

**REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER**

TO: POLICY AND RESOURCES COMMITTEE

DATE: 18th DECEMBER, 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO POLICY AND RESOURCES COMMITTEE ON 18TH DECEMBER 2018

Application Ref: 18/0624/OUT

Proposal: Outline: Major: Residential development (0.5ha) (Access Only) (Re-Submission)

At: Land to the West of White Leys Close, Earby

On behalf of: M & D Dinsdale

Date Registered: 06.09.2018

Expiry Date: 21.12.2018

Case Officer: Charlotte Pinch

This report has been referred from West Craven Committee as members were minded to refuse the application, due to potential significant risks to road safety. However, a pedestrian footpath has been proposed along Park Avenue, which will be secured by condition as first works on site. In addition, a condition has been applied to ensure the 30mph zone is extended along Park Avenue, to cover the proposed development. Therefore, adequate measures have been taken to ensure this development does not have a significant impact on highway safety.

Site Description and Proposal

The application seeks outline permission for the erection of approximately twelve dwellinghouses with access only. Details of the appearance, landscaping, layout and scale would be dealt with at a later stage under the Reserved Matters submission.

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

The site is a rectangular piece of land which measures 0.5ha and is bounded by housing on White Leys Close to the east, Earby Road to the south and Open Countryside to the north and west. Access to the site would be directly off Earby Road.

An identical application was submitted in 2017 and subsequently withdrawn prior to determination at committee.

Relevant Planning History

17/0560/OUT

Outline: Major: Residential development (0.5ha) (Access only).

Withdrawn. 2017.

Consultee Response

LCC Highways

This application seeks permission for 12 dwellings on previously undeveloped land. The application is almost identical to the previous application D13.17.0560 which was withdrawn.

The 'Indicative site layout' drawing SK01 – Rev B proposes a revision to plot 10 (4 bed /double garage to 3 bed with single garage).

There is no objection to the proposal subject to the same conditions as drafted in the committee report for the previous application.

LCC Education

An education contribution is not required at this stage in regards to this development.

Yorkshire Water

The Drainage Strategy Report prepared by JOC Consultants Ltd (Report 17/035.01 dated 27/06/2018) is acceptable.

In summary, the report states that foul water will discharge to public combined sewer and surface water will discharge to watercourse.

Please note further restrictions on surface water disposal from the site may be imposed by other parties. You are strongly advised to seek advice/comments from the Environment Agency/Land Drainage Authority/Internal Drainage Board, with regard to surface water disposal from the site.

The landowners consent will be required for the construction of a new outfall structure.

As surface water from the site is not proposed to discharge to the public sewer network, no assessment of the capacity of the public sewers to receive surface water has been undertaken. Should the surface water disposal proposals change, further consultation with Yorkshire Water will be required.

LCC Lead Local Flood Authority

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

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

Although the LLFA is satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk on or off site. The applicant would be expected to provide a detailed surface water drainage strategy as part of any reserved matters application and prior to the commencement of any development. This must comply with the requirements of the National Planning Policy Framework and Standards 2, 4, 7, 8 and 9 of the non-statutory technical standards for sustainable drainage systems; March 2015. The drainage strategy must also include an appropriate management and maintenance plan that demonstrates how the sustainable drainage system will be managed and maintained over the lifetime of the development.

The proposals indicate that the applicant intends to carry out works on or near to an existing ordinary watercourse. Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), the applicant would need consent from the LLFA for works of this nature as it has the potential to alter or impede the flow of water. Consent is required regardless of

whether the watercourse is open or culverted. Failure to obtain consent before starting works may result in enforcement action being taken.

The applicant is advised to contact the Flood Risk Management Team at Lancashire County Council to discuss their proposals prior to applying for Land Drainage Consent. The applicant can contact the Flood Risk Management Team by the following email: highways@lancashire.gov.uk.

Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the local highway authority. For the avoidance of doubt, the LLFA does not comment on the suitability for future highway adoption under Section 38 of the Highways Act 1980. This is for the Local Highway Authority to comment on.

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

Airdale NHS Trust

A contribution has been requested to provide additional services to meet patient demand. No final contribution figure has been provided, as the number of dwellings has not yet been confirmed. A formula has been provided to demonstrate how the contributions are calculated.

Salterforth Parish Council

Salterforth Parish Council object to the proposal on the following grounds;

- That the proposed development is on a greenfield site.
- The land is subject to regular flooding.
- It is well outside of the settlement boundary.
- Access and egress is problematic given known line of sight issues.
- The lack of infrastructure is something that has already caused major problems.
- Schools are at or already over capacity.
- Where will the run-off water and sewage go as the present infrastructure cannot cope and fails constantly.
- SUDs ponds are unproven.
- This is ribbon development that brings Salterforth and Earby nearer to becoming a single entity, thus losing the individual character of both and the single identities.

Earby Town Council

Earby Town Council object to the proposal on the following grounds;

- The housing figures for the area have been revised downward meaning that the development is not required.
- This is a green field site outside of the settlement boundary.
- The proposed development is in an area with a high risk of flooding.
- That sustainable transport (Sustrans) be a statutory consultee as this development compromises the Route 91 cycle path.
- The existing drainage system will not be adequate to take on the added requirements.
- Local infrastructure, schools and health care providers are already at capacity.
- This is a ribbon development that will bring the boundaries of Earby and Salterforth closer.
- The development would bring extra traffic to an area that is already very busy.

- The access of said development is also on a busy main road.

Cadent Gas

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Lancashire Constabulary

As the application is Outline at this stage and for access only, bespoke security advice can be provided as the scheme progresses through the planning process. The following security advice should be considered by the applicant at the earliest opportunity in the design stages –

Designing out future crime in real terms, means that for some people you are preventing their home being broken into, preventing their car being damaged or preventing an elderly resident being victim of a bogus official burglary. Making minor changes to the design and layout of a development by turning a house round slightly so that the front overlooks the neighbours drive or omitting a footpath from a cul-de-sac can mean that the area is less attractive to potential intruders, and can reduce the fear of crime for residents and visitors.

In general, burglary patterns indicate that rear ground floor doors and windows are most vulnerable to attack. Also, garages and sheds can be often targeted for burglary where bicycles, household and garden tools are stolen. It is beneficial to address crime and security issues as early as possible in the design process allowing crime prevention strategies to be more effectively integrated into the overall development. I would therefore recommend that this development is built to Secured By Design 'Homes 2016'. Further guidance on this is available via www.securedbydesign.com

Public Response

The nearest neighbours were notified by letter, in addition to a site and press notice being posted. Five letters of objection were received from neighbouring occupiers, their comments can be summarised as follows:

- Existing flooding problems within the site from rain run-off.
- Sufficient residential development has already been approved in the area.

- Not appropriate to build on Green Belt land.
- The loss of land and trees will harm the habitats for a number of wildlife.
- Increased pressure on schools and services in the area.
- Earby Road is already busy and well used, the road capacity will not be sufficient.
- Hazardous road for residents who walk.
- Loss of privacy to properties in White Leys Close.
- Disruption to local residents during the construction phase.
- Site is within Salterforth and not Earby.

Officer Comments

Policy

Section 38A of the Planning and Compulsory Purchase Act 2004 requires that when determining planning applications regard has to be had to the development plan the application must be determined in accordance with the Plan unless material considerations indicate otherwise.

Local Plan Part 1: Core Strategy

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

ENV2 (Achieving Quality in Design and Conservation) 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. The proposals compliance with this policy is addressed in the design and amenity sections.

ENV7 (Water Management) 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 proposals compliance with this policy is addressed in the flooding and drainage section.

Policy LIV1 (Housing Provision and Delivery) sets out the housing requirements for 2011 to 2030 and how this will be delivered. It allows for sustainable development outside of settlements to come forward until the part 2 plan has been approved.

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

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

Policy LIV5 (Designing Better Places to Live) requires that layout and types of development reflect the site and the surroundings, to meet borough-wide requirements for housing stock.

Replacement Pendle Local Plan

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

Policy 31 'Parking' which is a saved Policy within the Replacement Pendle Local Plan requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

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 the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Paragraph 59 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.

Section 12 of the Framework deals with design and makes it clear that design is a key aspect of sustainable development. Paragraph 130 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. 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. 127). It is also proper to seek to promote or reinforce local distinctiveness.

Para 130 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 11 is to allow sustainable development to come forward.

Principle of the Development

Although the site lies with the parish of Salterforth, it is immediately adjacent to the settlement boundary for Earby and has a much closer relationship to the facilities in Earby rather than the rural village of Salterforth. The development is not an extension of Salterforth but is an extension of the settlement of Earby.

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

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

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

Impact on Open Countryside

Although the site is in Open Countryside it lies immediately adjacent to the settlement boundary of Earby. The site is not prominent in the landscape and is limited in terms of its landscape value.

The proposed application site is located on a valley side, which drops down into Earby. This is not a prominent hill top location which would detrimentally affect the local landscape value. In addition, this proposal is for a small cluster of dwellings adjacent to existing residential development, including footpaths to allow access into Earby. A number of existing trees will remain and further details of the proposed landscaping of the scheme can be controlled as part of the Reserved Matters.

Therefore the proposed development is acceptable in terms of impact on the Open Countryside and would not have a detrimental impact on the landscape, according with policies ENV1, ENV2 and LIV1.

Flooding and Drainage

The site does not fall within an area of Flood Risk as identified by the Environment Agency. In addition, the site is less than 1 ha. therefore a site-specific flood risk assessment is not required.

The submitted Drainage Strategy Report is acceptable and no objections are raised by LCC Lead Local Flood Authority or Yorkshire Water. The proposed drainage strategy for the site incorporates Sustainable Urban Drainage Systems (SUDs) which are effective systems and will significantly help with drainage on the site. Once implemented, the overall scheme will improve drainage for the site and the wider area, therefore it is not an adequate reason to refuse the application.

At reserved matters stage a detailed surface water drainage strategy must be submitted, which will be controlled by a condition.

Highways and Access

No objections are raised with regards to the capacity of the existing road to accommodate additional traffic as a result of this development.

The proposed access point is acceptable and the visibility splay requirement is achievable over the applicants land, although it would result in some vegetation loss along the Earby Road boundary of the site access to the east.

It has been requested that the footway approved under application 16/0630/OUT on the south side of Earby Road must be implemented prior to the first occupation of any dwelling constructed under this application. This is vital to ensure pedestrians can travel from the development site to

Salterforth Road safely. A condition will be applied to ensure that the footway is implemented, prior to occupation of any of the dwellings.

Furthermore, a condition could be applied to this permission to ensure the 30mph speed limit is extended to include the site access into the 30mph zone, which will be completed as off-site highway works under a S278 agreement.

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

Affordable Housing

Policy LIV4 sets out the targets and thresholds required to contribute towards the provision of affordable housing. The application site is located within Open Countryside outside the settlement boundary of Earby.

As a result, the development would be associated with Earby, as a West Craven Town, therefore as only 12 dwellings have been indicatively proposed on the site, a 0% affordable housing contribution would be required, in accordance with Policy LIV4.

NHS Contribution

The Airedale NHS Foundation Trust has requested a contribution from the applicant, to provide additional services to meet patient demand. Given this is an outline application and the exact number of dwellings has not yet been finalised, a formula has been presented by the NHS, for which they will use to calculate the final contribution required. The contribution request has been agreed by the applicant and a condition will be applied requiring a planning obligation pursuant to Section 106 to be agreed.

Education Provision

Thorough assessment of the proposal by Lancashire County Council Education Authority deemed there is sufficient capacity in the area to accommodate additional school pupils, without the requirement for an education contribution. Therefore, no objections are raised.

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 accords with the Local Plan and National Planning Policy Framework. 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. An application for approval of the reserved matters (namely the appearance, layout, scale and landscaping of the site) shall be submitted in writing to the Local Planning Authority

before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

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

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

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

3. The development hereby permitted shall be carried out in accordance with the following approved plans: SK01 Rev B, Site Location Plan Scale 1:1250.

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

4. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted 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.

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

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

6. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- e) Details of wheel-washing facilities including location
- g) Measures related to construction waste management

- i) Soil resource management including stock-pile management
- n) Location and details of site compounds
- o) Hoarding details during construction
- s) A Construction Waste minimisation Strategy.
- t) A Construction-Risks Education plan/programme
- u) Parking area(s) for construction traffic and personnel
- v) Routeing of construction vehicles

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

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

7. The car parking and garage areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking and garage spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

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

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

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

9. No development shall commence until a scheme for the construction of the site access and the off-site highway works has been submitted to and approved in writing with the LPA:-

The off-site highway works include:-

- Extension of 30mph speed limit on Earby Road and creation of a footway on the south side of Earby Road/Salterforth Road (agreed under application 16/0630).

No part of the development shall be occupied until the works have been carried out in accordance with the approved details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highways scheme/works.

10. Prior to the first occupation of any house the new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

11. No part of the development shall be commenced until the visibility splays measuring 2.4 metres by 52 metres in both directions to be provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Earby Road, to the satisfaction of the Local Planning Authority. 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 for residents and construction vehicles in accordance with Quality of Development Policy and Transport Policy in the Local Plan.

12. No development shall be commenced 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: In the interest of highway safety.

13. No development shall be commenced until full engineering, drainage, street lighting and constructional details to adoptable standards (LCC specification) of the internal estate roads 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.

14. The first works on site must be the construction of the footway on the north side of Earby Road and the corresponding footway on the south side of Earby Road, linking to the footway on the south side of Salterforth Road (agreed under application 16/0630/OUT) shall be constructed to adoptable standards.

Reason: To ensure that satisfactory pedestrian access is provided to the site before the development hereby permitted becomes operative.

15. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to ensure that sufficient off-street parking can be accommodated within the site.

16. Prior to first occupation each dwelling shall have a secure cycle store in accordance with the parking standards.

Reason: In order to ensure that the development has the provision of sustainable infrastructure.

17. Prior to first occupation each dwelling shall have an electric vehicle charging point.

Reason: To encourage sustainable travel.

18. The development shall be carried out in accordance with the details shown on the submitted Drainage Strategy Report prepared by JOC Consultants Ltd (Report 17/035.01 dated 27/06/2018), unless otherwise agreed in writing with the Local Planning Authority .

Reason: In the interest of satisfactory and sustainable drainage.

19. Prior to the commencement of development, a detailed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall include:

a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice <https://www.gov.uk/guidance/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 flood levels in AOD;

b) The drainage scheme should demonstrate that surface water run-off must not exceed the existing pre-development runoff rate for the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Flood water exceedance routes, both on and off site;

d) A timetable for implementation, including construction phasing where applicable;

e) Details of an appropriate management and maintenance plan for the lifetime of the sustainable drainage system.

The scheme 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 drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure the Local Planning Authority are satisfied the proposed development can be adequately drained and there is no flood risk on or off the site resulting from the proposed development.

20. No part of the development shall take place until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for NHS provision at Airedale Hospital.

Reason: In order to ensure there is an acceptable level of provision at Airedale NHS Foundation Trust.

INFORMATIVE

1. The grant of planning permission will require the applicant to enter into a Section 38/278 Agreement, with Lancashire County Council as Highway Authority. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided.

2. 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 at www.lancashire.gov.uk/flooding