

**MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD AT NELSON TOWN HALL
ON 28th NOVEMBER, 2016**

PRESENT –

Councillor K. Hartley - (Chairman – in the Chair)

Councillors

<i>E. Ansar</i>	<i>D. Lord</i>
<i>M. Arshad</i>	<i>Y. Iqbal</i>
<i>W. Blackburn (substitute for D. Whalley)</i>	<i>J. Starkie</i>
<i>L. Crossley (substitute for T. Cooney)</i>	<i>G. Waugh</i>
<i>M. Goulthorp</i>	<i>D. M. Whipp</i>

(Apologies were received from Councillors, T. Cooney and D. Whalley)

Also in attendance

Councillor M. Iqbal
Councillor M. Sakib

Officers in attendance

<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Howard Culshaw</i>	<i>Head of Legal Services</i>
<i>Barbara Kay</i>	<i>Solicitor</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>



The following people attended the meeting and spoke on the items indicated –

<i>Catherine Coulthred</i>	<i>16/0630/OUT Outline: Major: Erection of 34</i>	<i>Minute No.16</i>
<i>John Ablewhite</i>	<i>dwelling houses (1.26ha) (Access and</i>	
<i>Alan Kinder</i>	<i>Layout only) (Re-submission) at Land at</i>	
<i>Adnan Yousaf</i>	<i>field number 0087, Earby Road, Salterforth</i>	
	<i>for Cross Construction.</i>	

14. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

15. MINUTES

RESOLVED

That the Minutes of the meeting held on 24th October, 2016 be approved as a correct record and signed by the Chairman.

16.

**PLANNING APPLICATIONS
REFERRED FROM AREA COMMITTEES**

16/0630/OUT Outline: Major: Erection of 34 dwelling houses (1.26ha) (Access and Layout only) (Re-submission) at Land at field number 0087, Earby Road, Salterforth for Cross Construction.

At the meeting of West Craven Committee on 8th November, 2016 the decision to refuse this application was referred as a recommendation to this Committee as the decision would represent a significant risk of costs to the Council.

RESOLVED

- (1) That planning permission be **granted** subject to the following condition and reasons:-
1. 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.
 2. 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 and Country Planning Act 1990.
 3. 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.
 4. 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 plans) and specification) shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.
 5. 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. 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 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.

6. 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) Soil resource management including stock-pile management.
 - g) Location and details of site compounds.
 - h) Hoarding details during construction
 - i) A Construction Waste Minimisation Strategy.
 - j) A Construction- Risks Education plan/ programme.
 - k) Parking area(s) for construction traffic and personnel
 - l) 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 environmental 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).

7. 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.

8. 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.

9. 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 with a scheme which shall be submitted to and approved by the Local Planning Authority.

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 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 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 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 +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 discharge 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 the 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 many subsequently be agreed, in writing, by the local planning authority.

- Reasons:**
- 1. To prevent flooding and 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 led sustainable limited life assets or any other arrangements to secure the operation of the surface waste 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 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.

Development Management Committee (28.11.2016)

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

18. No development shall take place unless and until a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (or and subsequent provision equivalent to that Section) relating to the land has been made and lodged with the Local Planning Authority and the Local Planning Authority has notified the person (s) submitting the said planning applications in writing that it is to the Local Planning Authority's approval. The said planning obligation will provide for:
1. Improvements to the two bus stops serving Earby Road, Salterforth located nearest the site to Quality Bus Stops.

Reason: To ensure that the proposed development is served by a variety of transport modes and to provide sustainable transport links.

(2) That the following conditions and reason also be included:-

1. percentage of affordable housing
2. off-site highways works scheme

Condition 17 be altered regarding the hedge

CHAIRMAN_____