall commence until details of the proposed maintenance plan for the green zone, footpaths and hedges will be managed after the development has been completed have been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure that the communal areas continue to be maintained after the development has been completed.



Application Ref: 16/0630/OUT

Proposal: Outline: Major: Erection of 34 dwellinghouses (1.26ha) (Access and Layout only) (Re-submission)

At: Land at field number 0087, Earby Road, Salterforth

On behalf of: Cross Construction

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 28th October 2016