



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: WEST CRAVEN COMMITTEE

DATE: 6th June 2017

Report Author: Neil Watson
Tel. No: 01282 661706
E-mail: neil.watson@pendle.gov.uk

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO WEST CRAVEN COMMITTEE ON 06 JUNE 2017

Application Ref: 17/0204/OTD

Proposal: Permitted Development Notification: Proposed change of use from offices (B1a) to 18 self-contained apartments on three floors.

At: South Block Wardle Storey Offices School Lane Earby

On behalf of: Mr A Kinder

Date Registered: 21 April 2017

Expiry Date: 16 June 2017

Case Officer: Kathryn Hughes

This application has been brought before the Committee has a total of three objections have been received.

Site Description and Proposal

As this is a Permitted Development Notification a decision has to be made within 56 days of the date the application is registered otherwise the applicant can proceed. In this case that date is the 16th June.

The proposal is for change of use of existing B1 offices into 18 Use Class C3 apartments on all three floors.

The application site is a modern office building which has been unoccupied for some time. There are residential and commercial properties in the area and the building is physically linked at first floor to the building across the street which is in the same ownership. That building also has permission for apartments.

There is an existing car park to the rear (south west) of the site.

All the apartments would have one bedroom and are proposed for elderly residents. Car parking provision for the apartments would be seventeen spaces sited to the rear of the building the layout and access to which is considered under planning application 17/0173/FUL also on this agenda.

A similar notification and planning application have been approved previously.

Relevant Planning History

13/13/0358N - Permitted Development Notification: Proposed change of use from offices B1(a) to 12 self-contained apartments on first and second floors - Notification Refused 3rd September, 2013.

13/13/0548P - Full: Demolition of over bridge link, layout of 18 parking spaces, erection of bin store and external alterations - Approved 31st December, 2013.

13/13/0594N - Permitted Development Notification: Proposed change of use from

offices B1(a) to 18 self-contained apartments on three floors – Notification Approved 6th February, 2014.

Consultee Response

LCC Highways – I would raise concerns over the access arrangements as submitted and recommend amendments to the layout and parking.

Access

The visibility splay at the new exit onto School Lane is insufficient for a 30mph road as the stone wall leading from the footbridge to the north is over 1m in height and within the visibility splay. The applicant should provide a plan of the new site exit showing the visibility splay for a 30mph road. We would request that the height of the wall is reduced below 1m for the full length of the visibility splay. If a suitable visibility splay cannot be achieved then I would raise an objection to this application.

Parking & Layout

Please ask the developer to provide an amended access and parking layout scheme taking into account the following comments:

Provide a signing scheme for the one-way traffic system, including No Entry signs and road markings (gable end of Flat 2) and No Entry signs and road markings at the new exit onto School Lane. If they are unable to provide it at this stage and the application is approved then this should be a condition applied to the approval.

Provide details of the one-way traffic control system noted on the proposed site plan drawing (No: CALI/02 Dwg 04) and also whether this would conflict with access to the rear of neighbouring properties.

Remove Parking Bay 1 as it is too narrow and tight to the building.

Remove Parking Bay 2 to retain the existing pedestrian access through to the adjacent bus station and the space to be protected with appropriate hatched markings to prevent parking.

Move the bin store from its current location to one at the front of the site where it would be easily accessible by the refuse wagon, possibly into Parking Bays 17 or 18. The refuse wagon cannot gain access to the rear of the building and therefore it will need to collect the refuse from School Lane. The bin store should be located directly adjacent to School Lane to minimise the dwell time of the refuse wagon on School Lane for highway safety reasons.

If the bin store is moved Parking Bay 11 would need to be re-orientated to provide improved manoeuvrability.

Parking Bay 12 is inadequately sized and should be a minimum of 2.4m wide.

As the development site has good links to the public transport network we would accept a slight reduction in parking standards as this would allow improvements to the parking layout on site.

Based on the recommendations in the 'Replacement Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards' at least one secure cycle space should be provided for single bedroom residential properties. In the absence of garages covered, lockable provision should be

made on or within 100 metres of the property. In flats/apartments secure provision should be provided within the development for cycles at the ratio of one per dwelling.

Having considered the information submitted and visited site I would provide the additional comments and requests for information.

Off-site highway works

There are currently concrete bollards along the site's front boundary on School Lane. The developer has not provided details of any boundary treatment, although the bollards have been removed on the site layout plans.

Please ask them to provide details of any proposed treatment.

Works to create new vehicle accesses at the entrance from and exit onto School Lane, which would need to include the re-siting of a street lighting column, provision of radius kerbs and tactile paving etc, would have to be through an appropriate Legal Agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development.

The adopted footway along the front of the site should be widened to a minimum width of 2m and then adopted under a Section 38 agreement with Lancashire County Council as the Highway Authority.

The wall within the footway of School Lane (within the visibility splay) is within the highway and alteration will require full engineering details agreed under an appropriate agreement.

Link Bridge

The developer should be aware that the demolition of the link bridge would necessitate the temporary closure of School Lane. The county council's Highway Regulation Team would need a minimum of 12 weeks' notice to arrange the temporary closure. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.

If minded to approve conditions are requested relating to construction method statement, scheme for construction of site access and off-site highway works, reduction of wall, signage for one way system, hard and soft landscaping and boundary treatments, vehicles to enter and leave in forward gear, scheme for surfacing car park and cycling facilities.

Environment Agency - No objection to this development on flood risk grounds, provided it proceeds in accordance with the recommendations of the submitted FRA.

Yorkshire Water

PBC Environmental Health - No adverse comments.

Earby Town Council

Public Response

Nearest neighbours notified by letter. Two responses received objecting on the following grounds:

- Concerns over where residents would park;
- We believe bats may be roosting in the building and would expect the relevant surveys to be undertaken;

- The tree next to the fire escape would be close to the proposed parking spaces and possibly the bin store. As this is within a conservation area there could be damage to the tree roots and a section 211 notice must be submitted before work commences in the vicinity of the tree;
- Where will the potential 18 cars gain access to the property? They will need to cross the pavement and the road narrows close to the bridge over the beck. This is already a difficult road to cross. Will the rubbish bin storage obscure the view of small children?
- This will amount to extra traffic travelling up School Lane which has high congestion and sometimes is reduced to single width; and
- Where will the vehicles involved in the development park as the double yellow lines should be respected by all parties should planning be granted.

Officer Comments

The Notification of development is made under the provisions of the Town & Country Planning (General Permitted Development) Order 1995. This is a different process than determining a planning application. The principle of development is automatically accepted through this process. This is not a matter that should be discussed as the legislation does not provide for the principle of a residential use to be discussed through the Notification process.

The legislation limits the material considerations to three issues:

1. Flood risk,
2. Contamination,
3. Highways impact.

The authority can also consider potential noise impact on the proposed residential use if there are existing commercial uses within the building which is to remain. This is not the case here.

These three areas are the matters on which the decision whether to approve the submission or to refuse it must be based on.

The applicant has submitted details relating to all three areas of concern for the Council to consider.

Transport and Highway Impacts

At present the building is vacant and has been for a number of years and has an existing car park located to the rear of the site.

In terms of the existing provision as the total floor area of the building is 1020 sq.m. over three floors which would require a maximum of 29 car parking spaces. The existing car park is not formally laid out but would be capable of accommodating approximately 12 - 15 spaces.

Each apartment would contain one bedroom and would therefore require one on-site parking space. Application 17/0173/FUL has been submitted for additional car parking on the site. 17 spaces are proposed which is acceptable.

The site is accessible via alternative modes of transport and is located adjacent to the bus station.

LCC Highways have requested off-site highway works to access the building as well as other conditions which would improve highway safety.

The agent has been requested to amend the scheme to incorporate these requirements in an amended plan.

The parking requirements for this scheme are sufficient for this site in this location. The amount of car parking needed for the offices was significantly in excess of that provided. The current proposal provides for an improvement to the ratio of car parking spaces needed for the use proposed. This proposal therefore accords with Policy 31.

Contamination

No issues relating to contamination have arisen. This proposal therefore accords with policy.

Flood Risk

A flood risk assessment has been submitted with the Notification. The Environment Agency has considered this and has no objections to it. There are proposals contained within the assessment to mitigate against any proposed flooding and these will need to be provided as part of the development of the site.

This proposal therefore accords with policy ENV7.

Summary

Approval should be given as the three grounds that can be considered here are acceptable and the proposal accords with policies ENV1, ENV2 and ENV7 of the adopted Pendle Local Plan Part 1: Core Strategy and saved policy 31 of the Replacement Pendle Local Plan.

RECOMMENDATION: Approve Permitted Development Notification

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:

CALI/02 Dwg 01, CALI/02 Dwg 02 & CALI/02 Dwg 03.

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

3. The proposed development shall not be brought into use unless and until the car park shown on the approved plan has been constructed, surfaced, sealed, drained and marked out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

4. Before the development hereby permitted becomes operative, the existing wall within the footway to the north of the proposed new vehicle exit onto School Lane shall be reduced to,

and be permanently maintained henceforth, at a height not greater than 0.9m above the crown level of the carriageway of School Lane.

Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving the site.

5. The proposed development shall be carried out in accordance with the mitigation measures set out in Flood Risk Assessment by Michael Lambert Associates 16th December, 2013 .

Reason: In order to reduce the risk of flooding.

REPORT TO WEST CRAVEN COMMITTEE ON THE 6th JUNE, 2017

Application Ref: 17/0173/FUL

Proposal: Full: Demolition of link bridge, layout of parking spaces, erection of bin store and external alterations to building.

At: South Block, Wardle Storey Offices, School Lane Earby

On behalf of: Calico

Date Registered: 18 April 2017

Expiry Date: 13 June 2017

Case Officer: Kathryn Hughes

Site Description and Proposal

The proposal is for the demolition of an over bridge link and substation, formation of 17 parking spaces, erection of external bin store and external alterations. The formation of 18 one bed flats does not form part of this proposal as a separate application for a prior notification of permitted development has been submitted 17/0204/OTD which is elsewhere on this agenda.

The site lies within Earby Conservation Area but outside the town centre boundary.

The application site is a modern office building which has been unoccupied for some time. There are residential and commercial properties in the area and the building is physically linked at first floor to the building across the street which is in the same ownership/use. At present there is a car park to the rear of the building.

The link crosses over the highway to join the two buildings either side and is proposed to be removed. Part of this work has already been undertaken.

The car parking provision of 17 spaces would be sited to the side and rear of the building.

The bin store would measure 3.3m x 3.1 m at a height of 1.5m constructed in 18mm close timber boarding sited to the rear of the building within the car park area.

The external alterations include a new entrance porch with ramp and railing to the front elevation, new personnel door and steps and ramp with railing to the side elevation and new upvc window openings throughout as well as a render finish to the elevations.

Relevant Planning History

13/13/0594N - Permitted Development Notification: Proposed change of use from offices B1(a) to 18 self-contained apartments on three floors – Notification Accepted 6th February, 2014.

13/13/0358N - Permitted Development Notification: Proposed change of use from offices B1(a) to 12 self-contained apartments on first and second floors – Notification Refused 3rd September, 2013.

13/10/0498P - Full: Extend time limit for implementation of planning permission 13/07/0625P (convert offices into four duplex apartments ..) – Approved 26th November, 2010.

13/13/0548P - Full: Demolition of over bridge link, layout of 18 parking spaces, erection of bin store and external alterations - Approved 31st December, 2013.

13/07/0625P - Convert offices into four duplex apartments with parking; external alterations to fenestration - Approved.

13/93/0278P - Alterations to external elevation, formation of car park and landscaping - Approved

13/93/0478P - Modification of condition 3 (13/93/0278P) - Approved.

13/95/0119P - Erect pitched roof on office block - Approved.

Consultee Response

LCC Highways – I would raise concerns over the access arrangements as submitted and recommend amendments to the layout and parking.

Access

The visibility splay at the new exit onto School Lane is insufficient for a 30mph road as the stone wall leading from the footbridge to the north is over 1m in height and within the visibility splay. The applicant should provide a plan of the new site exit showing the visibility splay for a 30mph road. We would request that the height of the wall is reduced below 1m for the full length of the visibility splay. If a suitable visibility splay cannot be achieved then I would raise an objection to this application.

Parking & layout

Please ask the developer to provide an amended access and parking layout scheme taking into account the following comments:

- Provide a signing scheme for the one-way traffic system, including No Entry signs and road markings (gable end of Flat 2) and No Entry signs and road markings at the new exit onto School Lane. If they are unable to provide it at this stage and the application is approved then this should be a condition applied to the approval.
- Provide details of the one-way traffic control system noted on the proposed site plan drawing (No: CALI/02 Dwg 04) and also whether this would conflict with access to the rear of neighbouring properties.
- Remove Parking Bay 1 as it is too narrow and tight to the building.
- Remove Parking Bay 2 to retain the existing pedestrian access through to the adjacent bus station and the space to be protected with appropriate hatched markings to prevent parking.
- Move the bin store from its current location to one at the front of the site where it would be easily accessible by the refuse wagon, possibly into Parking Bays 17 or 18. The refuse wagon cannot gain access to the rear of the building and therefore it will need to collect the refuse from School Lane. The bin store should be located directly adjacent to School Lane to minimise the dwell time of the refuse wagon on School Lane for highway safety reasons.
- If the bin store is moved Parking Bay 11 would need to be re-orientated to provide improved manoeuvrability.
- Parking Bay 12 is inadequately sized and should be a minimum of 2.4m wide.

As the development site has good links to the public transport network we would accept a slight reduction in parking standards as this would allow improvements to the parking layout on site.

Based on the recommendations in the 'Replacement Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards' at least one secure cycle space should be provided for single bedroom residential properties. In the absence of garages covered, lockable provision should be made on or within 100 metres of the property. In flats/apartments secure provision should be provided within the development for cycles at the ratio of one per dwelling.

Having considered the information submitted and visited site I would provide the additional comments and requests for information.

Off-site highway works

There are currently concrete bollards along the site's front boundary on School Lane. The developer has not provided details of any boundary treatment, although the bollards have been removed on the site layout plans.

Please ask them to provide details of any proposed treatment.

Works to create new vehicle accesses at the entrance from and exit onto School Lane, which would need to include the re-siting of a street lighting column, provision of radius kerbs and tactile paving etc, would have to be through an appropriate Legal Agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development.

The adopted footway along the front of the site should be widened to a minimum width of 2m and then adopted under a Section 38 agreement with Lancashire County Council as the Highway Authority.

The wall within the footway of School Lane (within the visibility splay) is within the highway and alteration will require full engineering details agreed under an appropriate agreement.

Link Bridge

The developer should be aware that the demolition of the link bridge would necessitate the temporary closure of School Lane. The county council's Highway Regulation Team would need a minimum of 12 weeks' notice to arrange the temporary closure. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.

If minded to approve conditions are requested relating to construction method statement, scheme for construction of site access and off-site highway works, reduction of wall, signage for one way system, hard and soft landscaping and boundary treatments, vehicles to enter and leave in forward gear, scheme for surfacing car park and cycling facilities.

Environment Agency – No objection but would like to make the following comment.

Informative - This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within 8m of the top of the bank of both Earby Beck and the New Cut, designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are not excluded or exempt. A permit is separate to and in addition to any planning permission granted.

Yorkshire Water

Earby Town Council

Public Response

Site and press notices posted and nearest neighbours notified by letter without response.

Officer Comments

The main issues are compliance with policy, impact on amenity/impact on conservation area and highways issues.

- Policies

As well as the National Planning Policy guidance the following Pendle Local Plan policies apply here:

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.

SPD: Design Principles and SPG: Conservation Area Design and Development Guidance lend support to both these policies.

Policy ENV7 does not permit development where it would increase the potential for flood risk without appropriate alleviation measures.

The following saved Replacement Pendle Local Plan Policies are also relevant here:

Policy 31 'Parking' seeks to accommodate adequate provision for off-street car parking within the development site. This is addressed in the Parking/Highways section.

- Impact on Amenity/Conservation Area

The site is located within Earby Conservation Area (2004) and there is a duty under section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

The demolition of the link bridge, bin store, external alterations and formation of the car park are the only matters for consideration. The use of the building for 18 flats does not form part of this application and therefore the potential impact cannot be considered here.

The demolition of the link bridge is acceptable and drawings have been submitted showing the remediation work required to both buildings details of which can be controlled by an appropriate condition.

The bin store would measure approximately 3.3m x 3.1m x 1.5m constructed in 18mm thick close timber boarding and would accommodate 4 x 1280 litre bins. The bin store would be located to the rear of the building and would have the same household refuse as any other dwellinghouse and would be emptied on the same basis. This is acceptable.

The materials proposed for the cladding are render with upvc windows and doors instead of brickwork and timber. Whilst the render would create a more attractive building on this frontage; timber windows and doors would be more appropriate in the conservation area. This can be controlled by condition.

It is proposed to extend the existing car park to the rear (south west) which has approximately 10 spaces to the west to increase the parking provision to 17 spaces.

The creation of the additional car parking spaces would not unduly impact on the amenity of the area and sufficient space would remain for landscaping. This can be controlled by condition.

The proposal therefore accords with policies ENV1 and 2.

- Parking/Highway Issues

At present the building has a car park located to the rear of the site.

In terms of the existing provision as the total floor area of the building is 1020 sq.m. over three floors which would require a maximum of 29 car parking spaces. The existing car park is not formally laid out but would appear to accommodate approximately 10 spaces.

Each apartment would contain one bedroom and would therefore require one on-site parking space. Although the parking standards are maximums it is advisable for residential properties to provide a sufficient number of on-site spaces. In this particular case there is 18 apartments and only 17 parking spaces proposed. Whilst there is limited on street parking in the area the loss of one space would be acceptable in this location which is accessible via alternative modes of transport and is located adjacent to the bus station.

Provision for at least two cycle spaces should also be provided within the site and this can be controlled by an appropriate condition.

LCC Highways have raised concerns over the parking layout, access and located of the bin store and have requested that amendments be submitted. The agent has been requested to consider these comments and any amended plans will be reported to the meeting

The proposal therefore accords with policy 31 subject to improvements to the layout.

Summary

The proposed scheme is acceptable in terms of impact on amenity and the conservation area and highways issues subject to appropriate conditions.

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 demolition of the link bridge, formation of car park, erection of bin store and external alterations are acceptable subject to appropriate 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:

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:

CALI/02 Dwg 01, CALI/02 Dwg 04, CALI/02 Dwg 02 & CALI/02 Dwg 03 & CALI/02 Dwg 05.

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development including colour of render 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.

4. 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 boundary treatments with supporting elevations and construction details;
 - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f. 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.

5. The proposed development shall not be brought into use unless and until a scheme for the car park including proposed signage and levels has been submitted to and approved in writing by the Local Planning Authority and shall thereafter be constructed, surfaced, sealed, drained and marked out in accordance with the approved details. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

7. No development shall take place, including any works of demolition for the link bridge, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials

- iii) The storage of plant and materials used in constructing the development
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site.

8. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. These should include works to create new vehicle accesses to/from School Lane (re-siting of street lighting column, radius kerbs, tactile paving etc); reduction in height to wall within the highway within the visibility splay, widening of footway along School Lane; any boundary treatment along School Lane. The above works to be implemented prior to first occupation.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

9. A minimum of 2 cycle racks with appropriate signage shall be provided within the site prior to the proposed development being first brought into use, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce dependence on car-borne travel.

10. All window frames and doors shall be of a timber construction and painted in a colour to be submitted to and agreed by the Local Planning Authority within 2 weeks of the commencement of development. The development shall then only be carried out in accordance with the approved details prior to the occupation of any dwelling and retained thereafter.

Reason: To ensure the satisfactory appearance of the development.

11. The windows and doors shall be set back from the external face of the walls by at least 75mm in depth.

Reason: To ensure the continuation of a satisfactory appearance to the development.

12. Full details of the rainwater goods including the colour thereof shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of development. The development shall thereafter strictly conform to the details so approved.

Reason: In order to ensure the design of the features of the building are acceptable.

13. Within two weeks of the commencement of development full details of :-

- * reinstatement of facades where the bridge link adjoins the buildings is to be demolished;
- * timetable of schedule of work.

shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved plans.

Reason: In the interests of amenity and the appearance of the development.

Informative - This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within 8m of the top of the bank of both Earby Beck and the New Cut, designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are not excluded or exempt. A permit is separate to and in addition to any planning permission granted.

Notes

1. The grant of planning permission will require the applicant to enter into an appropriate Section 278 Legal Agreement, with Lancashire County Council as Highway Authority prior to the start of any development. 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 should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email lhscustomerservice@lancashire.gov.uk , quoting the relevant planning application reference number.

2. The land referred to in Condition 8 to widen the footway on School Lane shall be the subject of a dedication agreement with the Highway Authority under the provision of Section 38 of the Highways Act or other appropriate agreement.

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 31st May 2017