

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

TO: BARROWFORD AND WESTERN PARISHES COMMITTEE

DATE: 12TH OCTOBER 2022

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE 12TH OCTOBER 2022

Application Ref: 21/0994/FUL

Proposal: Full: Major: Demolition of rear extensions and conversion of care home (Use Class C2) to 12 No. apartments (Use Class C3), reconfigure part of roof and two storey extensions to the rear.

At: Belgarth Nursing Home, Wheatley Lane Road, Barrowford

On behalf of: Mr Omar Ahmad

Date Registered: 27/06/2022

Expiry Date: 26/09/2022

Case Officer: Laura Barnes

Site Description and Proposal

The application site relates to a former nursing home which is located within the settlement boundary.

The proposal seeks to remove the existing rear extensions and convert the building into 12 apartments, which includes a reconfiguration of part of the roof along with a replacement two storey rear extension.

Relevant Planning History

22/0452/ADV: Advertisement Consent: Installation of 2 No. advertisement hoardings.
Approved with conditions

13/11/0319P: Full: Demolition of single storey rear extension, erect part two storey and single storey rear extension, single storey side extension and new ramp access. (Re-Submission).
Approved with conditions

13/11/0319C1: Approval of Details Reserved by Condition: Discharge of Condition 4 (Landscaping) of Planning Permission 13/11/0319P.
Condition Discharged

13/09/0245P: Full: Insert window to side (south) elevation of nursing home
Approved with conditions

13/06/0202P: Full: Erect conservatory in yard
Approved with conditions

13/03/0629P: Erect extension to include staff facilities and new laundry
Approved with conditions

13/96/0429P: Extensions to nursing home
Approved with condition

13/93/0600P: Erect sun lounge to rear
Approved with conditions

13/92/0465P: Erect 2 storey wing to front and extend rear sun lounge
Approved with conditions

Consultee Response

LCC Highways

Initial comments:

There is an objection to this proposal. Our concerns are regarding the intensification of use with this proposal and with the shortfall of 8 car parking spaces.

We would not support any overflowing of car parking onto Warren Drive (Single C/w) or Wheatley Lane Road close to the junction. This is likely to obstruct the visibility splay for drivers and cause a safety issue.

The proposal will see the creation of 14 apartments on the site. An intensification of use. There will be an increase in vehicle movements with this proposal which will increase the risk to other road users due to any overflow of parking due to this proposal.

At the time of my site visit there was already an element of on-street parking on Warren Drive opposite the development site. Additional overspill car parking from the development is likely to cause result in double parking or parking close to the junction of Wheatley Lane Road.

18 parking spaces are proposed within the curtilage of the site. Under the adopted parking and access standards a development such as this would be expected to provide 26 parking spaces. This is a shortfall of 8 spaces. A shortfall in parking would not be acceptable. We would request the number of bedrooms be reduced and extra car parking spaces be created in order to meet parking standards.

Final comments:

Objection removed

The plans are now acceptable (Ref A021/324P/08) subject to two electrical charging points being put on.

I would recommend the following conditions:

Conditions

- 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:
 - The parking of vehicles of site operatives and visitors
 - The loading and unloading of plant and materials
 - The storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding
 - Details of working hours
 - HGV delivery times and routing to/from the site
 - Contact details for the site manager
- The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.
- The cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the

premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas and the promotion of sustainable forms of transport and aid social inclusion.

- 2 of the allotted parking bays shall have facility of an electrical supply suitable for charging an electric motor vehicle. Reason: - In order to promote sustainable transport as a travel option and reduce thereby carbon emissions.

Lancashire Education Authority

This consultation response seeks to draw the Council's attention to impacts associated with the above development and propose mitigation for these impacts through a developer contribution.

If the education contribution assessment identifies the need for a contribution and/or land to be provided Lancashire County Council is, in effect, objecting to the application. A developer contribution to deliver school places and/or land meeting the school site requirements as detailed in the assessments, including indexation will, in most cases, overcome the objection. If a developer does not agree to payment of the requested education contribution or the local planning authority does not pursue Lancashire County Council's, Lancashire County Council cannot guarantee that children yielded by the development will be able to access a school place within reasonable distance from their home, so the development could be considered to be unsustainable. Furthermore, if the planning application is approved without the required education contribution LCC would request that the local planning authority confirm how the shortfall of school places, resulting from the development, will be addressed. (Please see page 10 of the Education Contribution Methodology).

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

This response is based on the latest information available at the time of writing. Circumstances may change over time as other applications come forward. Consequently this response may require re-evaluation.

The final position assessment of the impact of the development on school places including infrastructure details should be provided as part of your development control committee process. The local planning authority will need to notify the School Planning Team of the final decision date to enable the final position, including the school infrastructure project, to be provided if required.

Lancashire Fire & Rescue

It should be ensured that the scheme fully meets all the requirements of Building Regulations Document B, Part B5 'Access and facilities for the Fire Service'.

Cadent Gas

There are apparatus in the vicinity which the applicant needs to be aware of.

Environmental Health

Suggested conditions for a construction method statement and asbestos surveys.

East Lancashire NHS Trust

Request a contribution of £10,387 towards health care facilities.

Barrowford Parish Council

No Objection in Principle: The proposed conversion of Belgarth into 14 apartments utilising the main structure whilst removing several later additions and extending the building in a style similar to the existing building will produce a more elegant design and remove the current unstructured outer appearance. The addition of additional window openings does not detract from the design. The proposed mix of 1 one bedroom, 12 two bedroom and 1 three bedroom flats/maisonettes will provide for the ever increasing need for smaller dwellings. The increase of off road parking from 6 to 18 is a great improvement but whether the provision is adequate is a matter for the planners as there is some on street parking on Wheatley Lane Road but little on Warren Drive. The current

situation where the now semi derelict former nursing home has become a magnet to vandals and teenagers and a blight on local residents can only be addressed by a future use of the site. The retention of this large local landowners dwelling is a step in the right direction and although the number of dwellings could be argued as excessive, the Parish Council would support this application if the applicant commenced the work in a timely manner as local residents have suffered the effects of the derelict building for several years and ask could this be enforced by planning condition?

Public Response

Nearest neighbours notified, a site and press notice have been displayed. Multiple comments raising objections have been received, which have been summarised as follows:

- Lack of car parking provision is concerning
- The surrounding road network cannot cope with an increase in vehicles
- Provision for delivery vehicles should be made
- Concerns regarding the demolition due to it being within 10cm of neighbouring dwellings
- Expression of interest in the rear boundary treatment
- Request for a condition controlling construction hours to week days only
- Request for a condition to ensure the development goes ahead within the next 12 months
- Preservation orders on the trees must be adhered to
- Double yellow lines should be put on the surrounding street to ensure that parking does not become an issue
- Concerns regarding a shared boundary with three properties on Cairns Close
- Issue with the conifers on the boundary

Some comments in support of the application have also been received, they can be summarised as follows:

- Welcome something being done with this site after it has become an eyesore

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.

Policy LIV3 (Housing Needs) encourages the support and provision of a range of residential accommodation.

Policy LIV4 (Affordable Housing) sets out the targets and thresholds to contribute towards the provision of affordable housing. Where the relevant target cannot be met a financial viability assessment should be provided to allow for negotiation and adjustment accordingly.

Policy LIV5 (Designing Better Places to Live) requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and be built at a density appropriate to its location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

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.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

Principle of Development

The application site is located within the settlement boundary. Therefore, a change of use or extension to the building is acceptable in principle, subject to policies relating to design, amenity, ecology and highways.

Design & Visual Amenity

The proposed development involves the following external alterations to the existing building:

- Demolition of existing rear extensions
- Erection of two storey rear replacement extension
- Reconfiguration of roof including removal of existing roof extension (which created a second floor with ancillary accommodation to the care home)

The proposed replacement extension to the rear is to be constructed of

Internally the proposed accommodation is to comprise the following:

Ground Floor

Flat 1: Two bedroom flat
Flat 2: Two bedroom flat
Flat 3: One bedroom flat
Flat 4: Two bedroom flat
Flat 5: Two bedroom flat
Flat 7: One bedroom flat

Entrance Hall
Gym
Changing Room
Lift

First Floor

Flat 8: Two bedroom flat
Flat 9: Two bedroom flat
Flat 10: Two bedroom flat
Flat 11: Two bedroom flat
Flat 12: Two bedroom flat
Flat 14: Two bedroom flat

Cleaners Store
Lift

The proposed development is to be constructed of ashlar cut stone and white painted render walls, to match the existing building. The roof is also to match the existing building, as with the white UPVC windows and doors.

Overall, the proposed development to convert the building would not be out of character with other buildings in the surrounding area. Using matching materials to the existing building will assist in assimilating the proposed extensions into the existing site. The proposed development accords with Policy ENV2 of the Local Plan: Part 1 Core Strategy in this regard.

Highways

The proposed development includes 22 car parking spaces (three of which would be for disabled badge holders). The proposed development is to provide an acceptable level of off-street car parking and it accords with Policy 31 of the Replacement Local Plan in this regard. There is no objection on highway safety grounds.

Ecology

The application is accompanied by a preliminary roost assessment and a building & activity survey. This has found that there is no evidence of bats in the building. Similarly, no breeding birds were identified as roosting or nesting in the building. However, evidence of feral pigeons was present. The report recommends that methods should be employed to deter the pigeons, including obtaining the appropriate licence for their removal. The recommendations of the ecology report should be followed, this can be secured by planning condition.

Trees

The application is accompanied by a tree survey which identifies that all the trees are on the site boundary. Some of the trees on the Warren Drive side of the site are the subject of a Tree Preservation Order. The applicant has prepared a Tree Protection Plan which indicates the trees

that are to be retained. The plan also includes details of the tree protection fencing measures which would be put in place during construction.

This information is acceptable and the trees can be protected by planning condition.

Contributions

A request has been made from East Lancashire Hospitals NHS Trust for a contribution towards the cost of healthcare interventions it calculates will be generated by the residents of the 12 dwellings in the first three years of their occupation, for which there is a funding gap.

In terms of health service contributions there are a number of concerns about the request and justification for those requests. Planning legislation allows for conditions to be placed on developments to make them acceptable. It also provides for the possibility of payments being made through section 106 agreements for infrastructure affected by a development. The law surrounding this is as follows:

Section 106 of the 1990 Act provides as follows:

(1) Any person interested in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation (referred to in this section and sections 106A and 106C as “a planning obligation”), enforceable to the extent mentioned in subsection (3)—

- (a) restricting the development or use of the land in any specified way;
- (b) requiring specified operations or activities to be carried out in, on, under or over the land;
- (c) requiring the land to be used in any specified way; or
- (d) requiring a sum or sums to be paid to the authority (or, in a case where section 2E applies, to the Greater London Authority) on a specified date or dates or periodically.

(2) A planning obligation may—

- (a) be unconditional or subject to conditions;
- (b) impose any restriction or requirement mentioned in subsection (1) (a) to (c) either indefinitely or for such period or periods as may be specified; and
- (c) if it requires a sum or sums to be paid, require the payment of a specified amount or an amount determined in accordance with the instrument by which the obligation is entered into and, if it requires the payment of periodical sums, require them to be paid indefinitely or for a specified period....”

The relevant parts of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (“the CIL Regulations”) are as follows:

(1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Section 216(1) of the Planning Act 2008 together with Regulation 59 of the CIL Regulations requires charging authorities to apply CIL payments to “supporting development by funding the provision, improvement, replacement, operation or maintenance of infrastructure”.

Section 216(2) defines “infrastructure” as follows:

“infrastructure” includes—

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,

- (d) medical facilities,
- (e) sporting and recreational facilities, and
- (f) open spaces”

The request for contributions for health care services does in my view overall fit into a category of infrastructure that could, if necessary to make the development acceptable, fall within a category of infrastructure that can be funded through a section 106 agreement. However that does not mean to say that the contribution being requested meets the tests set out in the CIL Regulations detailed above.

Case law is clear that planning permissions cannot be bought or sold hence any sum to be paid to a planning authority must be for a planning purpose which should in some way be connected with the land in which the developer is interested.

The issue for Committee is whether the funding has a direct connection to the development and whether this would be fairly and reasonably related in scale and kind to the development.

Robust evidence is required to support a request for a contribution. In London for example a model has been produced which attempts to provide robust and up to date evidence on the need for a contribution. The model is referred to as the HUDU model. This looks at the specific circumstances of each development in its own location reflecting the population characteristics of the area.

The evidence supplied with this request does not in my view go far enough to support the view that the impacts of the individual development is directly related to healthcare deficiencies. A flat rate is applied to all developments which will inevitably result in some developers over providing and some underproviding. The model does not factor in demographic modelling of the area and does not for example look at any percentage of the population that may move into the developments and that they are already resident in the area thus not increasing the demand on services.

We have also raised a concern about the timing of funding and that developments can take several years in order to come to fruition. From the information supplied to us it appears that once a development is known about then financing is included in the next budgetary year. The issue therefore is that if developments take several years to come forward and they are included in financial planning after year 1 then the developer would be paying for services already funded in the standard funding formulae.

Whilst more accurate evidence could be provided were the model to be finessed as it stands it is not sufficiently robust to prove the level of contribution fairly reflects the impact the development would have on services.

This is an important issue that will arise in other developments in the Borough. In order to get an independent view on this we have obtained Counsel's opinion on this. That advice is legally privileged but supports the view that the evidence is not sufficiently robust to be able to support a requirement for the contribution requested.

Committee are therefore recommended not to require a contribution to the NHS as the evidence is not robust enough to confirm that the funding is directly enough related to the development and is fairly and reasonably related in scale and kind to the development.

Other Matters

A local resident has raised an issue over a hedge and a party wall. This is a civil matter which should be resolved privately between the parties and is not within the remit of the planning application.

Concerns have been raised over the construction of the rear extension, particularly with the close proximity to the neighbouring dwellings. This can be addressed through a Construction Method Statement, which can be secured by planning condition.

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: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

- Location Plan – 0001 Drawing Number 01
- Proposed Elevations P01-Rev B
- Proposed First floor P03-Rev B
- Proposed Soft Landscaping P05-Rev B
- Proposed Tree Protection Plan P07-Rev B
- Proposed Ground Floor Plan P02-Rev B
- Proposed Site Plan P04-Rev B
- Proposed Bedding Schedule P06-Rev B
- Proposed Hard landscaping P08-Rev B

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

3. The external facing and roofing materials shall match those of the existing building in terms of type, size, form, texture and colour and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: In order to ensure that new material matches the existing.

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

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

5. The development hereby approved shall be carried out in accordance with the survey details for trees, prepared by Iain Tavendale, dated 28/02/2022

Reason: To ensure the trees are adequately protected.

6. Prior to the commencement of development a survey shall be carried out to identify the presence of any asbestos on the site, either bonded with cement or unbonded. Where any asbestos cement is found it shall be dismantled carefully or otherwise collected without generation of dust, it shall be dampened down with water and removed from site in secure, sealed, air-tight containment. If unbonded asbestos is found the Health and Safety Executive shall be contacted and the asbestos shall be removed by a specialist licensed contractor.

Reason: To protect the health and amenity of people in the vicinity, including those working on the development.

7. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:
 - a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
 - b) The areas and methods of loading and unloading of plant and materials.
 - c) The areas for the storage of plant and materials.
 - d) Methods for dust control and suppression including asbestos controls and undertaking of regular dust monitoring including when dust monitoring and dust control/suppression are to be implemented.
 - e) Details of wheel-washing facilities including location
 - f) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
 - g) Measures related to construction and demolition waste management
 - h) Pollution prevention to include odour suppression, temporary drainage measures, control on re-fuelling activities and measures such as cut-off trenches to control gas migration.
 - i) Soil resource management including stock-pile management
 - j) Compliance with BS5228: Part 1 1997 to minimise noise
 - k) Measures to ensure that vehicle access of adjoining access points are not impeded.
 - l) Measures to ensure that there is no burning of waste.
 - m) Demolition Management Plan/Programme
 - n) Location and details of site compounds
 - o) Hoarding details during construction
 - p) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
 - q) Vibration monitoring to be carried out for the construction period.
 - r) Noise-monitoring to be carried out for the construction period.
 - s) A Construction and Demolition-Waste minimisation Strategy.
 - t) A Construction-Risks Education plan/programme
 - u) Parking area(s) for construction traffic and personnel
 - v) Routeing of construction vehicles

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

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

8. Prior to the commencement of development on site a method statement shall be submitted to the Local Planning Authority for written approval which shall include the following:
- i) the parking of vehicles of site-operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoardings including decorative displays, where appropriate
 - v) wheel-washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for re-cycling/disposing of waste resulting from demolition and construction works the development shall proceed strictly in accordance with that method statement.

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

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

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

10. The cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

Reason: To allow for the effective use of the premises hereby permitted becomes operative.

Reason: To allow for the effective use of the parking areas and the promotion of sustainable forms of transport and aid social inclusion.

11. Two of the allotted parking bays shall have facility of an electrical supply suitable for charging an electric motor vehicle.

Reason: In order to promote sustainable transport as a travel option and reduce thereby carbon emissions.

12. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

Application Ref: 21/0994/FUL

Proposal: Full: Major: Demolition of rear extensions and conversion of care home (Use Class C2) to 12 No. apartments (Use Class C3), reconfigure part of roof and two storey extensions to the rear.

At: Belgarth Nursing Home, Wheatley Lane Road, Barrowford

On behalf of: Mr Omar Ahmad

REPORT TO BARROWFORD AND WESTERN PARSHES COMMITTEE 12TH OCTOBER 2022

Application Ref: 22/0516/FUL

Proposal: Full: Erection of a dwelling with a detached annex.

At: Land to the north east of Water Meetings, Gisburn Road, Blacko

On behalf of: Mr & Mrs Marsh

Date Registered: 15/08/2022

Expiry Date: 10/10/2022

Case Officer: Laura Barnes

The application has been brought before Committee due to the number of objections received.

Site Description and Proposal

The application site relates to land which is directly to the south of No. 423 Gisburn Road, Blacko. It is directly adjacent to Gisburn Road and falls away from east to west.

The proposed development comprises a two storey dwelling and a single storey annex. The main dwelling is arranged in a "T shape" form with the annex to be positioned directly adjacent, to the other side of the proposed private driveway. Access is to be taken directly off Gisburn Road.

Relevant Planning History

None relevant

Consultee Response

LCC Highways

Having considered the information submitted, the Highway Development Control Section does not have any objections regarding the proposed development at the above location, subject to the following comments being noted, and conditions and note being applied to any formal planning approval granted.

Proposal

The proposal is for the erection of a detached four bed dwelling with a detached two bed annex. The proposed development would also require the formation of a new vehicular access onto Gisburn Road.

Site planning history

None.

Site access

There is an existing field gate at the northern boundary of the land within the applicants' ownership, which is proposed to be removed and the existing hedgerow extended. The existing dropped kerb should be removed, and the footway reinstated to the county council's specification, including full height kerbs, to limit the number of access points to the wider site within the applicants' ownership. These works would need to be carried out under a legal agreement (Section 278) with Lancashire County Council, as the highway authority.

A new vehicular access is proposed approximately 52m to the South of the above field gate. The formation of this new vehicle access from Gisburn Road to the development site would also need to be carried out under the same legal agreement with Lancashire County Council. Works to form the access should include, but not be exclusive to, the construction of the access to an appropriate standard, radius kerbs, buff coloured tactile paved, dropped pedestrian crossings on both sides of the new access and a street lighting assessment. Any services within the footway which need to be re-located to form the access would also be at the applicants' expense.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process and not wait until condition discharge stage. 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 being in place in order to prevent legal action from being taken.

The new access and internal access road should be constructed to at least base course prior to any other development taking place within the site to enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users.

The new internal road should also be surfaced in a bound porous material for a minimum distance of 5m into the site from the rear edge of the adopted footway so that loose surface material is not carried onto the adopted highway network, where it could pose a hazard to other users.

Visibility splays

Gisburn Road is subject to a maximum speed limit of 30mph outside the site. For a road with a maximum speed limit of 30mph visibility splays measuring 2.4m x 43m x 0.9m should be provided in both directions. Proposed Site Plan (Dwg P01.01 Rev A dated 12.9.22) shows that visibility splays of 43m can be achieved over land within the applicants' ownership and/or the adopted highway network, which the highway authority considers acceptable. However, the visibility splays should be controlled by condition to ensure that nothing over 0.9m in height above the carriageway level of Gisburn Road is planted, erected or allowed to grow within the splays to protect inter-visibility to and from the site access for the lifetime of the development.

Car & cycle parking

Based on the car parking recommendations in Pendle Borough Council's 'Car and Cycle Parking Standards' three car parking spaces should be provided for a dwelling with four or above bedrooms. Two parking spaces should also be provided for the two bed annex.

The proposed garage for the main dwelling is adequately sized to provide two parking spaces, together with storage for at least two cycles. The Design & Access Statement also refers to an electric vehicle charging being accommodated within the garage (section 6.5).

One parking for the annex is proposed under a car port.

There is an adequate hardstanding area within the site to provide the third parking space for the main dwelling, together with the second parking space for the annex, whilst still maintaining sufficient manoeuvring areas to allow vehicles to enter and leave the site in forward gear. Therefore, the highway authority considers that an adequate level of parking can be provided within the site.

General

Lancashire County Council's five-year database for Personal Injury Accidents (PIA) was checked on 28 September 2022. The database indicates there has been no collisions which resulted in personal injury near the proposed site access during this period.

Due to the site's location on the approach to an area with dwellings on both sides of the carriageway, and that it is a green field site, a Construction Management Plan will be required. There are also solid white central carriageway lines on the approach in both directions to the proposed site access, which prohibit vehicles from overtaking. Any vehicles parked on Gisburn Road outside the site may force vehicles to straddle the solid white lines and into the path of opposing traffic, which is a highway safety concern.

Deliveries by HGVs to the approved development during the construction phase should only be accepted between the hours of 9.00am and 2.30pm, to avoid peak traffic on the surrounding highway network.

There are no Public Rights of Way through the site.

The highway authority recommends that a condition is applied so that the proposed annex is only used ancillary to the main dwelling. This is to ensure that an adequate level of off-road parking and manoeuvring is retained on site, given the concerns about vehicles parking on Gisburn Road raised earlier. As the internal access road is only one vehicle wide this could also lead to vehicles having to wait on Gisburn Road to enter, or conflicting vehicle movements if the site was in different ownerships.

The following conditions and note 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 by, the Local Planning Authority in consultation with the Highway Authority. Works shall include, but not be exclusive to the re-instatement of the footway including full height kerbs outside the existing field access; construction of a new vehicular access to the appropriate standard onto Gisburn Road, including radius kerbs and buff coloured tactile paved dropped pedestrian crossings both sides of the new access; a street lighting assessment. 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. The development hereby permitted shall not commence unless and until all of the highway works to facilitate construction traffic access to the development site have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority. Reason: To enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users.

3. No development shall take place, including any works of clearance, until a Construction Management 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 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 site clearance and construction works
- viii) Details of working hours
- ix) Timing of deliveries by HGVs
- x) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

4. Prior to first occupation of any approved dwelling visibility splays measuring 2.4m back from the centre line of the access and extending 43m on the nearside carriageway edge of Gisburn Road in both directions shall be provided, 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 splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development. Reason: To ensure adequate intervisibility between highway users at the site access, in the interest of highway safety.

5. Prior to first occupation of any approved dwelling all the highway works shall have been constructed and completed in accordance with the approved scheme. 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.

6. Before the access is used for vehicular purposes, that part of the internal access road extending from the rear of the adopted footway shall be appropriately paved in bound material for a minimum distance of 5m into the site. Reason: In the interest of highway safety to prevent loose surface material from being carried on to the public highway.

7. The detached annex hereby approved shall only be used ancillary to the enjoyment of the main dwelling hereby approved and shall not be used by way of sale or sub-letting to form separate residential accommodation. Reason: To avoid the creation of separate dwellings which may be sub-standard in terms of parking provision, vehicular manoeuvring area and/or vehicle access.

Informative note

The grant of planning permission will require the applicants 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:

- reinstatement of footway, including full height kerbs, across existing field gateway;
- the construction of the new access to an appropriate standard, including radius kerbs, buff coloured tactile paved dropped pedestrian crossings on both sides of the new access and a street lighting assessment. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on developer@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.

Blacko Parish Council

Following discussions, the PC agreed that although they objected that this application was outside the settlement boundary and in open countryside, but due to the significant health problems in this case the PC would not object, but wanted their opinions noted. The PC were also not happy with the access as shown in the plans, but thought this was probably the best option available.

United Utilities

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

DRAINAGE

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

A full copy of the comments relating to water and waste water services is available online and has been sent directly to the agent.

Environment Officer

No objection.

The Arboricultural Statement submitted indicates an understanding of the trees on site. There are no trees due to be removed.

Public Response

Nearest neighbours notified by letter, multiple letters of objection have been received, raising the following issues:

- Landscape harm including the building itself along with cars and domestic paraphernalia
- The scale of the dwelling is not appropriate
- Access is unsafe
- Other properties and land within Blacko are available which should be used first, rather than developing this land
- The site does not follow the linear form of Blacko and will look isolated
- The site was put forward as part of the Local Plan but dismissed due to scenic beauty
- Infill between Blacko & Higherford
- The site is not adjacent to neighbouring properties and is isolated in the middle of a field
- The site forms an important green barrier between Blacko and Higherford
- The site does not confirm with Local Plan policy
- Issues with the new access point proposed
- The southern boundary of No. 423 Gisburn Road is within their ownership and not the applicant's
- The land is Green Belt and AONB
- The development would be on an upper slope and would result in the loss of local views
- The access will add to the daily issues of traffic in Blacko
- Concerns regarding the gated access being dangerous
- This access will cause issues for people entering and exiting Little Stone Edge and Great Stone Edge access track
- The proposed development goes against the Local Development Plan
- This is an application by a person who is not currently a resident of Blacko
- An extension to an existing property would be better
- Local ecology will be adversely affected
- The applicant hasn't provided evidence of their 5 year search for a suitable piece of land
- What is the need for the dwelling to be so large?

Some support for the development has been received, as follows:

- This would be a good use of the site given the applicant's individual needs
- The specific needs of the applicant mean that it would not set a precedent for future development

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 ENV1 (Protecting and Enhancing our Natural and Historic Environments) sets out that proposed development should make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

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.

Policy LIV3 (Housing Needs) encourages the support and provision of a range of residential accommodation.

Policy LIV5 (Designing Better Places to Live) requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and be built at a density appropriate to its location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

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.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

Principle of Development

The proposed development is located directly adjacent to the settlement boundary, as such the proposed development is in accordance with Policy LIV1, subject to compliance with policies which relate to design and amenity.

Design & Landscape

The proposed development comprises a detached two storey dwelling with a T-shaped footprint. Additionally, the application seeks permission for a single storey annex. Internally, the main dwelling is to comprise two bedrooms, a utility room, family room, bathroom, gym and garage to the Lower Ground Floor. To the Upper Ground Floor the accommodation is to comprise a dining / kitchen area, a further two bedrooms and a terrace area. The proposed annex is to have an open plan living room and two bedrooms (one for a carer to stay in). The main dwelling is to be constructed of natural random stonework with vertical timber cladding detailing. The roof of the main dwelling is to be slate roof tiles, with part of the roof being zinc clad with integrated solar panels. The annex is to have a green roof to part of the building. The windows are to be a dark grey aluminium window, the doors are to be timber with the exception of the aluminium sliding doors.

There is a significant change in levels across the site, with the land falling away from the highest point adjacent to the road. The proposed development would use the natural ground levels to create a stepped dwelling which works with the contours of the existing field. As such, the proposed ridge height would be lower than the road, when viewed from the south west.

Directly opposite the application site is a traditional row of terraced dwellings. The main dwelling has taken design queues from the terrace including natural slate to the roof and a natural stone for the walls. Combined with this there are some more modern materials including glazing, timber cladding and zinc which are used as accent details to the side and rear.

The applicant has submitted amended plans which have altered the ratio of glazing to solid wall, particularly to the south west elevation. It is noted however that the application site is surrounded by mature trees and landscaping which screen the land from views along the public right of way at the edge of the site. Whilst the proposed development is adjacent to the settlement boundary, but outside of it, it would be rear in the context of the existing properties opposite, especially when viewed from the south west. The existing landscaping would provide effective screening from the public right of way and views back towards the village.

Overall, the proposed design of the dwelling and annex are acceptable.

Residential Amenity

The proposed dwelling and associated annex are to be sited in excess of 21m from the existing dwellings on Gisburn Road. Moreover, the proposed dwelling is to be constructed to work with the existing contours of the site, so that it would appear single storey in height when viewed from Gisburn Road.

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

Ecology & Trees

The application is accompanied by a Preliminary Ecological Appraisal and an Arboricultural Impact Assessment. The Ecological Appraisal concludes that the site has a low conservation value, no habitats within the site are Priority Habitat, and no protected species were observed. The proposed development will result in the loss of an area of species poor semi-improved grassland, and a small area of predominately hawthorn hedgerow with a species poor understorey flora. The development offers considerable potential to create enhancements for biodiversity via a post development biodiversity enhancement and management scheme particularly pond creation and planting of native hedge and tree species to mitigate for loss of existing hedgerow, and native tree and shrub planting within proposed landscaping. The Council's Environment Officer has reviewed the proposed development and has not raised any objection in this regard. The application does not involve the removal of any trees. Appropriate protection for the existing trees on site can be secured during the construction phase, by way of planning condition.

In terms of ecology, although the proposed development is a greenfield site adjacent to the edge of the settlement, there are no special designations placed on it in relation to ecology. In this regard it is not different from any other greenfield site across Pendle.

Highways

The proposed development includes an appropriate level of car parking, based upon the number of bedrooms to the dwelling and the annex. No objection is raised in this regard.

In terms of highway safety, the proposals have been assessed and would not result in an unacceptable impact upon highway safety. As such, the proposed development accords with policy in this regard.

Other Matters

The applicant has submitted a statement which relates to the health condition of their child, which the proposed annex is to accommodate. Although this information is important context to the justification of the buildings, this is not a material planning consideration.

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: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

approved plans:

- Location Plan, Ref: E00.01
- Proposed Site Plan UGF, Ref: P01.03 Rev C
- Proposed Site Plan LGF, Ref: P01.02 Rev C
- Proposed Elevations P03.01B
- Proposed Elevations P03.02B
- Proposed Elevations P03.03C

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior written consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The dwelling shall not be occupied unless and until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

The drainage scheme 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;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.
- (iv) Details of how foul and surface water will be disposed of.

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

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

5. 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.

6. 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.

- 7. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

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.

- 8. Notwithstanding the provisions of Article 3 and parts 1 and 2 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 of Part 1 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 residential amenity.

- 9. Before any dwelling unit is occupied waste containers shall be provided and shall be stored to the rear of the property.

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

- 10. No part of the development shall be commenced unless and until a Construction Code-of-Practice statement has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development.

The submitted details shall include within its scope but not be limited to:

- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- d) Methods for dust control and suppression including asbestos controls and undertaking of regular dust monitoring including when dust monitoring and dust control/suppression are to be implemented.

- e) Details of wheel-washing facilities including location
- f) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
- g) Measures related to construction and demolition waste management
- h) Pollution prevention to include odour suppression, temporary drainage measures, control on re-fuelling activities and measures such as cut-off trenches to control gas migration.
- i) Soil resource management including stock-pile management
- j) Compliance with BS5228: Part 1 1997 to minimise noise
- k) Measures to ensure that vehicle access of adjoining access points are not impeded.
- l) Measures to ensure that there is no burning of waste.
- m) Location and details of site compounds
- n) Hoarding details during construction
- o) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
- p) Noise-monitoring to be carried out for the construction period.
- q) A Construction and Demolition-Waste minimisation Strategy.
- r) A Construction-Risks Education plan/programme
- s) Parking area(s) for construction traffic and personnel
- t) Routeing of construction vehicles

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

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

11. No tree within the site shall be cut down, up-rooted, topped, lopped, destroyed or in any other way damaged, nor any hedge within the site cut down or grubbed out, without the prior written approval of the Local Planning Authority.

Reason: To protect trees and shrubs as essential elements in the development.

12. 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 by, the Local Planning Authority in consultation with the Highway Authority. Works shall include, but not be exclusive to the re-instatement of the footway including full height kerbs outside the existing field access; construction of a new vehicular access to the appropriate standard onto Gisburn Road, including radius kerbs and buff coloured tactile paved dropped pedestrian crossings both sides of the new access; a street lighting assessment.

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.

13. The development hereby permitted shall not commence unless and until all of the highway works to facilitate construction traffic access to the development site have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority.

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

14. Prior to first occupation of any approved dwelling visibility splays measuring 2.4m back from the centre line of the access and extending 43m on the nearside carriageway edge of Gisburn Road in both directions shall be provided, 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 splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure adequate intervisibility between highway users at the site access, in the interest of highway safety.

15. Prior to first occupation of any approved dwelling all the highway works shall have been constructed and completed in accordance with the approved scheme.

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.

16. Before the access is used for vehicular purposes, that part of the internal access road extending from the rear of the adopted footway shall be appropriately paved in bound material for a minimum distance of 5m into the site.

Reason: In the interest of highway safety to prevent loose surface material from being carried on to the public highway.

17. The detached annex hereby approved shall only be used ancillary to the enjoyment of the main dwelling hereby approved and shall not be used by way of sale or sub-letting to form separate residential accommodation.

Reason: To avoid the creation of separate dwellings which may be sub-standard in terms of parking provision, vehicular manoeuvring area and/or vehicle access.

Informative note

The grant of planning permission will require the applicants 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:

- reinstatement of footway, including full height kerbs, across existing field gateway;
- the construction of the new access to an appropriate standard, including radius kerbs, buff coloured tactile paved dropped pedestrian crossings on both sides of the new access and a street lighting assessment. The applicant should 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.

Application Ref: 22/0516/FUL

Proposal: Full: Erection of a dwelling with a detached annex.

At: Land to the north east of Water Meetings, Gisburn Road, Blacko

On behalf of: Mr & Mrs Marsh