

REPORT FROM:	PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER
TO:	DEVELOPMENT MANAGEMENT COMMITTEE
DATE:	21 December 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 21 DECEMBER 2016

Application Ref: 16/0603/OUT

Proposal: Outline: Major: Demolition of Hollin Hall Farm and erection of 12 dwellings (access & layout) Full: Change of use of domestic garage and annexe to two dwellings and external alterations.

At: HOLLIN HALL FARM 517 GISBURN ROAD BLACKO NELSON BB9 6LZ

On behalf of: Mr D Hall

Date Registered: 31/08/2016

Expiry Date: 30/11/2016

Case Officer: Alex Cameron

This application has been referred to Development Management Committee as Members were minded to refuse the application on the following grounds:

- Conflict with Policy SDP2 and the Development in the Open Countryside SPG.
- Education provision.

Site Description and Proposal

The application site is a farmhouse and adjoining agricultural land within/adjacent to the settlement of Blacko. The house fronts onto Gisburn Road and has a detached annex to the side and there are detached houses to both sides. To the west of the site are the rear of properties on Hollin Fold, to the east are the gardens of 511-513 Gisburn Road and access to Spout House Farm and to the south is open land.

This is a hybrid application consisting of an outline application for access and layout only for the demolition of the existing farmhouse and erection of 12 detached dwelling houses and a full application for change of use, external alterations and extension of the existing garage and annexe to form two dwellings.

Relevant Planning History

13/09/0307P - Change of use of agricultural land to form garden. Refused and appeal dismissed.

13/16/0044P - Outline: Partial Demolition Of Hollin Hall Farm; Erection Of Nine Dwelling Houses (Including 1 Holiday Cottage); Form New Vehicular Access From Gisburn Road (Access And Layout Only). Withdrawn.

Consultee Response

United Utilities - No objection subject to foul and surface water and sustainable urban drainage conditions. A public sewer crosses the site, building over the sewer will not be permitted, either a diversion of the sewer or modification to the site layout may be required.

Natural England

PBC Environment Officer - The qualified ecologists who have prepared the report have stated that sufficient information has now been provided and the additional derogation points are

exempt. The method statement provided at paragraph 5 and enhancements at 5.1 should be conditioned.

A single Swifts nest was found. The recommendations and mitigation measures at paragraph 5.2 should be conditioned.

PBC Environmental Health - Prior to the first occupation of any dwelling, that dwelling shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.

PBC Engineering (drainage)

LCC Education - Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 3 primary (£40,423.59) and 1 secondary school (£20,303.59) places.

Lancashire Constabulary Architectural Liaison – Provided design recommendations for reserved matters stage.

Lead Local Flood Authority – No objection subject to conditions for a surface water drainage scheme and surface water management and maintenance plan and a note informing the developer of the need for Land Drainage Consent.

LCC Highways - No objections regarding the proposed 14 dwellings and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

The applicant has indicated waiting restrictions at the entrance to the site and the Highway Development Control Section fully supports this proposal to protect the sightlines from the site on Gisburn Road. The actual extent of the waiting restrictions on Gisburn Road would need to be agreed by public consultation and the appropriate order sealed. The Highway Development Control Section access onto recommends a section 106 contribution of £6,000 to cover the costs associated with the implementation, advertising and consultation of the traffic regulation order.

Due to increased traffic flows generated by the development and to aid highway safety, the Highway Development Control Section recommends a highway contribution of £16,000. The provisional justification and estimates for the requested section 106 highway contribution is detailed below: -

1. To form a village gateway feature reducing the speeds to 40mph before the existing 30mph, to include the signs and gateway features at the start of the changed speed limit, relevant orders, repeater signs, advisory interactive signs etc., at an estimated costs £10,000.
2. £6,000 for the traffic regulation works associated with the waiting restriction.

Please attach the following conditions: wheel wash, parking and turning, garage retention, estate road construction, estate road phasing and management, drainage and road drainage and street lighting, visibility splays, off site highway works, road survey and traffic management plan.

Blacko Parish Council - The Appeal Statement of PBC and the decision of the Planning Inspectorate both acknowledge that the loss of countryside would have been unacceptable for a garden extension of .097 ha.

The area of land which is the subject of the current application is considerably bigger and would lead to a greater loss of countryside.

It seems inconceivable that planning applications could be accepted at this site given previous decisions most recently with regard to Education provision.

Blacko Parish Council acknowledges that PBC has adopted a new core strategy but would ask

that the application is rejected to comply with the SPG to which the Inspectorate accorded significant weight and to act in a consistent way with the previous documented appeal decisions with regard to loss of countryside.

Public Response

A press and site notice has been posted and 32 neighbours notified - 15 responses have been received objecting to the proposed development on the following grounds:

The demolition of the farmhouse would result in significant heritage loss to the village.

The proposed access would create a hazard.

Limited existing parking provision in the village.

Traffic in Blacko is already a significant issue additional traffic from the development would exacerbate this and lead to an even more dangerous road.

The village school is full and oversubscribed with no room to expand.

The village only has a barbers shop, the nearest shops are in Barrowford.

Granting permission would set a precedent for further development and risk Blacko losing its village character.

Loss of light and privacy to adjacent dwellings.

Loss of view from adjacent houses.

Loss of value of adjacent houses.

There is no need / demand for additional dwellings in Blacko.

The development would cause considerable harm to the character and appearance of the village contrary to the policies of the Pendle Core Strategy, Development in the Open Countryside SPG and NPPF.

The field is home to a variety of wildlife which will be lost.

Loss of bat habitat in the farmhouse.

Loss of protected trees.

The proposed mitigation for loss of habitat is not adequate.

Access to existing drains running through the site.

The development would put additional pressure on utilities and services in the area.

In 2009 an application to change part of the land to a garden was refused and dismissed at appeal, the reasons for that dismissal also apply equally to this proposal.

The reasons for dismissal of the recent appeal for 19 houses on the land opposite also apply to this site.

The development's impact cannot be assessed without full plans.

The boundary of the application site differs from that shown in the Strategic Housing Land Availability Assessment.

The land to the rear of 511, 513 and 517 is agricultural land, not garden land.

Permission was refused on appeal for the use of the land to the rear of 515 as garden land, it is unlawfully being called garden land.

We see the amount of water running down this field and are not convinced by the drainage strategy report.

The use of the garage for living accommodation and the annex as an independent dwelling would be contrary to the conditions of the planning permission for those buildings and the extension / change of use of those buildings would adversely impact upon the amenity of adjacent dwellings.

Officer Comments

The issues for consideration are compliance with policy, principle of housing, impact on amenity, ecology, drainage and highways issues.

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP2 sets out the roles each settlement category will play in future growth. Rural villages of which Blacko is one will accommodate development primarily to meet local needs.

Policy SDP3 identifies housing distribution in Rural Pendle as 12%. The amount of housing to be distributed to Rural Pendle equates to 577 dwellings. However, this figure needs to be distributed amongst the 12 rural settlements, taking account of a number of factors e.g. size of settlement (population and physical size), capacity to accommodate further development (SHLAA sites), availability and access to services, viability of sites, housing need and past delivery rates.

Recent work on the Scoping Report for the Local Plan Part 2: Site Allocations and Development Policies provides a more detailed analysis of the housing distribution at a settlement level. It suggests that Blacko should accommodate a minimum of 35 dwellings over the plan period to 2030. Taking into account existing permissions and completions this would give Blacko a minimum requirement of 23 dwellings. It should be noted that this is a minimum rather than a maximum requirement and additional dwellings could be provided in Blacko if they are situated in a sustainable location.

The amount of development proposed here is therefore not disproportionate to the level of housing development Blacko would be expected to provide, as a minimum, over the plan period.

Policy ENV1 of the Replacement Pendle Local Plan seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 of the Pendle Local Plan Part 1 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.

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.

Policy LIV1 sets out the housing requirement identified in Policy SDP3 above. At the present time sites have not yet been allocated in The Pendle Local Plan Part 2: Site Allocations and Development Policies.

Policy LIV4 sets out targets and thresholds for the provision of affordable housing. For rural Pendle the requirement for developments of 10-14 dwellings is 20% affordable housing.

Policy LIV5 states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties.

Replacement Pendle Local Plan

Policy 4D (Natural Heritage - Wildlife Corridors, Species Protection and Biodiversity) States that development proposals that would adversely impact or harm, directly or indirectly, legally protected species will not be permitted, unless shown to meet the requirements of The Conservation (Natural Habitats, &c.) Regulations 1994.

Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

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.

Housing supply

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.

Paragraph 55 of the Framework states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".

Principle of Housing

In 2009 an application was made to extend the gardens of this and the adjoining property, this was refused and dismissed at appeal. There has been a significant shift in the national and local policy position in relation to new housing since that decision was made. This means the Council must give substantial weight to the benefits of a development in terms of its contribution the Council's five year supply of deliverable housing sites. The extension of a domestic garden does not offer

any benefit in terms of meeting housing supply requirements and so would not be assessed in the same way as this application.

The application site abuts the settlement boundary of Blacko, taking this and its proximity of services and facilities in nearby Barrowford into account, it is not an isolated site for the purposes of paragraph 55. Therefore, in location terms and in terms of the development's contribution to the economic role of sustainable development the proposed development accords with the Framework.

Pendle Borough Council has demonstrated in the Strategic Housing Land Availability Assessment a five-year supply of deliverable housing sites. This site had been included in this assessment. It is adjacent to the settlement boundary for Blacko, in a sustainable location and therefore the principle of housing on this site would be acceptable.

Visual Amenity

An appeal was recently dismissed on adjacent land on the north side of Gisburn Road with one of the reasons for dismissal being the impact of that development on landscape character of the area. However, this site is a materially different circumstance as it slopes down away from Gisburn Road, whereas the appeal site slopes up towards Blacko Tower on a side of the road where there is less existing development. Although the development would be visible on the hillside from nearby footpaths, it would appear as a natural extension of the village between the Hollin Fold development to the west and the housing fronting Gisburn Road to the north.

Subject to appropriate design, materials and landscaping which would be considered at the reserved matters stage, the proposed development would not result in an unacceptable impact on the landscape character and visual amenity of the area in accordance with policies ENV1, ENV2 and LIV5.

Heritage Impact

The proposed development would involve the demolition of the existing farmhouse. The farmhouse has some late 16th or early 17th century features in the form of the mullioned window in the east gable, narrow window in the north wall, quoined door surrounds and the principal beams and roof timbers and as such is a non-designated heritage asset. However, the building has been assessed for Listing by Historic England who have determined that it is not worthy of Listing.

As a non-designated heritage asset paragraphs 135 and 136 of the Framework state that a balanced judgement will be required having regards to the scale of any harm of loss and the significance of the asset and that all reasonable steps should be taken to ensure that the new development will proceed after the loss has occurred.

In this case the proposed development would result in total loss of the significance of the heritage asset. The significance of the building is in its few remaining early features, the building has been significantly altered and is predominantly of later construction with little heritage value. The building is therefore of minor overall significance and its loss when balanced against the economic and social public benefits of the provision of 13 new dwellings is acceptable.

A condition is necessary to ensure that archaeological recording is carried out prior to demolition.

Residential Amenity

Subject to acceptable window arrangement and obscure glazing conditions the proposed development would maintain an acceptable level of privacy for adjacent dwellings and for the future residents of the development. The proposed dwellings and extension of the garage and

annexe would not result in an overbearing impact upon or loss of light to adjacent dwellings. The proposed development is therefore acceptable in terms of residential amenity.

Trees and Ecology

A bat survey has been submitted with the application and this identifies the presence of a bat roost within the farmhouse. Although the survey report suggests that the roost is likely to be of low value, just one survey has been carried out and further survey work is required to fully establish the value of the roost.

Due to the presence of a roost a licence would be required from Natural England for the proposed demolition. For a licence to be granted all of the following three tests must be met:

- the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternative; and
- favourable conservation status of the species must be maintained.

Such licences are usually obtained after planning permission has been granted, however, these three tests must also be considered during the planning application process.

The applicant has submitted information to demonstrate that these tests would be met and therefore the loss of the existing habitat would be acceptable, subject to the mitigation measures set out in the bat and bird survey being conditioned.

A number of trees are proposed to be removed to make way for the development the majority of these are assessed as being of low quality and their removal is acceptable, one high quality and one moderate quality sycamore tree are also proposed for removal, with adequate replacements the loss of these trees is acceptable.

The proposed development is therefore acceptable in terms of its impact on protected species in accordance with policies ENV1 and 4D.

Open Space

Policy LIV5 requires that provision for public open space and/or green infrastructure is made in all new housing developments. The applicant proposes a green corridor of woodland planting running from the southern boundary of the development to the Lower Blacko Water Biological Heritage Site. This would provide acceptable an open space contribution in accordance with LIV5. It would be necessary to condition the full details of this and that it is implemented before the occupation of the development.

Drainage and Flooding

The applicant has submitted a drainage scheme for the site . This resolve the Lead Local flood Authority's reason for objecting to the application and that have advised that the development is acceptable in terms of drainage and flood risk subject to surface water drainage and management conditions.

United Utilities have noted that a sewer crosses the site and they would not permit building over it. The drainage plans show that part of the existing sewer is proposed to be built over and would be diverted. The LLFA have also noted that Land Drainage Consent is required as the development would involve works near to a watercourse. The applicant has been made aware of this to establish whether any alteration to the layout at the reserved matters stage may be required. These matters are controlled by other legislation and do not affect the determination of this outline

application.

The proposed development is therefore acceptable in terms of drainage and flood risk.

Education

An education contribution of 3 primary school and 1 secondary school places is necessary to offset the impact of the development on local schools. The applicant has agreed to provide a Section 106 contribution to meet the cost of the school places and a section 106 agreement has been drawn up to secure this. The proposed development is therefore acceptable in terms of its impact on schools in the area.

Highways

Subject to a condition requiring that adequate visibility splays are provided and maintained at the proposed junction, and contributions for the provision of the proposed waiting restrictions and the provision of speed change limit warning signage on the approach to the village the proposed development would not result in an unacceptable highways safety impact.

Car parking could be provided at acceptable levels within the curtilage of the proposed dwellings and this could be ensured by a condition. The proposed junction may remove some opportunity of on-street parking, however, this would not result in an unacceptable highway impact.

The proposed development is acceptable in terms of highway safety.

Section 106 Agreement

The following contributions have been agreed in principle with the applicant and a section 106 agreement has being drawn up to secure them:

£10,000 To form a village gateway feature reducing the speeds to 40mph before the existing 30mph, to include the signs and gateway features at the start of the changed speed limit, relevant orders, repeater signs, advisory interactive signs etc.

£6,000 for the traffic regulation works associated with the waiting restriction.

£40,423.59 for three primary school places.

£20,303.59 for one secondary school place.

Other issues

Concerns have been raised regarding previous decisions on this site. The previous decision related to the extension of a garden, which is materially different to an application for new housing. The extension of gardens into the open countryside is restricted by the guidance of the Development in the Open Countryside SPG which advises that they should not extend beyond the line of existing gardens. This does not apply to new housing development.

In determining applications for new housing the Council must give substantial weight to the economic and social benefits of the new housing, particularly when the Council is in a position of housing undersupply, as Pendle is. Taking into account the economic and social benefits of the new housing development in sustainable locations beyond settlement boundaries is acceptable. The previous decision on the site does not therefore impact upon the acceptability of this proposal.

Summary

The proposed housing development is acceptable in principle and in terms of visual amenity, heritage impact, residential amenity, drainage, ecology, and tree impact and highway safety. It is therefore recommended that the approval of the application is delegated to the Planning, Building Control and Licencing Services Manager subject to the completion and signing of the Section 106 agreement.

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 is compliant with policy and the principle of residential development is accepted in this location and the proposed access is acceptable in terms of 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: Delegate Grant Consent

Subject to the following conditions:

1. The conversion of the garage/annex must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. An application for approval of the reserved matters (namely the appearance, 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.

3. Details of the appearance, landscaping 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.

The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Annex / Garage Conversion v1.1, Layout Plans PL-HH-014.

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) Methods for dust control and suppression including asbestos controls and undertaking of regular dust monitoring including when dust monitoring and dust control/suppression are to be implemented.
- e) Details of wheel-washing facilities including location
- f) Details, including likely vibration and noise levels at site boundaries, of any piling operations.
- g) Measures related to construction waste management.
- h) Soil resource management including stock-pile management
- i) Compliance with BS5228: Part 1 1997 to minimise noise
- j) Measures to ensure that there is no burning of waste.
- k) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
- l) Vibration monitoring to be carried out for the construction period.
- m) Noise-monitoring to be carried out for the construction period.
- n) Parking area(s) for construction traffic and personnel

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).

5. The development shall be carried out in strict accordance with the recommendations and mitigation measures set out in the Building Demolition Method Statement (Bats) and Bat Survey Report.

Reason: To ensure protection of species protected under the Wildlife & Countryside Act, 1981.

6. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

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.

7. Formal surface water drainage scheme which as a minimum shall include:
- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), 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 floor levels in AOD;

b) The drainage scheme should demonstrate that the surface water run-off from the proposed development must not exceed 5 litres per 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 refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

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.

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.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users and to ensure that water quality is not detrimentally impacted by the development proposal.

8. 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.

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

9. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the

detriment of road safety.

10. 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 any construction begins and maintained thereafter.

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

11. 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.

12. No part of the development shall be commenced unless and until the visibility splays as shown on drawing PL-HH-014 V1 "Layout Plan" have been provided. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety.

13. Prior to the occupation of the first dwelling a car park and manoeuvring scheme shall be submitted to and approved in writing by the Local Planning Authority. The car parking spaces and manoeuvring areas for each plot shall be marked out and surfaced in accordance with the approved scheme prior to the occupation of each plot and shall thereafter at all times be maintained free from obstruction and available for parking and manoeuvring purposes.

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

14. A Traffic Management Plan for the construction works, to be approved in writing by the planning department before any works begin on site and to include:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

The development shall be carried out in strict accordance with the approved plan.

Reason: to protect existing road users.

15. No development shall be commenced unless and until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning

Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The Estate Street Phasing and Completion Plan shall set out dates for entering of the section 38 agreement of the Highways Act 1980 and/or the establishment of a private management and Maintenance Company.

Each plot shall not be occupied unless and until the estate street fronting that plot has been completed in accordance with the approved Estate Street Phasing and Completion Plan.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential financial security and highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

16. No dwelling shall be occupied unless and until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure acceptable provision for the long term maintenance of roads and footpaths in the interest of highway safety.

17. No development shall be commenced unless and until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality.

18. The demolition of the existing building shall not commence unless and until the developer has secured the implementation of a programme of archaeological investigation and recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority, the works shall thereafter carried out in accordance with the approved scheme and timescales.

Reason: To record the features of archaeological importance.

Notes:

LCC Highways:

The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.

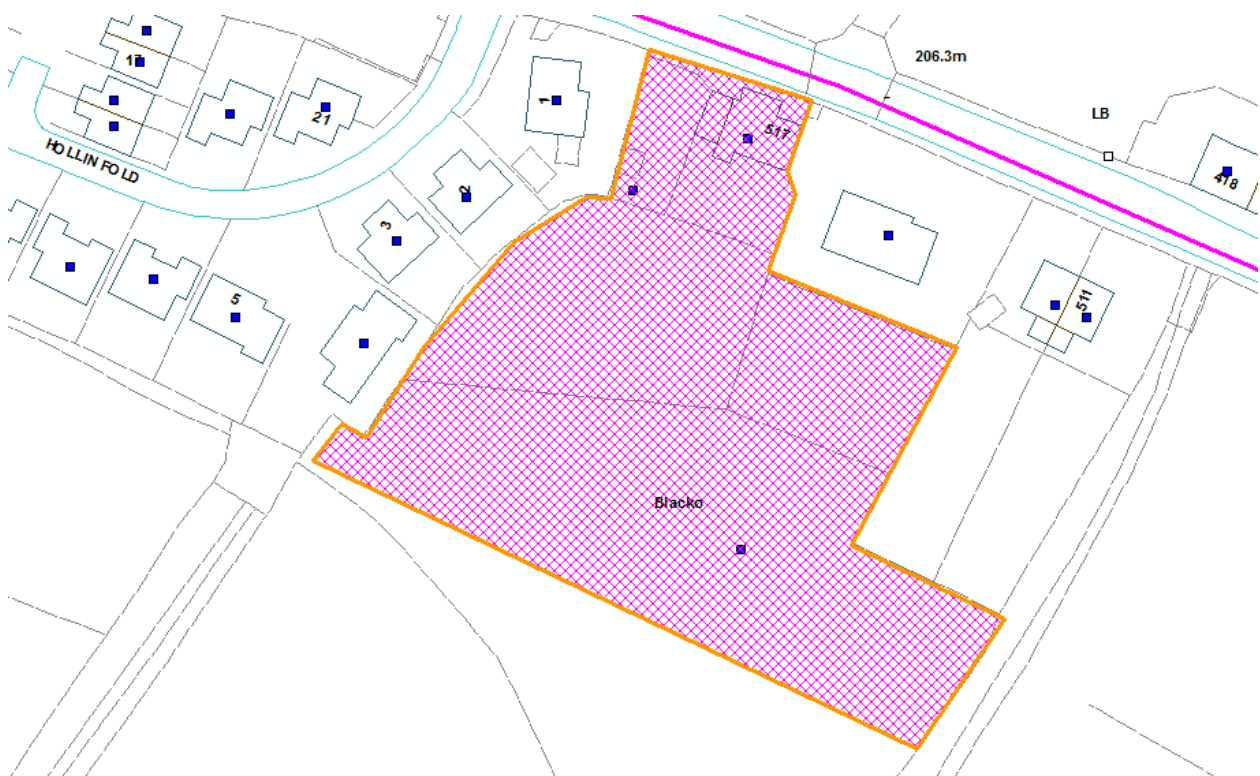
The applicant is advised that the new site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes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

The applicant is advised that to discharge condition 6 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes

United Utilities: A public sewer crosses this site and we will not grant permission to build over or within 3 metres of the centre line of it. The requirement for our permission is detailed within the guidance that supports Part H4 of the Building Regulations . If the proposals do not meet these specifications a modification of the site layout or a diversion of the public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Further information on building over or close to public sewers is available on our website: <http://www.unitedutilities.com/build-oversewer.aspx>. Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree.

Lead Local Flood Authority: For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

Environmental Health: We recommend that, prior to the first occupation of any dwelling, that dwelling shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.



Application Ref: 16/0603/OUT

Proposal: Outline: Major: Demolition of Hollin Hall Farm and erection of 12 dwellings (access & layout) Full: Change of use of domestic garage and annexe to two dwellings and external alterations.

At: HOLLIN HALL FARM 517 GISBURN ROAD BLACKO NELSON BB9 6LZ

On behalf of: Mr D Hall

Application Ref: 16/0617/FUL

Proposal: Full: Demolition of ambulance station and erection of nine dwellinghouses, four semi-detached with access off Brogden View and five detached accessed off Brogden Lane.

At: Ambulance Station, Brogden View, Barnoldswick

On behalf of: Mr Graham Harker

Date Registered: 15 September 2016

Expiry Date: 16 November 2016

Case Officer: Kathryn Hughes

This item has been referred to Development Management from West Craven Committee as Members were minded to refuse the scheme on highway grounds

Site Description and Proposal

This application seeks permission to demolish the ambulance station and erect nine dwellinghouses with access off Brogden Lane and Brogden View.

The application site is a brownfield site located within the settlement boundary of Barnoldswick.

The site is a rectangular piece of land which measures 0.26ha. The scheme would consist of four semi-detached properties accessed from Brogden View and five detached properties accessed from Brogden Lane.

Lane End Farmhouse is a Grade II listed building which lies to the north-east of the site at the junction of Gisburn Road and Brogden Lane.

The former Ambulance Station has now been completely demolished and the site tidied and made secure.

Relevant Planning History

None.

Consultee Response

LCC Highways –No objections in principle to the proposed nine dwellings, providing the recommended sight lines are provided, a 2m wide footpath is provided for the full frontage of the site with Brogden Lane and turning facilities for twin axel refuse vehicles are provided off Brogden View.

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 60 vehicular movements a day with an estimated peak flow of 6, two way vehicles movements during the am and pm rush hours.

The Highway Development Control Section is of the opinion that the proposed development should have a negligible impact on highway capacity in the immediate vicinity of the site / the development will have detrimental 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 22nd September 2016. The data based indicates there have not been any reported incidents near the new development or at the junctions with Brogden Lane and Brogden View with Gisburn Road.

The Highway Development Control Section is of the opinion that the highway network surrounding the site is considered to have a good accident record and indicates there is no underlying issue which the proposed development would exacerbate.

The sight lines of 2.0x 43m to be provided in both directions from the centre of the private drives onto Brogden Lane. The site line requirement is based on table 7.1 from Manual for Streets and the classified speed of the road, 30 mph.

Where acceptable sight lines at plot 1 are not provided the Highway Development Control Section would raise an objection to the development in the interest of highway safety

The Highway Development Control Section is of the opinion that applicant should provide a 2m wide footpath for the full frontage of the site with Brogden Lane and Brogden View to support sustainable forms of transport and the promotion of social inclusion. The footpath provision would also protect the sight lines from the private drives.

A turning head is required on Brogden View to allow refuse vehicle and emergency vehicles to turn within the site for the following reasons: -

- The maximum distance a refuse vehicle should reverse is 12m, from Manual for streets and BS5930: 2005.
- Fire and rescue Services Section should not have to reverse more than 20m from the end of an access road. From Manual for streets and diagram 24 of Approved Document B (Fire Safety).
Additional considerations when locating the turning head are:-
- 25m is the maximum distance a two wheeled refuse container is to be transported to the refuse wagon. From Manual for streets and BS5930: 2005.
- A resident should not be required to carry the waste more than 30m to the refuse storage point. From Manual for streets and BS5930: 2005.
- A fire appliance needs to be able to approach to a point within 45m of a suitable entrance to any dwelling. From Manual for Streets and section 11.2 of Approved Document B (Fire Safety).

The Highway Development Control Section is of the opinion that the proposed development should not have a detrimental impact on highway safety providing the sight lines, turning head and footpath are provided as recommended above.

While the internal highway off Brogden View is not adoptable the Highway Development Control Section is of the opinion that the highway layout is acceptable for all road users providing the recommended turning head provision is provided.

Based on the car parking recommendations in the Replacement Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards the Highway Development Control Section is of the opinion that plots 6 and 7 have a under provision of car parking.

The Highway Development Control Section recommends conditions relating to wheel washing, level of driveways, layout to allow vehicles to leave the highway in forward gear, visibility splays, car parking spaces, restriction on use of garages, off-site highway works, joint survey and traffic management plan be attached to any grant of planning permission.

Architectural Liaison Unit

United Utilities – Drainage Conditions

United Utilities will have no objection to the proposed development provided that conditions relating to separate foul and surface water systems and details of a surface water drainage scheme based on the hierarchy of drainage options in the National Planning Practice Guidance are submitted.

Water Comments

The level of cover to the water mains and sewers must not be compromised either during or after construction.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Yorkshire Water

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

PBC Environmental Health – Request conditions be attached to any grant of permission for land contamination and electric vehicles.

PBC Environment Officer – No objection.

Barnoldswick Town Council

Public Response

Nearest neighbours notified by letter. 12 responses received to date objecting on the following grounds:-

- The proposed site is close to my Grade II Listed property and Brogden lane is a Roman Road of great local and historical interest;
- This proposal will entirely block my view of Weets Hill;
- Brogden Lane is an area of few dwellings and an intense agricultural environment and local land and property owners direct traffic to permit access and egress onto Gisburn Road which is dangerous with the junction being undulated, worn and water logged due to the level of use;
- The driveways of the of proposed dwellinghouse opposite existing properties do not have sufficient room to support this plan and any additional parking on the lane would cause an obstruction;
- There is no footpath on Brodgen Lane which has recreational use in the form of walking and cycling by hundreds of people every week of the year, driveways will cause a danger to these people;
- I suggest access for all the properties to be from Brodgen View and not Brogden Lane;
- The height of plots 6 and 7 appear taller than existing properties which could be imposing;
- There is seasonal flooding both on the field adjacent and on Gisburn Road;
- The comments by the Highways Dept appear to be based purely on statistical information rather than detailed analysis of the roads affected and there is nothing that will effectively mitigate the risk of collisions;
- The proposed properties are not in keeping at 2.5/3 stories and would represent over development;
- We are not opposed to a smaller scale development accessed from Brogden View;
- The site has been an eyesore for three years and I welcome the application to demolish and build new houses but these plans are ill-conceived and cram too many properties into the area;

- Nine further dwellings would exacerbate the existing sewage problem;
- When they start building and digging up the road how would we gain access to our properties;
- Will provision be made to clean our vehicles and drives;
- Plot 6 and 7 are set further back from our property and plot 15 and thus are not in keeping with the current layout and present a visual block from the rear of our property especially as the height of the buildings would be greater than current properties on the estate;
- The plans do not indicate any street lighting;
- Who will be responsible for the road and maintenance and upkeep? Will the Council purchase and be responsible for maintaining it?
- Plots 5 & 6 pose overlooking/privacy issues for the adjacent properties on Brogden Lane/Brogden View;
- The state of the road on Brogden View is very poor and would need to be resurfaced and
- Concerned that surface water may cause extra load on the existing system in adverse weather conditions.

Amended plans have been received and a further 14 days have been given for comments on these. Three further comments received on the amended plans on similar grounds to the above.

Officer Comments

The issues for consideration are policy issues, layout and impact on amenity, design and material, flooding and drainage and highways issues.

1. 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 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

This proposal is for the erection of nine dwellings on a Brownfield site within the settlement boundary for Barnoldswick.

This site is therefore sustainable and the principle of housing acceptable and accords with policy LIV1.

2. Layout and Impact on Amenity

The nearest properties are 4 & 15 Brodgen View, Cherry Tree Cottage, Hazel Bank, Norwood and Denismoor. No 4 and Cherry Tree lies to the east of the site and No. 15 to south west whilst Hazel

Bank, Norwood and Denismoor all lie to the north.

The site proposes a mix of housetypes with the layout showing acceptable distances between existing and proposed units can be achieved.

Plot 1 would be a 4 bed detached house with double garage and driveway onto Brogden Lane.

Plot 2 – 5 would be 4 bed three storey detached houses with garage and driveway onto Brogden Lane.

Plot 6 and 7 would be 3 bed three storey semi-detached houses with two parking spaces per unit accessed off Brogden View.

Plot 8 - 9 would be 3 bed two storey semi-detached houses with two parking spaces per unit accessed off Brodgen View.

Comments have been made regarding loss of private views which are not a planning matter.

The site is not prominent in terms of views and amended plans in terms of height and design have been submitted and are acceptable in terms of how this development would impact on the amenity of the area.

Details of boundary treatments have been submitted and include timber fences and dry stone walls which are acceptable.

Subject to appropriate conditions this layout would be acceptable in terms of design and impact and accords with policies ENV1 and ENV2.

3. Design and Materials

The proposed houses are modern in style with gables roofs to the front elevation and link detached garages. Plots 6 – 9 would be similar in style to those on Brogden View and would not be out of character on this small cul-de-sac. The bungalow proposed at plot 9 has been replaced with a two storey dwelling with a single storey element closest to the dwelling at No. 4. This is more in keeping and reflects the existing character of the area.

The roof heights of plots 2-5 on Brodgen Lane have been reduced so they would be only slightly higher than existing properties on this Lane including Cherry Tree Cottage.

The materials proposed are natural stone and natural blue slate with grey upvc windows and doors which are acceptable in this location. Samples of materials should be submitted for approval and this can be controlled by condition.

4. Flooding and Drainage

The site is not within a Flood Risk area and an appropriate scheme for the disposal of surface water can be achieved on the site.

In terms of drainage this can be controlled by an appropriate condition. United Utilities 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. This will include foul drainage and will seek to address any inadequacies that might arise from the additional dwellinghouses.

The development is acceptable in terms of flood risk and accords with policy ENV7.

5. Highways Issues

Plots 1 to 5 will be accessed by private drives off Brogden Lane. Brogden Lane is adopted and is an unclassified road and is categorised as a local access road with a speed limit of 30mph fronting the frontage of the site.

Plots 6 to 9 will be accessed off Brogden View. Brogden View is an unclassified road and is categorised as a cul-de-sac with a speed limit of 20 mph. Brogden View, fronting the applicant's site, is unadopted highway with no formal agreement for adoption.

It is not the developer's intention to have this road adopted although the work required will need to be carried out to adoptable standards and this can be controlled by condition.

Acceptable visibility splays can be achieved from both access roads and the road widths are sufficient for the number of properties proposed.

Plans show a 2m wide footpath to the front of plots 1-5 on Brogden Lane and the required visibility splays can be achieved.

This is a small scale scheme with four additional dwellings proposed off Brogden View and five off Brogden Lane this would not lead to an unacceptable amount of additional traffic on the highway network.

This scheme would provide off-street car parking for vehicles in a combination of garages and driveways. It would be advisable to attach a condition to any grant of permission which restricts the use of the garages of any other use than the parking of motor vehicles.

This would provide off-street car parking spaces in line with the car parking standards set out in the Replacement Pendle Local Plan.

Subject to appropriate conditions the proposal would not result in any adverse impact on highway safety issues.

6. Historic Buildings

Lane End Farmhouse is a Grade II listed building which lies to the north-east of the site at the junction of Gisburn Road and Brogden Lane.

The Farmhouse has existing development on all sides and is bounded by Gisburn Road and Brogden Lane on two sides. The application site is a brownfield site set across the highway and does not have a direct relationship with the Listed Building.

The setting of the building is thereby already defined by existing built form. Given the separation distances and intervening development this proposal would not adversely impact upon the setting of the listed building.

No assessment has been requested or is necessary in this situation.

7. Landscaping

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 which helps to soften the scheme and provide some visual interest in the overall layout.

Details of the overall landscaping for the site can be controlled by an appropriate condition.

The proposal therefore accords with this policy.

Summary

The principle of residential development in this location is acceptable in terms of layout, design, materials, highway conditions and landscaping subject to appropriate conditions. The proposed development would not have a detrimental impact on 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 appropriate conditions the proposal would not unduly impact on amenity or raise undue highway concerns and 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 proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

ADM/16/26/06, ADM (Brodgen View), ADM/16/26/01 Rev. A, ADM/16/26/02 Rev A, ADM/16/26/03 REV A, ADM/16/26/04, ADM/16/26/05 Rev A, ADM/16/26/07 Rev A.

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

3. 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: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

4. Prior to the commencement of development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of site conditions shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. Foul and surface water systems shall be drained on separate systems.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement 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.
 - h) Location and details of site compounds
- k) Parking area(s) for construction traffic and personnel
- L) Details of the provision and use of wheel washing on the site

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).

6. 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.

7. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level to each plot before any development commences on that plot. The final wearing course shall be completed within one week of the substantial completion of the final house on site unless another timescale is agreed in writing by the Local Planning Authority. If an alternative timescale is agreed the completion of the highway shall be undertaken in strict accordance with the agreed timescale.

Reason: To ensure that satisfactory access is provided to the site before construction of the development hereby permitted commences.

8. 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 43m distant in each direction measured from the centre of the access along the nearside adjoin edge of carriageway of Brodgen Lane 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.

9. Within two weeks of the commencement of development samples of the materials to be used in the construction of the external surfaces 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. Development shall then be completed in accordance with the approved details.

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

10. Windows and doors shall be set back from the external face of the walls of the units by at least 100mm in depth.

Reason: To ensure a satisfactory form of development.

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. The garages hereby permitted shall not at any time be used for any purpose which would preclude their use for the parking of a motor car.

Reason: To ensure that there is adequate off-street parking provision within the site to prevent on-street car parking that would be inimical to highway safety.

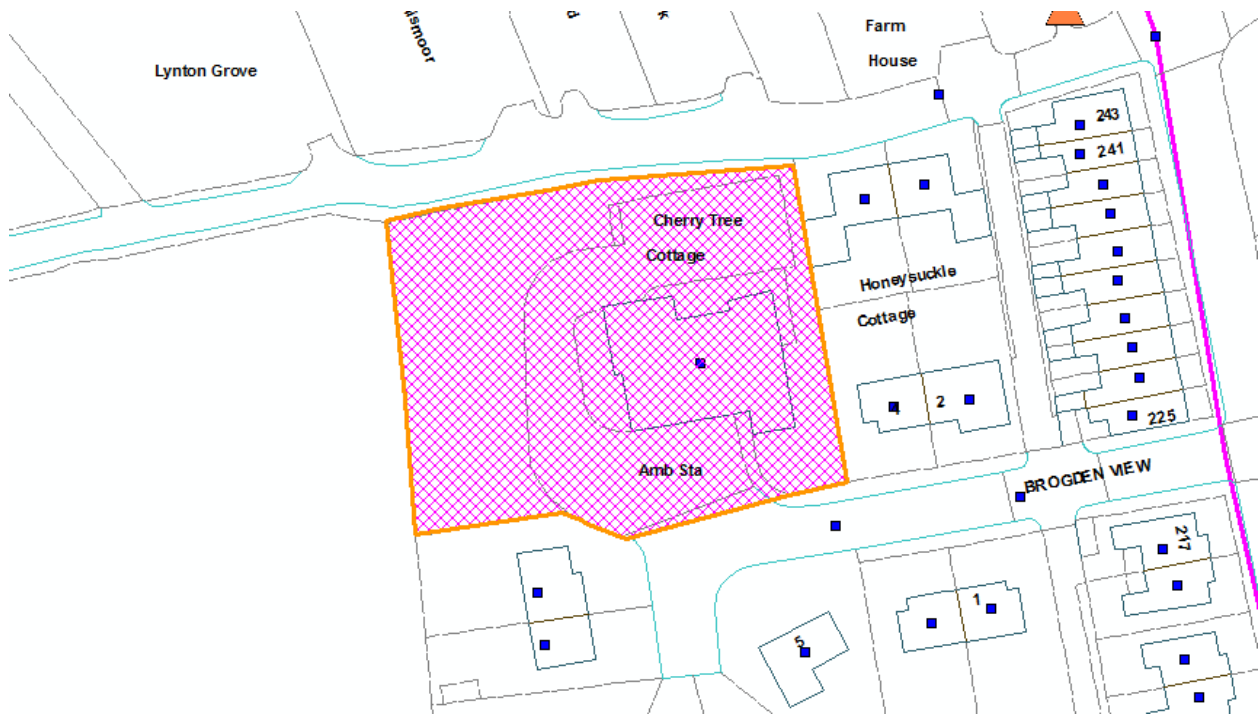
13. Notwithstanding the submitted landscaping plan, the development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
- 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;
 - c. an outline specification for ground preparation;
 - d. all proposed hard landscape elements, boundary treatments and pavings, including layout, materials and colours;
 - e. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion 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 that the development is adequately landscaped so as to integrate with its surroundings

14. Before a dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.



Application Ref: 16/0617/FUL

Proposal: Full: Demolition of ambulance station and erection of nine dwellinghouses, four semi-detached with access off Brogden View and five detached accessed off Brogden Lane.

At: Ambulance Station, Brogden View, Barnoldswick

On behalf of: Mr Graham Harker

LIST OF BACKGROUND PAPERS

Planning Applications

NW/SM

Date: 13 December 2016