

23/0285/FUL Roaming Roosters – Further Update

Comments from LCC Highways have been received this afternoon (07/06/2023). They have no objection to the scheme, subject to conditions.

The issue regarding drainage through the Root Protection Area of the tree has also been addressed by the applicant and an amended plan has been received. The Council's Tree Officer has reviewed this and has not raised any objection, subject to a condition that any works are carried out in accordance with the Arboricultural Impact Assessment.

As such, the recommendation is changed from "delegate grant consent" to a recommendation of approval, subject to conditions.

The conditions are as follows:

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 21011_PL(90)001, Proposed Site Layout Plan 21022_PL(90)003_A, House Type 1 Proposed Floor Plans 21022_PL(20)003, House Type 2 Proposed Floor Plans 21022_PL(20)004, Landscaping Layout 2099-S3-L01 Rev F, Proposed Street Elevations 21022_PL(25)005 21022_PL(25)006 and 21022_PL(25)007, House Type 1 Proposed Elevation Plans 21022_PL(25)003, House Type 2 Proposed Elevation Plans 21022_PL(25)004, Proposed Surface Water Drainage Plan TC/T20633/22/105 Rev B.

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

3. The materials to be used on the development hereby approved shall be as stated on the application forms and plans.

Reason: These materials are appropriate and compatible with the existing development.

4. 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 Schedule 2 Part 1, Classes A, B,C of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: In order to preserve the openness of the green belt.

5. 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. This shall include detailed proposals for the protection of badgers that may forage on the site during the construction period.

Reason: In order to secure the orderly development to the site and to protect the environment.

6. The sole accesses into the site shall be those shown on the approved plans and no other access shall be formed at any time.

Reason: In order to ensure the safety of road users and in the interests of highway safety.

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

Reason: In order to ensure the safety of road users and in the interests of highway safety.

8. No above ground works shall commence unless and 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: In order to ensure the site is properly landscaped in the interest of

the visual amenity of the area.

9. Prior to commencement of works on site, a foul and surface water drainage scheme shall be 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.

10. 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree,

shrub or other device over 1m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4 m measured along the centre line of the access road from the continuation of the nearer edge of the carriageway on Barrowford Road to points measured 160m in both directions of the nearer edge of the carriageway of Barrowford Road, from the centre line of the access, in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To ensure adequate visibility at the site access.

12. Prior to commencement of any development a scheme for the site access and off-site highway works shall be submitted to and agreed in writing with the Local Planning Authority in conjunction with the Highway Authority. The scheme shall include, but not be exclusive to, the provision of a right turn lane on Barrowford Road, widening of the site access and radii on Barrowford Road, re-grading the highway verge on the western side of the site access, extension of the street lighting system, construction of a new footway on the north side of Barrowford Road between the site and Wheatley Lane Road and removal of Roaming Rooster tourism signage. The works shall be implemented prior to the first use of the site.

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. Within three 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: In the interest of highway safety to ensure a satisfactory appearance to the highway infrastructure serving the approved development.

14. Within three months of commencement full engineering, drainage, street lighting and constructional details to adoptable standards (Lancashire County Council's specification) of the internal estate roads have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety to ensure a satisfactory appearance to the highway infrastructure serving the approved development.

15. 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 satisfactory access is provided to the site before the development is first occupied.

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

Reason: In order to ensure satisfactory levels of off-road parking are achieved within the site.

17. Prior to first occupation of each dwelling secure, covered cycle storage for at least two cycles shall be provided in accordance with a scheme to be approved by the Local Planning Authority and permanently maintained thereafter.

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

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

19. The development hereby approved shall be carried out in strict accordance with the Arboricultural Impact Assessment, prepared by Seed Arboricultural Consultancy reference 1457-AIA-V1-D.

Reason: To protect the trees in the interests of amenity of the area.

20. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837 : 2005 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. The fencing shall be located at least 1.00 metre beyond the protected area detailed in BS 5837. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

Reason: To prevent trees from being damaged during building works.

Informative Note

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