



**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER**

TO: COLNE & DISTRICT COMMITTEE

DATE: 3RD AUGUST 2022

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE ON 03 AUGUST 2022

Application Ref: 22/0222/FUL

Proposal: Full: Major: Proposed development of B2/ B8 commercial units with associated parking, infrastructure and altered access following from the previous approved phase.

At: Former Spring Gardens Mill, Spring Gardens Road, Colne

On behalf of: Mr Mark Taylforth

Date Registered: 05/05/2022

Expiry Date: 04/08/2022

Case Officer: Alex Cameron

This application has been brought before Committee as it is a major development, the application was deferred from Committee in July.

Site Description and Proposal

The application site is the site of the former Spring Gardens Mill located within the settlement of Colne. The site is accessed from Spring Gardens Road adjacent to the junction with Daisy Street, to the west are dwellings on Daisy Street and Green Road, Colne water runs to the north, there are commercial/industrial buildings to the east and a farm house to the south. The mill has been demolished and the site cleared but for a former engine house building that more recently housed a substation and a more modern industrial unit at the south end of the site which is accessed via Daisy Street.

Planning permission has been granted for the first phase of development comprising the demolition of the former engine house and erection of a building for general industrial / storage and distribution use in the central area of the site. This application is for the development of the remainder of the site with five buildings, divided into nine units with a total floor area of 5,770 m² for general industrial / storage and distribution use. It is proposed for the existing unit to be retained and the access to Daisy Street to be closed, with all access to be from the Spring Gardens Road access.

Relevant Planning History

13/99/0558P - Certificate of lawfulness to use premises for manufacturing, processing of waste materials and associated storage and warehousing. Approved.

13/13/0068P - Demolition Determination: Demolition of vacant mill building. Prior Approval Not Required.

19/0917/FUL - Full: Major: Demolition of substation building and erection of a commercial unit (1,273m²) for Use Class B2 (General industrial) / B8 (Storage and distribution) use with associated parking, infrastructure and altered access. Approved.

Consultee Response

Environment Agency – We have reviewed the amended FRA and, in so far as it relates to our remit, and we have no objection to the development proposed. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form

part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

LCC Highways – The site is located within walking distance of mainline bus services and Colne Town Centre. A footway is proposed alongside the access road which will provide a safe walking route for pedestrians from the public highway to the buildings however pedestrian routes from the access road to the main entrances should be included on the plan. Also the provision of a secure, covered cycle store is necessary. This will support the travel of staff by sustainable modes to support the sustainability of the site.

Delivery management plan submitted identifies a route, Green Road, Knotts Lane, Burnley Road for the HGV traffic. The route via Shaw Street and Bridge Street is most suitable for large vehicles to the A56 for both construction vehicle routing and thereafter once the site is trading.

The existing access arrangement has sufficient visibility within the adopted highway on Spring Gardens Road which is unclassified and 20mph speed limit. The previously agreed scheme for Phase 1, to realign the site access is acceptable and is required for this application.

The works within the adopted highway, including the closure of the access on Daisy Street, must be completed under a S278 agreement with Lancashire County Council.

Public footpath 193 runs through the site and the Phase 1 site layout proposed to divert the footpath along the northern boundary of the site. The FP is not shown on the site layout submitted with this application. Please provide details.

The swept path for unit 5 conflicts with the 9 car parking spaces shown on the site layout drawing 18162.001 Rev O. Please amend the swept path or car parking to ensure these do not conflict.

The end users are unknown and the TA states the B2/8 split will be 70/30 which would require a maximum car parking provision of 99 spaces. There are 67 spaces proposed in total which is a shortfall from the maximum.

If there is a shortfall of car parking once the units are occupied, there are areas where staff can park in tandem to maximise space. Parking on the internal estate roads is likely to be detrimental to large vehicle movements.

Lead Local Flood Authority – Object, no sustainable drainage strategy has been submitted.

PBC Environmental Health – please attach conditions for a noise survey, hours of deliveries, contaminated land and construction management.

Lancashire Fire and Rescue – Comments relating to Building Regulations.

Colne Town Council – Concerns with regard to surface drainage as accumulation of surface water can be a problem in this area. Access to and from the main road and the motorway, will also be problematic for larger vehicles. During the previous phase of development, LCC Highways stated that ‘the route via Spring Garden Road and Shaw Street is more suitable as it avoids the residential area of Green Road and Knotts Lane which has a limited carriageway width due to on-street parking’. It is not understood why LCC have altered their stance on this. Should PBC be minded to approve this application, it is suggested that access to and from the site be readdressed and a suitable solution be implemented.

Public Response

Press and site notices posted and nearest neighbours notified – One response received making the following comments:

Whilst I can have no real objections to a brownfield site being developed I would like to ask the developer to:

Have the roofs on units 6 and 7 made from a dark green roofing so as to be as unnoticeable as possible. These units abut my end wall and are in my direct line of sight.
Ensure that the units are not let to businesses that will add motorised roof vents, for example, a welding shop, as the noise from these units will be a significant irritation.

There is an existing unit already against my wall which I believe is used as a redistribution centre. This sort of business is quiet and if the new adjacent units were used for a similar purpose then we can all exist together without issue.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) 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 (Achieving Quality in Design and Conservation) 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 ENV5 (Pollution and Unstable Land) seeks to minimise air, water, noise, odour and light pollution.

Policy SDP2 (Spatial Development Principles) States that proposals to develop outside of a defined settlement boundary will only be permitted for those exceptions identified in the Framework, or policies in a document that is part of the development plan for Pendle.

Policy SDP4 (Employment Distribution) states that the provision of employment land should follow the settlement hierarchy set out in Policy SDP2.

Policy WRK2 (Employment Land Supply) Major employment proposals, particularly those requiring good transport links, should be located in the M65 Corridor, unless the proposal needs to be in close proximity to one or more existing businesses.

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.

Principle of the development

The site is within the settlement of Colne, which is defined as a key service centre within the M65 Corridor in policy SDP2, it previously accommodated industrial buildings and is in a sustainable location adequately served by public transport. This is an acceptable location for the proposed development in accordance with policies SDP2, SDP4 and WRK2.

Visual Amenity

The proposed development would be located on a site which previously accommodated a large complex of industrial buildings, the proposed buildings would be typical modern industrial buildings which would be in keeping with the industrial nature of the site and other adjacent industrial uses. With appropriate landscaping to soften the edges of the site, which can be controlled by condition, the development would not result in unacceptable visual impacts.

The committee requested details of the colour of the roofs to be submitted. This has been requested from the applicant, however, it would be controlled by the recommended material samples condition.

The proposed development is therefore acceptable in terms of visual amenity in accordance with Policies ENV1 and ENV2.

Residential Amenity

There are dwellings to the west on Daisy Street / Spring Gardens Road and to the south at Spring Gardens Farm.

The existing unit on the site is accessed via Daisy Street and there is a condition controlling of the times of access to that unit from Daisy Street.

Environmental Heath have requested assessment of the noise impacts of the development and a condition restricting hours of deliveries. This is an industrial site that previously housed an extensive complex of industrial buildings, the demolition of those buildings would not have extinguished the lawful use of the site. The site could still potentially be used for noise and traffic generating uses of the open land and remaining buildings without the need for permission.

The proposed layout of the site would involve the closure of the Daisy Street access and the main servicing areas would be within the site, with inward facing buildings between them and the adjacent dwellings. The use of the proposed access would not result in unacceptable impacts upon the residential amenity of adjacent dwellings.

Taking these factors into account, with a condition to require that a noise assessment is submitted for units 5, 6 or 7 prior to the commencement of their use the proposed development is acceptable in terms of the potential for residential amenity impacts.

The proposed development would also not result in any unacceptable loss of privacy, loss of light or have an overbearing impact upon any residential property. External lighting of the development and external plant and ventilation in the units close to dwellings could be controlled by condition to ensure that it does not result in unacceptable impacts.

The development is therefore acceptable in terms of residential amenity impacts in accordance with Policies ENV2 and ENV5.

Highway Issues

A Transport Statement has been submitted with the application, this acceptably demonstrates that the access and highway network can adequately accommodate the traffic impact of the proposed

development in terms of safety and capacity. LCC Highways have requested some minor clarification and amendments in relation to car parking and the public right of way through the site and routing of traffic. Subject to the receipt of those acceptable details the development is acceptable in highway terms in accordance with policy ENV4.

Flood Risk

Parts of the site fall within flood zones 2 and 3, the Environment Agency have raised no objection to the proposed development subject to the implementation of the compensatory storage in accordance with the Flood Risk Assessment for the whole site, including the previously approved site. The Lead Local Flood Authority have raised an objection due to the submitted drainage strategy being inadequate. The applicant has been requested to submit details to address their objection.

Ecology

An ecology survey has been submitted and identifies potential for bat roosting in an opening in the retaining wall to the west of the site, which would not be directly impact by the building, it assesses the existing building as having low potential for roosting and identifies bat foraging within the site. There is also identified potential for bird, mammal, and invertebrates. The report makes recommendations for mitigation and enhancement measure and further survey work if the potential bat roosting site is to be impacted. With a condition to control those measures the proposed development is acceptable in terms of its impact on ecology.

Conclusion

It is recommended that the approval of the application and any conditions necessary is delegated to the Planning, Economic Development and Regulatory Services Manager subject to the withdrawal of objection by the LLFA and amended plans showing the public footpath through the site and acceptable car parking arrangements and any additional conditions necessary.

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 acceptable in terms of design, amenity, highways impacts and all other relevant regards. 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 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: 18.162.001O, 18.162.002A, 18.162.02.001C, 18.162.02.002C, 18.162.03.001B, 18.162.03.002C, 18.162.04.001B, 18.162.04.002C, 18.162.05.001B, 18.162.05.002C, 18.162.06.001B, 18.162.06.002C.

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development hereby approved samples of the external materials of the walls and roof the development, including their colour and finish shall have 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 details.

Reason: In the interest of visual amenity.

4. The access, parking and manoeuvring areas for each unit shall be laid out in accordance with the approved plans and surfaced in a bound material prior to the commencement of the use of the unit they serve. The parking spaces and manoeuvring areas shall at all times remain free from obstruction and available for parking and manoeuvring.

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

5. Prior to the commencement of the use of the development hereby approved details of works to form the access and access road shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the commencement of the use of the development hereby approved.

Reason: To ensure adequate access in the interest of highway safety.

6. Prior to the commencement of the use of each unit cycle storage facilities for that unit shall be provided in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

7. Prior to the commencement of the use of each unit electric vehicle charging points shall be installed accordance with details submitted to and approved in writing by the Local Planning Authority and thereafter retained in accordance with the approved details.

Reason: To ensure that the development provides sustainable transport options.

8. There shall be no external storage within the application site unless otherwise approved in writing by the local planning authority. Any external storage thereafter shall at all times be carried out only in strict accordance with the approved details.

Reason: In the interests of visual amenity.

9. The development shall be carried out and operated in strict accordance with the recommendations of the ecological appraisal Ref: BOW17.1053. Prior to the commencement of the use of the development a scheme of ecological mitigation and enhancement measures shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance prior to the commencement of the use of the development or an alternative timescale approved as part of the scheme.

Reason: To ensure the protection and enhancement of ecology and protected species habitats.

10. No external lighting shall be installed unless and until details of the lighting have been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity and direction of the lighting. Any external lighting shall at all times be in strict accordance with the approved details.

Reason: In the interest of residential amenity and to preserve the habitat of protected species.

11. Details of any external plant or mechanical ventilation relating to units 5, 6 and 7, including noise levels and attenuation, shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and it shall thereafter be operated and maintained in strict accordance with the approved details.

Reason: In the interests of residential amenity.

12. Prior to the commencement of the use of units 5, 6 and 7 an assessment of indoor and outdoor activity noise following BS 4142:2014 shall have been submitted to and approved in writing by the Local Planning Authority. Any noise attenuation shall be fully installed in accordance with the recommendations of the approved assessment for that unit prior to the commencement of the use of that unit and the unit shall be operated in accordance with the approved assessment at all times thereafter unless an alternative assessment is submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the vitality and viability of town centres.

14. No development shall commence unless and 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
- iv) Wheel washing facilities
- v) A scheme for recycling/disposing of waste resulting from clearance and construction works
- vi) Details of working hours
- vii) Timing of deliveries
- viii) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
- ix) Measures to control construction noise and vibration
- x) Measures to control dust.

Reason: In the interest of highway safety and residential amenity.

15. No development shall commence unless and until 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 has been submitted to and approved in writing by the Local Planning Authority. 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 in order to prevent contamination of the controlled waters.

16. The use of the development hereby approved shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme 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 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.

17. Compensatory storage shall be implemented prior to the construction of the built development in accordance with the drawings set out within Appendix IV of the FRA. The compensatory storage scheme as detailed within appendix IV shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

Notes: 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 a 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. Enquiries about permanently diverting or closing the footpath may be made to Pendle Council.

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. 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 Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or email developeras@lancashire.gov.uk .

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Application Ref: 22/0222/FUL

Proposal: Full: Major: Proposed development of B2/ B8 commercial units with associated parking, infrastructure and altered access following from the previous approved phase.

At: Former Spring Gardens Mill, Spring Gardens Road, Colne

On behalf of: Mr Mark Taylforth

REPORT TO COLNE AN DISTRICT COMMITTEE ON 03 AUGUST 2022

Application Ref: 22/0242/VAR

Proposal: Full: Variation of Condition: Major: Remove condition 18 (Affordable housing) of Planning Permission 20/0865/FUL.

At: Land To The West Of Brookside Garage, Dean Street, Trawden

On behalf of: Trawden Water Ltd

Date Registered: 22/04/2022

Expiry Date: 22/07/2022

Case Officer: Alex Cameron

This application has been brought before Committee as it is seeking to vary a major planning permission, the application was deferred from Committee in July.

Site Description and Proposal

The application site is the site of an approved housing development for 20 houses at Dean Street, Trawden.

The planning permission included a requirement for four affordable houses to be provided. This application seeks to vary condition 18 to remove the requirement for the provision of four affordable dwellings:

Condition 18 - No part of the development shall commence unless and 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 four affordable dwellings, an education contribution for three secondary school places and an off-site open space contribution.

Reason: To contribute towards the identified need for affordable housing provision in the area, to offset the impact of the development in education services and to ensure adequate public open space provision.

Relevant Planning History

20/0865/FUL - Full: (Major) Demolition of outbuildings/sheds and erection of 20 no. 3 & 4 bed properties comprising 3 terraced, 14 semi-detached and 3 detached dwellinghouses with associated parking and vehicular access from Dean Street and Skipton Road. Approved

Consultee Response

Trawden Forest Parish Council – Objects. Pendle Borough Council seeks an Affordable Housing contribution in accordance with Policy LIV 4 of the Pendle Local Plan Part 1 Core Strategy, adopted in December 2015. The developer should have known this and factored into their proposal prior to submission.

The cost of buying property is ever increasing (with Trawden in particular). Affordable housing is needed to ensure those currently living in the village can buy their first homes.

As per Policy 3 para 4.3.4, It is important that as many affordable homes are delivered as possible in the parish, in line with the Policy LIV4 as quoted above.

Public Response

Press and site notices posted and nearest neighbours notified. Responses received objecting on the following grounds:

- This would set a precedent for future removal of affordable housing provision from approved developments.
- The removal of the affordable housing would be contrary to policy.
- The affordable housing needs to be provided to give people the chance to buy their first home in a desirable village.
- The developer should have considered the affordable housing requirement from the start.
- Lack of profit should not be considered in a planning application.
- There is no link between the applicant and a developer so where is the link to the final development profit?
- The company Trawden Water is based in Salford.

Officer Comments

Policy LIV4 of the Core Strategy requires that affordable housing provision is made at a level of 20% for developments of 5 or more dwellings in Rural Pendle.

Where up to date policies set out required contributions they are assumed to be viable, however, paragraph 58 of the National Planning Policy Framework allows for the submission of a viability appraisal by an applicant to demonstrate whether such contributions would result in an individual development being unviable. If that is the case an affordable housing contribution cannot be required.

The applicant has submitted a viability appraisal which concludes that the cost of delivering the affordable housing provision would result in the development not being viable. This is in part due to the constraints of developing this steeply sloping site. National Planning Guidance advises that a 15-20% profit over gross development value may be considered a suitable return for developers, the submitted appraisal estimates a profit level before the cost of affordable housing provision of just 6.43%.

On the basis of the conclusions of the viability appraisal the requirement for any affordable housing would result in the development not being financially viable. Some clarification on technical points of the viability appraisal is being sought and dependent on the outcome of that either the removal of the requirement or variation to reduce the affordable housing requirement may be justified.

It is recommended that the approval of the variation of condition, to either remove or reduce the affordable housing requirement as necessary to ensure the viability of the development is delegated to the Planning, Economic Development and regulatory Services Manager subject to receipt of further clarification and the completion of the assessment of the viability appraisal.

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 variation of condition is acceptable in all relevant regards. 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 proposed development hereby permitted shall be begun before the expiration of three years from 26/10/2021.

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: NN751-PL-101, NN751-PL-201 Rev D, NN751-PL-202, NN751-PL-203 Rev B, NN751-PL-204 Rev B, NN751-PL-205 Rev B, NN751-PL-206, NN751-PL-207 Rev A, NN751-PL-208, NN751-PL-209 Rev A, NN751-PL-210 Rev C, NN751-PL-211 Rev C, NN751-PL-212 Rev A, NN751-PL-213 Rev D, NN751-PL-214 Rev A, NN751-PL-215 Rev A, NN751-PL-216, NN751-PL-218 Rev A, NN751-PL-219 Rev A, NN751-PL-220 Rev A, NN751-PL-221 Rev A, NN751-PL-223, NN751-PL-224.

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

- 3 Prior to the commencement of above ground works involved in the erection of the external walls of the development hereby approved samples of the materials of the external walls, retaining walls and roofs of the development shall have 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 details.

Reason: To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity and to preserve the character and appearance of the Conservation Area.

- 4 Notwithstanding any indication on the submitted plans and application forms UPVC fenestration materials shall not be used, prior to the installation of windows and doors details of the materials, finishes and design and reveals of the windows and doors shall have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed and thereafter at all times be maintained in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to preserve the character and appearance of the Conservation Area.

- 5 The development shall be carried out in strict accordance with the recommendations of the submitted Extended Phase 1 Habitat Survey & Daytime Bat Survey dates June 2021. Prior to the occupation of the first dwelling a scheme of ecological enhancement shall have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in strict accordance with the approved scheme.

Reason: to ensure the ecology of the site is enhanced and protected species are not harmed by the development.

- 6 No development shall take place, including any works of demolition, 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
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site

Reason: In the interest of highway safety and residential amenity.

- 7 Within 3 months of commencement a scheme for the site access and off-site highway works shall be submitted to and approved by the Local Planning Authority. The works shall include the following and be implemented prior to the first occupation of any dwelling.

a. Skipton Road vehicular crossing to plots b. Upgrade to bus stops on Skipton Road (references NB 2500LAA00178 & SB 2500LAA16002).

Reason: In the interest of highway safety and to ensure acceptable accessibility to essential services and facilities.

- 8 Within 3 months of commencement details of the proposed arrangements for future management and maintenance of the estate road within the development shall be 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 with the Highway Authority or a private management and maintenance company has been established.

Reason: To ensure that the estate road is acceptably maintained and managed in the interest of highway safety.

- 9 Within 3 months of commencement 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: To ensure that the estate road is acceptably constructed in the interest of highway safety.

- 10 The internal estate roads shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the estate road is acceptably constructed in the interest of highway safety.

- 11 Prior to the occupation of each dwelling the driveways and parking areas serving that dwelling shall be constructed in a bound porous material and made available for use and thereafter maintained for that purpose for as long as the development is occupied.

Reason: To ensure adequate car parking provision in the interest of highway safety.

- 12 Prior to the occupation each dwelling the dwelling shall have a secure cycle storage provided at a ratio of 2 cycle spaces per dwelling.

Reason: To ensure adequate provision for sustainable transport.

- 13 Prior to the occupation of each dwelling the dwelling shall have an electric vehicle charging point installed. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

Reason: To ensure adequate provision for sustainable transport.

- 14 Within three months of the commencement of the development a detailed landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme 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 within the first planting season following the commencement of the use 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 and to preserve the character and appearance of the Conservation Area.

- 15 The development shall not be commenced unless and until 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 has been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: In order to protect the health of the occupants of the new development and in order to prevent contamination of controlled waters and the environment.

- 16 The first floor front (west) elevation window of plots 2 and the southmost first floor front (west) elevation window of plot 3 shall at all times be fitted with obscure glazing to at least level 4 or above, unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The windows shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

Reason: To ensure an adequate level of privacy to the adjacent residential property.

- 17 Notwithstanding the provisions of Article 3 and part 1 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E, F & G of Part 1 of Schedule 2 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 appearance of the Conservation Area and residential amenity.

- 18 No part of the development shall commence unless and 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 an education contribution for three secondary school places and an off-site open space contribution.

Reason: To offset the impact of the development in education services and to ensure adequate public open space provision.

- 19 The development permitted by this planning permission shall be carried out in accordance with the principles set out within the submitted drainage strategy (July 2021, ref: 20207873, BDI Structural Solutions).

The measures shall be fully implemented prior to first occupation of any dwelling and 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 ensure satisfactory sustainable drainage facilities are provided to serve the site.

- 20 No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy

submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

- 21 No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed

ecological or geomorphic condition of water bodies.

- 22 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems.

- 23 Prior to the commencement of work on each plot the road to that plot shall have been constructed to at least base course level.

Reason: To ensure adequate access for construction in the interest of highway safety.

Application Ref: 22/0242/VAR

Proposal: Full: Variation of Condition: Major: Remove condition 18 (Affordable housing) of Planning Permission 20/0865/FUL.

At: Land To The West Of Brookside Garage, Dean Street, Trawden

On behalf of: Trawden Water Ltd

REPORT TO COLNE AND DISTRICT COMMITTEE ON 3RD AUGUST 2022

Application Ref: 22/0350/FUL

Proposal: Full: Erection of six new dwellings with associated works, including new car park and access.

At: Land adjacent to 37 Hollin Hall, Hollin Hall, Trawden

On behalf of: Mark Yates Projects Ltd

Date Registered: 25/05/2022

Expiry Date: 20/07/2022

Case Officer: Laura Barnes

Site Description and Proposal

The application site relates to a field in Hollin Hall, within the settlement boundary. The application site is within the Conservation Area. It is roughly rectangular in shape, rising up away from the road side and is positioned in a residential area.

The proposal is for the erection of six dwellings, arranged in three sets of semi-detached pairs. The dwellings are indicated on the elevation plans as being three storey in height with a car port and ground floor WC to the lower ground floor level. Each of the dwellings is to comprise three bedrooms. The proposed dwellings are to be constructed of natural stone with natural slate rooves, aluminium doors and windows. The application also seeks permission for a car parking area to be laid out to the front of the proposed dwellings, which would provide fifteen off-street car parking spaces for the general public.

Relevant Planning History

None relevant

Consultee Response

LCC Highways

Initial Assessment:

Having considered the information submitted, together with site observations, the Highway Development Control Section does not have any objections in principle regarding the proposed development at the above location, subject to the following comments being noted, a revised public car parking plan being received satisfactorily, and conditions and notes being applied to any formal planning approval granted.

Proposal

The proposal is for the construction of six three bedroomed dwellings, off-road parking, a new vehicular access from Hollin Hall and off-road parking for the general public.

Access

The formation of the new vehicle access from Hollin Hall to the development site would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to:

- the construction of the access to an appropriate standard, including a minimum width of 5.5m, with radius kerbs,
- buff coloured tactile paved dropped pedestrian crossings, both sides of the new access; at the Northern end of the new footway adjacent to No 37 Hollin Hall and in the opposite footway adjacent to No 58,
- dropped kerb at the Southern end of the footway adjacent to the lane leading to Slack Laithe Farm,
- construction of two sections of 2m wide footway – approx 21m long to the North of the access and approx 26m long to the South,
- removal of grassed area between the carriageway edge and current site boundary wall and widen carriageway to adoptable standard,
- street lighting assessment,
- review of waiting restrictions along the site frontage and also around the junction of Hollin Hall with Floats Mill,
- re-location of a Public Right of Way sign.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process. Due to the high volume of agreement submissions currently being received by the county council this process can take at least six months to complete. No works should be undertaken within, or which affects, the adopted highway network without the necessary agreement first being in place in order to prevent legal action from being taken against the developer.

If constructed to the correct specifications the proposed new footways, together with the widened carriageway, would be considered for adoption by the county council under Section 38 of the Highways Act 1980.

The gates to the site access should be removed from the scheme to allow the access to be widened to 5.5m without reducing the width of the footways. A gated access may also make the parking area appear to be private, rather than available for use by the general public, especially to visitors to the area.

The access should be surfaced in a bound porous material for a minimum distance of 5m from the carriageway edge on Hollin Hall into the site to prevent loose surface material from being carried onto the highway where it could pose a hazard to other users.

The access should be constructed so that no surface water runs onto or from the adopted highway network and should be drained to a suitable internal outfall. Connection to the county council's highway drainage system would not be permitted.

Visibility splays

Hollin Hall is subject to a maximum speed limit of 20mph across the site frontage. For a road with a speed limit of 20mph a Stopping Sight Distance of 25m should be provided. Details shown on the Proposed Ground Floor Site Plan (Drawing No 6407-P02 Rev A) show that visibility splays of 2.4m x 25m can be provided in both directions over land within the developer's ownership and/or the public highway network. However, consideration should be given to the introduction of waiting restrictions around the access and along the site frontage to protect the visibility splays.

Car & cycle parking – dwellings

Given the site's distance from local amenities and facilities, and the consequent reliance on the use of private motor vehicles, maximum parking standards should be applied to this site. Two parking spaces should be provided for a dwelling with three bedrooms. The proposed integral car ports should not be enclosed and fitted with doors at any point in the future as this would then render them substandard in size and could not count as a parking space. Otherwise two adequately sized parking spaces and manoeuvring areas have been provided for the dwellings.

The developer should also provide secure, covered cycle storage for two cycles per dwelling, in line with the council's Parking Standards, to improve the site's sustainability.

Public car parking area

Fifteen off-road public car parking spaces are proposed – eight to the South of the access and seven to the North. However, there are four bays adjacent to either walls or landscaped areas which should be a minimum of 2.6m wide to improve access to/exit from a vehicle and manoeuvrability, particularly for those unfamiliar with the layout. This would then reduce the number of bays to 13, unless the overall parking areas are extended into the landscaped areas to retain 15 bays. An amended parking plan should be submitted taking the above into account.

The public parking areas should also be clearly signed to ensure that these are used efficiently and to prevent any conflict with parking and/or manoeuvring for the private dwellings.

General

Due to the site's location at the far end of Trawden, with only one route to and from the site, a Construction Method Statement including site plan should be provided.

This is to ensure that the development does not have a detrimental impact on the surrounding highway network and users.

Deliveries by HGVs during the construction and fitting out phases should only be accepted to the site between 9.30am and 2.30pm to ensure that there is no conflict with traffic, both vehicular and pedestrian, at peak times.

To ensure that the development provides the infrastructure for sustainable forms of transport electric vehicle charging points should be provided for each dwelling prior to first occupation.

Subject to the satisfactory receipt of a revised parking layout plan for the public parking area the following conditions and notes should be applied to any formal planning approval granted.

Conditions

1. No part of the development hereby approved 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 by, the Local Planning Authority in consultation with the Highway Authority.
Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
2. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with the scheme approved under Condition 1.
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.
3. No development shall take place, including any works of clearance, until a Construction Method Statement including site plan 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
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities and means of mechanical road sweeping
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Details of working hours

- ix) Timing of deliveries to avoid peak traffic on the surrounding highway network
x) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

4. No building (or use hereby permitted) shall be occupied (or use commenced) until visibility splays measured 2.4m back from the centre line of the access from Hollin Hall and extending 25m to the nearside carriageway edge in both directions have been provided at the access, as shown on the approved plans. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level which would obstruct the visibility splays. The visibility splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development. Reason: In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

5. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans have been constructed, laid out and surfaced in bound porous materials. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings and the manoeuvring areas retained free from obstructions. Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

6. Prior to first occupation each dwelling shall have an electric vehicle charging point. Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

7. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the public car parking areas within the development have been submitted to and approved by the local planning authority. The public car parking areas shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established or similar legal agreement made. Reason: To ensure that the public car parking areas are completed and thereafter maintained to an acceptable standard in the interest of residential/highway safety.

Notes

1. The grant of planning permission will require the developer to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to:

- the construction of the access to an appropriate standard, including a minimum width of 5.5m, with radius kerbs,
- buff coloured tactile paved dropped pedestrian crossings, both sides of the new access; at the Northern end of the new footway adjacent to No 37 Hollin Hall and in the opposite footway adjacent to No 58,
- dropped kerb at the Southern end of the footway adjacent to the lane leading to Slack Laithe Farm,
- construction of two sections of 2m wide footway – approx 21m long to the North of the access and approx 26m long to the South,
- removal of grassed area between the carriageway edge and current site boundary wall and widen carriageway to adoptable standard,
- street lighting assessment,
- review of waiting restrictions along the site frontage and also around the junction of Hollin Hall with Floats Mill,
- re-location of a Public Right of Way sign.

The developer should be advised to contact the county council for further information by telephoning the Development Control Section (Area East) on 0300

123 6780 or by email on developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

2. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

Following the submission of amended plans, the Highways Authority have been re-consulted.

Final comments

I can confirm that the amended plans showing the 25m visibility splays and secure cycle storage are now acceptable.

Trawden Forest Parish Council

The Parish Council have no objections to the proposals within this application. This site was designated within our Neighbourhood Plan. The proposed additional parking spaces will be an asset to a very congested road within the village, where we are constantly receiving complaints about the road being blocked by parked cars.

Environmental Health

Contaminated Land Informative

If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the local planning authority.

United Utilities

United Utilities wish to make the following comments regarding the proposal detailed above.

DRAINAGE

Following our review of the submitted drainage documents; Flood Risk Assessment, prepared by Paul Waite Associates, Ref: 19114-PWA-00-XX-RP-C-1000 P01 the plans are not acceptable to United Utilities. This is because we have not seen robust evidence that that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. There is a culverted water on site that should be investigated before discharging to the public sewer network.

Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) No Surface water will be permitted to discharge to the public sewer network unless otherwise stated by the LPA;
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

The culverted watercourse that crosses the site is not a United Utilities asset and contact should be made with the Riparian owner who is responsible for the watercourse.

The applicant can discuss any of the above with Developer Engineer, Gary Jaundrell, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main iver).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. You may find the condition below a useful example.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development. Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for. To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

United Utilities will not allow building over or in close proximity to a water main.

United Utilities may not allow building over or in close proximity to a public sewer.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

Lancashire Fire & Rescue Service

Recommends that the applicant is aware of Building Regulations in relation to Document B, Part B5 for turning areas and the provision of water for appliances.

Public Response

Nearest neighbours notified by letter, a site and press notice have been displayed. Multiple OBJECTIONS have been received as follows:

- Lack of pavement
- Dwellings are out of character with the area

- Loss of on street car parking in front of the site, 9 vehicles will be displaced in place of 15 car parking spaces proposed – leaving a net benefit of 6 spaces
- This land is in the Green Belt
- Loss of wildlife
- Although the site is identified in the neighbourhood plan we don't want any more housing in the village
- Cars have been damaged because it is so narrow to pass through the road
- The existing road is difficult to navigate during the evening when its is dark
- There is a movement to try to reduce the speed limit to 20mph
- Traffic issues with an additional 6 dwellings in the village
- Loss of green space
- Trawden Forest Neighbourhood Plan requires car parking spaces to be 3m x 7m – these are not adequate
- Issues with drainage of the site
- Loss of light from three storey houses

There have also been comments supporting the application as follows:

- The car park will help alleviate some of the car parking issues
- The site is in the neighbourhood plan as a housing site
- The quality of the scheme is very high
- You can't have a popular village and expect people not to want to live there
- It will bring young families to the village to benefit the local economy

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP3 (Housing Distribution) sets out the location of new housing in the Borough in conjunction with SDP2 and LIV1.

Policy ENV2 (Achieving Quality in Design and Conservation) 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 ENV4 (Promoting Sustainable Travel) seeks to promote sustainable travel as well as development impacts and accessibility and travel plans for major developments to mitigate any negative impacts.

Policy ENV5 (Pollution and Unstable Land) concerns the risks of air, water, noise, odour and light pollution in addition to addressing the risks arising from contaminated land.

Policy ENV7 (Water Management) concerns the risk of flooding from flood or surface water. It requires flood risk to be assessed and sustainable drainage measures to be used.

Policy LIV1 (Housing Provision and Delivery) sets out the requirement for housing to be delivered over the plan period. This policy allows for non-allocated sites within the Settlement Boundary as well as sustainable sites outside but close to a Settlement Boundary.

Replacement Pendle Local Plan

Saved Policy 31 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 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.

Trawden Forest Neighbourhood Plan

Policy 2: Housing Site Allocations

The application site is given reference number 011 in the policy and a plan of it is included at Appendix 2C. The policy sets out that proposed development should assimilate into the local area, ensure important area of townscape character are maintained, not increase the risk of flooding, provide 20% affordable housing on sites of five dwellings or more, produce high quality design which incorporates features to improve environmental performance and does not result in the loss of any community building.

Policy 4: Parking

This policy sets out that opportunities which arise to address a recognised local parking shortfall will be supported provided they are of a scale which is appropriate to the character of the area and in conformity with the Local Plan. It sets out that in order to be counted as a garage, the minimum dimensions of a car parking space should be 3m x 7m.

Policy 6: Heritage Assets

This policy requires proposed development to respect and enhance the setting of heritage assets within the neighbourhood plan area.

Policy 7: Areas of Townscape Character

Requires proposals to retain trees, frontage walls and hedgerows which contribute to the character of an area. It encourages the use of materials which are in keeping with the area and contribute to the character and appearance of it. Specifically in Hollin Hall the neighbourhood plan states that developments should fit with the character of existing buildings.

Principle of Development

The proposed development is located within the settlement boundary and is identified in the neighbourhood plan as a housing allocation.

Design & Heritage

The proposed scheme is located within the Trawden Forest Conservation Area. The applicant has prepared a heritage statement which assesses the impact which the proposed dwellings would have upon the significance of the heritage asset, being the Conservation Area.

The development is arranged in three sets of semi-detached dwellings which are to be three storey in height at the front. Due to the level change between the elevated rear of the site and the lower ground adjacent to the roadside the properties would be two storey to the rear. The rear gardens are to have a set of steps around the side of the property for access from the front.

The proposed materials are in keeping with the surrounding character, being natural stone and natural slate for the rooves and walls of the properties. Whilst the fenestration to the front of the dwellings includes tall narrow sections of glazing, this does not over dominate the frontage and there is still a reasonable ratio of glazing to solid form, such that the properties are of reasonable proportions. Given the traditional materials which are proposed, reflecting the character and appearance of the surrounding area the proposed dwellings are of an acceptable design.

Some comments have been received from members of the public that the overall height of the properties is not in keeping with the area, given that they are three storey. However, it must be acknowledged that the site is within close proximity of the redevelopment of Floats Mill, which is made up of a tall former mill building and the proposed development should be read in the context of this. Although to the front the dwellings would be three storey, they are working with the natural ground levels of the land by being two storey to the rear. As such, the proposed design which has been chosen for the proposed dwellings works with the existing levels in that part of the dwelling would be dug into the slope of the land.

The proposed site itself is not part of a town scape area identified within the neighbourhood plan, neither does it form the setting of any Listed Building in the vicinity. It would result in a change to the Conservation Area in that there is currently no development on the site but this change would be categorised as “less than substantial harm” for the purposes of paragraph 202 of the Framework. Paragraph 202 of the Framework requires a balancing exercise in relation to heritage assets. This seeks to ensure that where there is harm to the character and appearance of a heritage asset, this harm would be outweighed by public benefit. In this case the public benefit would be the employment of construction workers and the economic benefits associated with the construction phase, the provision of new dwellings to increase the supply of housing locally and the area of public car parking which would take cars off the road and save them from parking on the highway.

In this case, although there is less than substantial harm associated with the provision of new dwellings with this location in the Conservation Area, this harm is outweighed by the public benefits. As such, the proposed development accords with paragraph 202 of the Framework and Policy ENV1 of the Local Plan: Part 1 Core Strategy in this regard.

Residential Amenity

The Design Principles SPD sets out that proposed dwellings should be sited so that any habitable room windows are at least 21m from neighbouring habitable room windows which they directly face. The proposed site plan indicates that the proposed dwellings are to be set back within the plot, to accommodate the car parking area to the front. This results in a separation distance of 29m to the front elevation. To one side and rear the closest existing properties to the proposed development are greater than 21m away. As such, the proposed development would not result in any unacceptable neighbouring amenity issues. To the other side elevation the proposed dwellings are 5.3m from No. 37 Hollin Hall. It is noted that there is a balcony to the roof of the garage at the side of No. 37. Given the proposed dwellings are to be set back further than the existing dwelling at No. 37 there would be no issue with direct overlooking between the balcony and the side elevation windows of the proposed dwelling. Whilst there would clearly be a change in the view from the balcony, there is no statutory right to a view. The Design Principles SPD advises that the separation distance between a side elevation window / secondary source of light and a flank wall should be 12m. The proposed side windows are directly adjacent to the garden at No. 37. However, given the change in levels between the application site and the existing dwelling the side windows should be obscurely glazed in the interests of neighbouring amenity.

In terms of an overbearing effect upon the neighbours, the proposed dwellings are set back within the site in order to accommodate the car parking area to the front. Therefore, they are not right up to the highway, as with some of the existing cottages to the other side of Hollin Hall. The difference in height between the existing dwelling at No. 37 and the ridge of the proposed dwelling is 1.5m. Although the proposed dwellings have a car port to the lower ground floor, this difference in overall height would not amount to an overbearing effect due to the natural contours of the site itself.

The proposed development will require a Construction Method Statement to be submitted, in order to control the construction phase of the proposed development in relation to nearby residents. This can be controlled by an appropriate condition.

Therefore, the proposed development is acceptable in terms of residential amenity in accordance with Policy ENV2 and the Design Principles SPD.

Ecology

The application site is currently a green field which is used for grazing animals. An ecology survey has been commissioned and is due to be provided to the Council ahead of the committee meeting. An update on this issue will be provided prior to the meeting taking place. Given the use of the land for grazing, it is unlikely that there are any protected species on site but the report will determine whether this is definitely the case. On this basis, any recommendation would have to be subject to a satisfactory outcome of the ecology report.

Highways

The proposed development is to have 12 off street car parking spaces for the proposed dwellings, made up of a parking space to the front driveway and a car port. The scheme is also to provide 15 off-street car parking spaces for use by the general public. Although comments have been received stating that there would actually be a loss of car parking along the existing frontage of the site, there is no right to park in this location. Cars have a right to pass and re-pass along a highway but do not have a right to a parking space. The proposed car parking weighs positively in the planning balance. The amount of car parking accords with Policy 31 of the Replacement Pendle Local Plan. It is noted that Policy 4 of the Trawden Forest Neighbourhood Plan requires that developments as a minimum provide the level of car parking set out in the Local Plan but they are also encouraged to reflect car parking guidelines in Appendix 4 of the Neighbourhood Plan. Appendix 4 requires three bedroom dwellings (semi-detached) to provide two off-street car parking spaces. It states that a garage may be included as a parking space if it meets the minimum standard of 3.3m x 7m. In this case, although the car port is to measure 5.6m x 3m, it does not have a garage door on it and indicates a space for wheelie bins and cycle storey to the rear, in addition to the car being parked. The Highways Authority have not raised any objection in this regard. The Neighbourhood Plan provides guidance but having a car parking space larger than standard is not mandatory in policy terms, this is simply "encouraged". As such, a reason for refusal on these grounds could not be sustained because it is unlikely to result in a highway safety danger.

Drainage

The application site is within Flood Zone 1, which is considered to be at least risk from flooding. The application is accompanied by a Drainage Strategy which has been reviewed by United Utilities. They have expressed concern that the drainage hierarchy has not been fully investigated. Further investigation can be carried out and secured by planning condition. Subject to the conditions, the application accords with policy in this regard.

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 would accord with Local Planning Policy and would be compliant with the guidance set out in the 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: Delegate grant consent, subject to satisfactory outcome of ecology survey

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:
 - Location Plan 6407
 - Elevation & Floor Plan – Type 1 6407-P03 Rev C
 - Elevation & Floor Plan – Type 2 6407-P04 Rev C
 - Proposed Lower Ground Site Plan 6407-P01 Rev D
 - Proposed Ground Floor Site Plan 6407-P02 Rev D
 - Street Scene Plan and Sections 6407-P05 Rev D

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

3. Samples of materials including descriptions, name of source/quarry shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) No Surface water will be permitted to discharge to the public sewer network unless otherwise stated by the LPA;
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be

completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

5. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

- 6.. All windows shall be set back from the external face of the walls by a minimum of 70mm.

Reason: To ensure a satisfactory appearance to the development in the interest of visual amenity.

7. 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 including the replacement trees for those which have been removed, 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.

8. No part of the development hereby approved 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 by, the Local Planning Authority in consultation with the Highway Authority.

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

9. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with the scheme approved under Condition 8.

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.

10. No development shall take place, including any works of clearance, until a Construction Method Statement including site plan 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
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities and means of mechanical road sweeping
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Timing of deliveries to avoid peak traffic on the surrounding highway network
- x) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

11. Prior to occupation of the development hereby approved a visibility splay measuring 2.4m back from the centre line of the access from Hollin Hall and extending 25m to the nearside carriageway edge in both directions have been provided at the access, as shown on the approved plans. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level which would obstruct the visibility splay. The visibility splay shall be maintained free from obstruction at all times thereafter for the lifetime of the development.

Reason: In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

12. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans have been constructed, laid out and surfaced in bound porous materials. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings and the manoeuvring areas retained free from obstructions.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

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

Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

14. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the public car parking areas within the development have been submitted to and approved by the local planning authority. The public car parking areas shall thereafter be maintained in accordance with the approved management and maintenance

details until such time as a private management and maintenance company has been established or similar legal agreement made.

Reason: To ensure that the public car parking areas are completed and thereafter maintained to an acceptable standard in the interest of residential/highway safety.

15. Before any dwelling unit is occupied waste containers shall be provided and shall be stored within the car port of the property.

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

16. A Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority prior to commencement of development. The Method statement must cover the topics detailed below, including:

- Parking of vehicles of site-operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoardings including decorative displays, where appropriate
- Hours of operation
- Construction site noise and vibration
- Control of Dust
- Wheel washing facilities
- A scheme for re-cycling / disposing of waste resulting from demolition and construction works

The development shall proceed strictly in accordance with that method

Reason: To protect the amenities of occupiers of adjoining and nearby properties and in the interests of highway safety.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken, which shall be submitted to and approved in writing by the Local Planning Authority. The site shall then be remediated in strict accordance with the approved scheme.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To identify contamination from previous uses, ensure any remediation is undertaken and safeguard future uses, occupiers and the environment beyond

18. The side elevation windows (closest to No. 37 Hollin Hall) of the development hereby permitted shall at all times be fitted with obscure glazing to at least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

Reason: To ensure an adequate level of privacy to adjacent residential properties.

Informative

If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is

uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the local planning authority.

Application Ref: 22/0350/FUL

Proposal: Full: Erection of six new dwellings with associated works, including new car park and access.

At: Land adjacent to 37 Hollin Hall, Hollin Hall, Trawden

On behalf of: Mark Yates Projects Ltd

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 01st July 2022