

Barrowford & Western Parishes Committee Update Report 10th June 2020

19/0912/FUL – Garage Site, Back Gisburn Road, Blacko

Additional condition (16) relating to obscure glazing.

Revised conditions 2 error in plan numbers, condition 10 add plan number, Condition 11 remove hard standing, means of enclosure and exterior painting as well as reference to conservation area in the reason for the condition.

Recommended 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 strict accordance with the following approved plans: 2018/14: 1, 2F, 3A, 4C and 5.

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

3. No above ground works shall commence on site unless and until, representative samples of all the external materials to be used in the construction of the roofs and walls, together with samples showing the colour and finish of the windows, doors and cladding materials of the dormers and design details of the surfacing material to be applied to the driveways to be installed as part of the development hereby approved, have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

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

4. Improvements to the junction of the site with Back Gisburn Road as shown on approved plan '2018/14/2F' and 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, prior to the commencement of any other development on the site.

Reason: To ensure adequate access for construction vehicles and in the interests of highway and pedestrian safety.

5. The estate road shall be surfaced, sealed and completed in its entirety prior to occupation of the first unit.

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

6. Prior to the occupation of any dwelling hereby approved, the driveways, parking areas and turning head as shown on approved plan '2018/14/2F' shall be laid out and made available for use thereafter for the parking of vehicles associated with the occupants of the dwellings.

Reason: In the interest of highway safety.

7. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out concurrently with the rest of the development and in any event shall be finished before any dwelling is occupied.

Reason: In order that the Local Planning Authority may be satisfied with the drainage details of the proposal.

8. Prior to the occupation of Plots 3 and 4, covered cycle storage arrangements shall have been provided within each plot in accordance with a scheme which shall have first been submitted to and agreed in writing by the Local Planning Authority. The cycle storage arrangements shall thereafter remain in perpetuity with the development.

Reason: To provide facilities to optimise sustainable travel to the site.

9. 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) All proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - b) All proposed boundary treatments with supporting elevations and construction details;
 - c) An outline specification for ground preparation;
 - d) All proposed hard landscape elements and pavings, including layout, materials and colours;
 - e) The proposed arrangements and specifications for initial establishment;
 - f) 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.

10. The access shall be so constructed that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2 metres distant from the adjoining edge of carriageway, to points 1.05 metres above ground level at the edge of the adjoining carriageway and 11 metres distant in each direction measured from the centre of the access along the nearside adjoining edge of carriageway prior to the commencement of any other works on site and thereafter be permanently retained as shown on plan 2018/14/2F.

Reason: In order to ensure satisfactory visibility splays are provided in the interests of highway safety.

11. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the Second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A (Extensions and other alterations), B (Additions to the roof), C (Alterations to the roof) and E (Curtilage buildings) of that Order, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

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

12. Before a dwelling unit is occupied waste containers shall be provided for each plot.

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

13. 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 BS10175:2001) 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 adjacent water courses.

14. Prior to the commencement of development on site a Construction Method Statement shall be submitted to the Local Planning Authority for written approval which shall include the following;

- a) The parking of vehicles of site-operatives and visitors;
- b) Working hours;
- c) Loading and unloading of plant and materials;
- d) Position of staff welfare facilities;
- e) Storage of plant and materials used in constructing the development;
- f) Wheel-washing facilities;
- g) Measures to control the emission of dust and dirt during construction;

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

Reason: In the interest of the amenity of the area and highway safety during construction work.

15. Prior to the occupation of any dwelling hereby approved, plans and particulars shall have been submitted to and approved in writing by the Local Planning Authority overlooking the height and positions of all boundary treatments on the west boundary and the development shall thereafter proceed in strict accordance with the agreed details.

Reason: To prevent glare from car headlights and overlooking in the interest of residential amenity.

- 16.** The windows and glazed door in the west elevations of Plots 1 and 4 shall be fitted with obscured glazing with a level of obscurity of Level 3 or above, unless otherwise agreed in writing by the Local Planning Authority, which shall thereafter be retained in perpetuity. Any replacement glazing shall be of an equal degree of obscurity. The windows shall also be hung in such a way so as to prevent the effects of obscure glazing being negated by way of opening.

Reason: In order to protect the privacy of the occupiers of adjacent property and prevent overlooking.

Informatives

- 1.** The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of the development. Any breach of the legislation which protects public rights of way can result in legal action, fines and default action carried out and re-charged to the landowner. Any proposals for the temporary diversion or closure of a footpath should be made to Lancashire County Council's public rights of way team. An enquiry about permanently diverting or closing the footpath may be made to Pendle Council.

The recommendation for Approval still stands.