

**REPORT FROM: ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL  
AND REGULATORY SERVICES**

**TO: WEST CRAVEN COMMITTEE**

**DATE: 7TH MAY 2024**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## REPORT TO WEST CRAVEN AREA COMMITTEE 7<sup>TH</sup> MAY 2024

**Application Ref:** 24/0060/FUL

**Proposal:** Full: Retention of vehicle display/sales area with associated boundary fencing.

**At:** Land to the East of Struntley Bank, Colne Road, Kelbrook

**On behalf of:** Kelbrook Car Sales

**Date Registered:** 01/02/2024

**Expiry Date:** 28/03/2024

**Case Officer:** Laura Barnes

This application was deferred from a previous meeting to allow the applicant to put together a landscaping plan.

### **Site Description and Proposal**

The application site is located within the settlement boundary, there are no other statutory designations affecting the site. Part of the site (an L-shape running along the Colne Road length of the site) is listed in the Open Space Audit as AG240 as Amenity Greenspace.

The proposed development is for the retention of a car sales area adjacent to an existing car sales. This includes the erection of a 1m high palisade fencing around two sides of the perimeter.

### **Relevant Planning History**

None relevant

### **Consultee Response**

#### **LCC Highways**

Having reviewed the documents submitted, Lancashire County Council acting as the Local Highway Authority does not raise an objection regarding the above retrospective development and are of the opinion that the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The following conditions should be applied to any formal planning approval granted.

Conditions have been suggested relating to the use of the site being for the car sales only and not having vehicles for sale parked on the surrounding street, causing a highway safety danger, and the lighting should be positioned so as not to dazzle drivers.

#### **Environmental Health**

No comments received

#### **Environment Agency**

We note that the supporting statement states "fencing was erected to the eastern and

southern boundaries for additional security and to protect higher value stock.”. We note that drawing 3923/2 dated Jan 2024 shows a fence on the Western edge of the property close to the top of the bank of Kelbrook Beck. We presume from the information in the application that this is an existing fence and is not part of the current application. We therefore have no objection to this application on flood risk grounds. If this is not the case, we request to be reconsulted.

### Environment Officer (Trees)

The introduction of the fence will have had a very minimal impact upon a well-established tree such as this. It is highly unlikely that any roots will have been damaged during the installation, so I have no real concerns.

The introduction of new surfacing materials can be problematic to a tree especially if a sub-surface material has been introduced. The tree does not appear to have suffered too much from changes as far back as 2018 when it was mostly a grassed area. The immediate land around the tree has been hardstanding for quite some time and it still has a relatively healthy crown. A tree of this age should be inspected annually to monitor for any changes in health.

### **Public Response**

Neighbours have been notified by letter. Multiple objections and letters of support have been received. The objections raise the following issues:

- Loss of privacy to garden adjacent
- Impact upon trees and wildlife
- Safety concerns with electrical extension leads across a driveway
- Road safety, moving caravans around
- Contrary to Kelbrook and Sough Neighbourhood Plan
- Fencing is not in keeping with the village
- Opening times are being extended
- Civil matter relating to rights of access
- Noise issues
- Some screening should be put up
- Cars from the business should not be parked on the highway
- Loss of Millennium Gardens
- Increase in traffic and exhaust fumes
- This would be replicated at the existing car sales site
- No consultation with neighbours took place prior to this happening

Whilst in support of the application, the following comments have been received:

- The Millenium Gardens were not well used by the public and were neglected
- Great business for the local area
- The car sales area looks much tidier than what was there previously
- The standard of caravans is high and not an eye sore
- The pub will be benefiting from when people come to view caravans and stay in the village for a meal
- The previous use of the site was dilapidated garages
- It is seen in the context of Euravia next door

## **Officer Comments**

### **Policy**

#### **Pendle Local Plan Part 1: Core Strategy**

Policy SDP1 (Presumption in Favour of Sustainable Development) echoes the presumption in favour of development set out in the Framework.

Policy SDP2 (Spatial Development Principles) sets out the position which Kelbrook takes up within the settlement hierarchy. It is defined as a Rural Service Centre.

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 ENV4 (Promoting Sustainable Travel) sets out the Council's approach to sustainable transport

Policy WRK1 (Strengthening the Local Economy) Encourages proposals which would help to strengthen and diversify the local economy.

#### **Replacement Pendle Local Plan**

Saved Policy 31 of the Replacement Pendle Local Plan 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 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.

### Kelbrook & Sough Neighbourhood Plan

KS DEV1 (Protecting and Enhancing the Character of Kelbrook & Sough) set out that development should respond positively to the character and heritage of the natural and built environment.

### **Principle of Development**

The application site seeks to introduce a commercial use to a piece of land which had previously been used as open space. It is acknowledged that the application site is located within the settlement boundary and a built up residential area. Part of the area of land appears in the Council's Open Space Audit as AG240, which is classified as amenity green space.

Paragraph 103 of the Framework states the following:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The application is accompanied by a supporting statement which addresses the issue of this site being within the Open Space Audit. The Audit identifies that there is a surplus of 0.13ha of amenity green space in this particular ward. The application would result in the loss of 0.049ha. As such, were the application to be approved, this would not result in a loss of green space which would take it under the acceptable level (0.4ha for this typology of space per 1,000 population) identified in the Open Space Audit.

The Framework requires that an assessment is undertaken to show that the open space would be surplus to requirements. In this case, the applicant has submitted an assessment which indicates that it is very finely balanced but overall there would be a surplus of this type of open space, even if the application site were to be developed. As such, it meets the requirement and the principle of development is acceptable, subject to conformity with design and amenity policies.

The applicant's case also sets out that the Parish Council have had the opportunity to identify and protect any green spaces through the recent neighbourhood plan process. This opportunity has not been taken up, unlike neighbourhood plans elsewhere in the borough. It is the applicant's case that this adds weight to the argument that this green space was not identified as having a high value in the context of the local area. They also note that the use has been operational for around 18 months and went unreported, further adding weight to the argument that this local green space was not well used by local people. This is disputed by comments from members of the public.

Also a matter of principle for Members to be reminded of is that Permitted Development rights extend to this site, which would allow for a 1m high fence / boundary to be erected adjacent to the highway.

## **Design**

Initially, the applicant was applying to retain the 2.4m high palisade fencing which has unlawfully been erected. However, during the course of the application the applicant has amended their plans and intends to remove the existing fencing, replacing this with a 1m high palisade fence. As set out, permitted development rights would allow for a 1m high fence or boundary around the perimeter of the site, without the need for planning permission. In this case the applicant has applied due to the existing unlawful fencing. However, the scheme which is now before the Council for consideration would allow control of the colour of the fencing to be erected. It is recommended that the fencing would be powder coated in a dark green colour as this would be much more recessive than the existing silver / galvanised fencing and would be more in keeping with the character and appearance of the street scene.

Members were also keen to see landscaping along the boundary, in order to further soften the effects of the fencing. The applicant has submitted details of a landscaping scheme along the front boundary of the site. This includes a box hedge which would be approx. 30cm at the point of planting and would be maintained to 75cm-90cm in height.

As such, the amended proposal accords with Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Kelbrook and Sough Neighbourhood Plan.

## **Residential Amenity**

In terms of the proposed development, the main difference to neighbouring amenity from the previous use would be the introduction of customers to the site and potential for noise / disturbance. Given that the site had previously been open to the public to enter and use for recreational purposes, there would be no change in terms of the loss of privacy to the garden. This is because the site formerly had public access and would retain public access in terms of members of the public viewing vehicles. It is likely that the numbers of people visiting the open space compared with the vehicular sales business would be comparable and to this extent there would be no unacceptable impact. The closest dwelling is 35m to the west and there is to be no habitable accommodation as part of the proposals. As such, it would not result in an unacceptable impact in terms of privacy. In terms of noise disturbance, the Environmental Health Officer has not raised any concerns but it is noted that members of the public have raised this. Again, the previous use of the site would allow public access, so there could be gatherings of people speaking in much the same way that people may gather around a vehicle to discuss the sale of it. There is no evidence to suggest that the use of the site for car sales would result in an unacceptable impact in terms of nuisance and disturbance to then neighbouring properties.

Some residents have raised concerns about the operating hours of the proposed development. The application form is clear that the proposed development would be operational during the following:

Monday – Friday  
09:00-18:00

Saturday  
09:00 – 18:00

Sunday / Bank Holiday  
09:00-18:00

These are not anti-social hours and would be compatible with a residential area.

In terms of the design of the fencing, several members of the public raised concerns about its appearance. The fencing which was on site at the time of the visit was a 2.4m high palisade fence. However, as set out above the proposal is now for 1m high fencing. As such, this would not have an unacceptable impact upon neighbouring amenity.

## **Access and Parking**

The Highways Authority have not raised any concerns about the proposed use from a highway safety perspective. The proposed plan is clear that the area marked out with hardstanding would be used for the vehicle sales area. This would be contained within the site and there is no indication that vehicles associated with this business are being left on the highway for long periods of time. As such, from a highway safety perspective, there is no unacceptable issue with the use of this site for car sales.

## **Trees**

There is a tree to the corner of the site which is the subject of a TPO and there is a ground of trees running along the water course which are also the subject of a group TPO. However, the Council's Environment Officer is content that the proposed change of use would not have an unacceptable impact upon the tree. The group TPO is outside the site boundary and again, is not likely to be adversely affected by the proposed development for car sales. As such, the proposed development accords with Policy ENV1 in this regard.

## **Flood Risk**

The application site is in Flood Zone 1 but does lie next to a main river. The Environment Agency initially raised concerns about the fencing which runs along the rear of the site boundary but this is fencing which has been erected under permitted development rights and if it requires an environmental permit, this is not a material planning consideration. The agent has been informed of the comment from the Environment Agency regarding the need for an environmental permit and this is something they are in discussions with the Environment Agency on. It does not form part of the consideration of this planning application.

## **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 3923/ Drawing 1, Proposed Site Plan with fencing detail 3923/ Drawing 2B (including box hedging).

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

3. Within one month of the date of this decision, samples of the boundary fencing including colour and finishing shall be submitted to and approved in writing by the Local Planning Authority. 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. No operation shall take place outside the hours of 0900 and 1800 on weekdays, Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interests of neighbouring amenity.

5. All vehicles for sale shall be within the car sales area only. No vehicles shall be placed for sale within the surrounding public highway network.

Reason: To ensure that the use does not unacceptably impact upon the availability of on-road parking in the interest of highway safety.

6. Details of any external source of lighting will be required to be submitted and approved in writing by the Local Planning Authority prior to its installation. Any lighting shall thereafter only be carried out in strict accordance with the approved details.

Reason: To avoid glare, dazzle or distraction to passing motorists.

**Application Ref:** 24/0060/FUL

**Proposal:** Full: Retention of vehicle display/sales area with associated boundary fencing.

**At:** Land to the East of Struntley Bank, Colne Road, Kelbrook

**On behalf of:** Kelbrook Car Sales



## REPORT TO WEST CRAVEN COMMITTEE ON 07 MAY 2024

**Application Ref:** 24/0087/FUL

**Proposal:** Full: Change of use of land to provide 18 no. static caravan pitches and 15 no. touring caravan/campervan pitches.

**At:** Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth

**On behalf of:** Mr & Mrs N. Hudson

**Date Registered:** 28/02/2022

**Expiry Date:** 23/04/2023

**Case Officer:** Alex Cameron

This has been brought before Committee due to the number of responses received.

### **Site Description and Proposal**

The application site is an agricultural field to the south of Lower Green Hill Caravan Park. The caravan park lies between the villages of Kelbrook and Salterforth. The site is situated in open countryside and is surrounded by agricultural fields to the south, and west. To the south is a storage building for the caravan park and dwellings at Bashfield Farm beyond. The site would be accessed off the B6383 Kelbrook Road via existing internal caravan park road which also serves as access to Lower Green Hill Farm and Barn.

The proposed development is the change of use of the land and works to form 18 static caravan and 15 touring caravan pitches as an extension to the existing caravan park. The works include the formation of a pond for surface water drainage.

### **Relevant Planning History**

13/87/0859P – Change of use of farm land to caravan site at Lower Greenhill Farm, Salterforth.

13/91/0152P – Erect caravan utility block. Approved 05/91.

13/95/0206P – Form access to Kelbrook Road Field NO 2220. Approved 06/95.

13/95/0338P – Increased use of site up to 23 caravans and 5 mobile homes. Approved 08/95.

13/95/0603P – retain site extension at caravan park and increase use to 23 caravans and 5 mobile homes. Approved 01/96.

13/12/0241P - Full: Extend touring caravan site, reconfigure plot layout and erection of a two storey building. Approved 07/12

13/12/0503P - Full: Removal of conditions 4 and 6 from Planning Permission 13/12/0241P - Approved 21/12/2012.

13/13/0561P - Full: Change of use of land for siting a caravan for permanent warden's accommodation. Approved

13/14/0272P - Full: Change of use of land from agricultural land to caravan park extension for siting 27 static caravans. Approved.

17/0659/FUL - Full: Change of use of land to accommodate 5 static caravan pitches. Approved.

17/0690/FUL - Full: Erection of two storey building comprising office/reception, laundry and storage at ground floor and holiday accommodation at first floor (Retrospective). Approved.

18/0283/FUL - Major: Full: Change of use from Agricultural to a Caravan Park and siting of 36 Holiday Lodge Caravans and 20 Touring Caravan Pitches. Withdrawn.

19/0069/FUL - Major: Full: Change of use from Agricultural to a Caravan Park and siting of 36 Holiday Lodge Caravans and 20 Touring Caravan Pitches. Appeal allowed with costs.

20/0393/FUL - Full: Variation of Conditions: Vary Condition 2 (Plans) of Planning Permission 19/0069/FUL. Approved

20/0412/FUL - Full: Creation of access into the site for emergency service vehicles use from Kelbrook Road. Refused

20/0657/FUL - Full: Removal of an existing caravan and erection of one dwelling house. Approved

22/0413/FUL - Full: Major: Change of use of land from agricultural and engineering operations to form 44 caravan pitches and erection of new amenity / shower block. Refused (currently subject to an appeal)

### **Consultee Response**

**LCC Highways** – Request that further information is provided to determine the suitability of the junction for the cumulative impact of the development traffic including the pending appeal application.

**Lead Local Flood Authority** – Object on the grounds of inadequate surface water sustainable drainage strategy and inadequate flood risk assessment.

**Yorkshire Water** – Request condition to restrict discharge of surface water a public sewer.

**Salterforth Parish Council** – Object. The sprawl of the caravans is creeping wider and wider and destroying there village feel and the green separation is decreasing The extension of the site will make is visible from the canal path and unsightly not only in construction but also long term view of the caravans and associated vehicles Overdevelopment and encroachment on the village and using green field The present caravan site can be viewed from all directions with inadequate screening which will take too long to mature and offer any benefit to the landscaping The detrimental impact on the surrounding area The landscape on the scheme will take too long to mature.

### **Public Response**

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

- Harm to the landscape, character and visual amenity of the area

- Disproportionate overall size of the caravan park in relation to Salterforth
- Inadequate screening of the existing site
- The caravans should be conditioned to be green
- Increase in traffic and highway safety concerns
- Risk of flooding and pressure of foul and surface water drainage systems
- Fouling by residents' dogs
- Salterforth is not a holiday resort or tourist attraction
- Caravans being used as permanent homes
- Lack of need
- Lack of economic benefit

Responses received supporting the application:

- Benefits for tourism and the economy of the area
- The existing site is well managed and maintained
- Only a small area of land involved
- Highway issues are not related to the site

## **Officer Comments**

### **Policy**

#### **Pendle Local Plan Part 1: Core Strategy**

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG. The impact of new developments on the natural environment (biodiversity and geodiversity) should be kept to a minimum.

ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability.

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused.

Policy ENV7 (Water Management) states that The design of all new developments (Policy ENV2) must consider:

1. The potential flood risk to the proposed development site.
2. The risk the proposed development may pose to areas downslope / downstream.
3. The integrated, or off-site, use of Sustainable Drainage Systems (SuDS) to help reduce surface water run-off from the development.
4. The availability of an adequate water supply and disposal infrastructure.

Policy WRK5 (Tourism, Leisure and Culture) states that Proposals associated with the provision of new or improved facilities for tourism, leisure and cultural activities, including accommodation for visitors, will be supported where they:

1. Promote sustainable tourism associated with walking, cycling, waterways and the appreciation of the area's natural and historic environment.
2. Help to improve the quality and diversity of the existing tourism offer, and extend the tourist season.
3. Do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport (e.g. walking and cycling).
4. Support conservation, regeneration and/or economic development objectives, including the promotion of cross-border initiatives.
5. Are of an appropriate scale and will not have a significant detrimental effect on the natural or historic environment, local amenity or character of the area.
6. Achieve high environmental standards in terms of design and accessibility.

### **Principle of the development**

The proposed change of use would be an expansion of the existing tourism use, this would provide improved facilities for tourism. The site is in an acceptably assessable location for a tourist accommodation use approximately 450m walking distance from bus stops and the settlement of Salterforth. The economic and social benefits of supporting tourism weigh in favour of the development and it is acceptable in principle accordance with policy WRK5.

### **Visual Amenity and Landscape Impact**

The existing site, although visible in medium to long distance views from the south, particularly along the A56 and the hillside to the south east of that, sits low in the landscape set against the hillside to the north west.

In allowing the appeal for the recent extension of the caravan park the Inspector concluded that the visual impact in medium to long distance views of the caravan park extension would be acceptable in the context of the landscape and nearby settlements.

From the north and west the proposed site would be largely screened by the existing woodland to the north east and hill to the south west.

Unlike the recently refused application now at appeal, which was proposed on higher land, the proposed development would relate to the existing development at the bottom of the hill and would appear as a modest expansion of that where visible in the landscape, as medium distance views from the A56 and long distance views from roads and public rights of way on the valley side to the east. Extensive native species landscaping is proposed and this would further mitigate the visual and landscape impacts of the development.

A Landscape and Visual Impact Assessment (LVIA) has been submitted This concludes that the effect on the land use would be negligible and effects on the landscape character would be neutral. Whilst I don't agree that the effects would be negligible and neutral, the development of the land where there currently is no development would not be negligible or neutral, the impact on the landscape would be minor and would be outweighed by the economic and social benefits that tourist accommodation brings.

With a condition to control the landscaping the proposal is acceptable in terms of visual and landscape impacts in accordance with policy ENV2 and WRK5.

## **Residential Amenity**

The proposed extension of the caravan park would be approximately 90m from the nearest dwelling at Bashfield Farm. The distances from surrounding dwellings are sufficient to ensure there would be no unacceptable residential amenity impacts upon the occupants those properties from the proposed development. The development would also increase the level of traffic passing Lower Greenhill Farm, the increase in traffic would not result in an unacceptable residential amenity impact upon the occupants of that or the other adjacent dwellings.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

## **Highways**

The site would be accessed via the existing caravan site access. The junction was improved as part of the recent extension of the site and this provides acceptable access to the site.

A transport statement has been submitted with the application, however, this does not address potential cumulative impact together with the application currently at appeal. This information has been requested from the applicant.

## **Ecology**

An ecology survey has been submitted with the application this found the site to be of low conservation value with no affected priority habitats and no protected species observed. The proposed development would result in the loss of a small area of improved grassland of low conservation value and the proposed mitigation, including tree planting and creation of a waterbody would offer considerable biodiversity gain.

The proposed development is acceptable in terms of ecology impact in accordance with policy ENV1.

## **Drainage**

Whilst this is in itself is a development that falls within the minor category, the existing extension was a major development as is the development currently at appeal. This development potentially affects the drainage and flood risk of those developments and vice versa.

Therefore, it is necessary to require that sufficient details are provided that this development, cumulatively with the other developments will not be subject to unacceptable risk from flooding or result in an unacceptable risk of flooding off-site.

The Lead Local Flood Authority have advised that the submitted details are inadequate and that an acceptable surface water drainage strategy and Flood Risk Assessment is necessary.

These have been requested from the applicant.

## **Summary**

The proposed extension of the caravan site would constitute sustainable development and subject to necessary conditions is acceptable in terms of visual and landscape impacts, residential

amenity, highway safety, impact on ecology and drainage. It is recommended that the application be approved.

**RECOMMENDATION: Refuse**

1. The applicant has failed to demonstrate that, cumulatively together with the existing development and that subject to appeal, the proposed vehicular access has adequate capacity and as such that this development would not result in unacceptable highway safety impacts contrary to Policy ENV4 of the Pendle Local Plan Part 1: Core Strategy.

2. The applicant has failed to demonstrate that the development would not result in an unacceptable risk of on or off-site flooding, contrary to Policy ENV7 of the Pendle Local Plan Part 1: Core Strategy.

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**At:** Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth

**On behalf of:** Mr & Mrs N. Hudson

## REPORT TO WEST CRAVEN COMMITTEE ON 07 MAY 2024

**Application Ref:** 24/0213/VAR

**Proposal:** Variation of Condition: Regularise Condition 1 (Implementation of timescales), Vary Condition 2 (Plans), Condition 3 (Materials), Condition 4 (Materials), Condition 5 (Materials), Condition 7 (Landscaping Scheme); Compliance of Conditions: Condition 8 (Management and Maintenance), Condition 9 (Construction Method Statement), Condition 10 (Ecological Mitigation Scheme), Condition 12 (Flood Risk Assessment), Condition 13 (Maintenance Scheme), Condition 14 (Site Specific Flood Risk Assessment), Condition 15 (Sustainable Drainage Strategy), Condition 16 (Construction Surface Water Management Plan), Condition 17 (Site-Specific Operation Manual), Condition 20 (Construction of Site Access and Off-site works), Condition 21 (Full Engineering, Drainage, Street Lighting and Constructional Details of roads and footways), Condition 22 (Management and Maintenance of estate roads and footways); Removal of Conditions: Condition 19 (Flood Resilience Measure), Condition 25 (Highway boundary wall), Condition 29 (Archaeological Recording) and Condition 30 (Historic Record) of Planning Permission 22/0577/FUL.

**At:** Site Of Former Brook Shed, New Road, Earby

**On behalf of:** Gleeson

**Date Registered:** 25/03/2024

**Expiry Date:** 24/06/2024

**Case Officer:** Alex Cameron

This application has been brought before Committee as it seeks to alter part of the Committee's previous decision in relation to materials.

### **Site Description and Proposal**

The application site is a former mill site now demolished. The site is located within Earby Conservation Area, New Cut flows to the west with terraced housing opposite, there are commercial properties and terraced houses across New Road to the north, terraced houses to the east and a domestic garden and cricket ground to the south.

Planning permission was granted in 2023 for the demolition of the remaining parts of the mill and erection of a residential development of 50 dwellings.

This application is to vary the conditions of the planning permission, the primary intention of the variation is to vary conditions 2, 3, 4 and 5 to allow the use of alternative materials, specifically the use of reconstituted stone and concrete tiles throughout the development and upvc fenestration and roof verges and soffits to the New Road frontage.

The variation / removal of the remaining conditions is proposed to reflect details submitted to discharge those conditions.

### **Relevant Planning History**

22/0577/FUL - Full: Major: Erection of 50 dwellings with associated access and landscaping, demolition of Brook Shed engine house, chimney stack, and remaining sections of north elevation of the former weaving shed, boiler house and water tank. Approved

23/0711/CND - Approval of Details Reserved by Condition: Discharge Condition 3 (Materials of Walls and Roof), Condition 4 (Details of Windows and Doors), Condition 5 (Materials and finishes of plots), Condition 6 (Window Openings), Condition 8 (Landscaping), Condition 9 (Construction Method Statement), Condition 10 (Scheme of Ecological Mitigation), Condition 11 (Method Statement), Condition 12 (Flood Risk Mitigation Measures), Condition 13 (Maintenance Scheme), Condition 15 (Surface Water Sustainable Drainage Strategy), Condition 16 (Construction Surface Water Management Plan), Condition 17 (Operation and Maintenance Manual), Condition 19 (Flood Resilience Measures), Condition 20 (Construction of Site Access and Off-Site works), Condition 21 (Full Engineering, Drainage, Street Lighting and Constructional Details), Condition 22 (Management and Maintenance of Estate Road and Footways) and Condition 29 (Archaeological Recording) of Planning Permission 22/0577/FUL. Pending delegation

### **Consultee Response**

**PBC Environmental Health** – We are satisfied with the information submitted thus far, however a full remediation strategy and validation report will need to be submitted before condition 11 has been fully satisfied.

**Environment Agency** – We have reviewed the proposed updates to conditions 12 and 13 and can confirm that we are happy for the conditions to be varied in line with the variation schedule.

**Lead Local Flood Authority** – No objection.

**Yorkshire Water** – Objects to the discharge of conditions 15 & 21. No drainage information has been submitted.

**LCC Highways** – No objections.

**LCC Historic Environment** - I can confirm that, as the site has been recorded (see SLR's Historic Building Recording report, revision 02, dated 13 December 2023), the HET has no objection to the removal of condition 29.

As to condition 30, the HET would consider it sensible, and for the avoidance of any doubt as to its need, for this condition to be retained and only discharged once the proposed on-site feature has been erected.

**LCC Schools Planning** – An education contribution is not required.

**Sport England** – Objected to the discharge of conditions on the grounds of risk of flooding to the cricket ground, concern regarding operation and maintenance regimes and risk of ball strike.

### **Public Response**

Site and press notices posted and nearest neighbours notified, publicity expires 15/05/2024. Response received objecting on the following grounds:

Earby Cricket Club objects to the variation in condition 2 and 7 as no information has been provided on what trees and vegetation is being removed from the boundary site in



sections 3 and 4 adjacent to the boundary of the cricket club, if and what access is required for the maintenance of this area via the cricket club and what impact the herbicides which are being used will have on the cricket outfield.

We raise concerns to condition 10 and the location of the bird and bat boxes to ensure they aren't in ball striking distance of the cricket ground as well as object to the discharge of conditions 15 and 21 as no drainage information has been provided and we need to ensure any changes to the drainage of the site doesn't impact potential flooding at the cricket ground.

## **Officer Comments**

### **Policy**

#### **Local Plan Part 1: Core Strategy**

The following Local Plan policies are relevant to this application:

Policy ENV1 requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 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. The proposal's compliance with this policy is addressed in the design and amenity sections.

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

### **Design and Heritage Impact**

The site is located within Earby Conservation Area and although the vacant nature of the overall site is of some detriment to the character and appearance of the Conservation Area the engine house, chimney and remaining walls did contribute to its significance. The loss of the engine house, chimney and remaining walls causes harm to the significance of the Conservation Area and results in the loss of non-designated heritage assets.

The approved application proposed the dwellings to be finished in a mixture of buff and red brick with upvc fenestration, the report to Committee recommended that, whilst that was acceptable in the centre of the site the dwellings on the frontage along New Road should be finished in natural stone, timber fenestration, slate roofs and roof verges without upvc caps. The application was approved in accordance with that recommendation and the above was controlled by conditions 3, 4 and 5.

This application proposes the use of reconstituted stone and concrete tiles throughout the development rather than natural stone and natural slate to the New Road frontage and brick and concrete tiles to the rest of the site.

It is also proposed to use dry verges with upvc end caps and upvc windows wrapped in a heritage appropriate colour finish to the New Road Frontage.

The applicant has submitted a Heritage Statement assessing the impact of those changes and a viability appraisal detailing the impact of the additional cost of using natural materials to the New Road frontage on the financial viability of the development.

The applicant has demonstrated that the financial viability of the development is precarious and that the cost of the use of natural materials would unacceptably impact upon that financial viability and would be likely to result in the development not proceeding.

The change to the materials of the New Road frontage would result in minor less than substantial harm to the significance of the Conservation Area and therefore that must be weighed against the public benefits of the development. The development would result in economic and social benefits from the provision of housing, furthermore, the development of this vacant site as a whole would be beneficial to the character and appearance of the area the use of reconstituted stone rather than brick throughout the rest of the development would also be beneficial.

Taking the above factors into account, including the impact on the viability of the development, the minor harm to the significance of the Conservation Area of the change in materials would be outweighed by the benefits of the development of the development coming forward.

The proposed variation of conditions is therefore acceptable in terms of design and heritage impact in accordance with policies ENV1 and ENV2.

## **Other Conditions**

Condition 1 (Commencement) The development has commenced with demolition of the remaining buildings, the condition can therefore be removed.

Condition 8 (Landscaping) – The submitted landscaping plan is acceptable. Concerns have been raised by Earby Cricket Club that it is not clear which trees are to be removed. It is clearly shown which trees within the site are to be removed, some trees adjacent to the site are also shown outlined in red, this merely denotes that their condition has been identified as being dead, dying and/or dangerous, this is standard practice in arboricultural assessments but it does not indicate that those trees will be removed by the developer as they are on land not within the developer's control.

Condition 9 (Construction Method Statement) – The submitted construction method statement is acceptable.

Condition 10 (Scheme of Ecological Mitigation) – The submitted details are acceptable. Concerns have been raised by Earby Cricket Club that the proposed bat and bird box locations could be vulnerable to being struck by cricket balls from the club. The industry standard assessment for cricket ball strike risk assumes a maximum total distance of 78m for shots hit by 1<sup>st</sup> class international players (at 50 m/s) and 64m at county level (40 m/s). Furthermore, this maximum distance is not the same for all directions from a wicket, balls hit behind the wicket are unlikely to have the as much velocity at a shot hit forwards or to the side.

The nearest bat box would be on plot 27, approximately 78m from the nearest point of the cricket square. However, balls struck long distances in that direction would be more likely to come from the opposite wicket, approximately 98m away. Furthermore, there is a dense belt of mature trees between.

Bird boxes would be located on plots 21 and 22, which would be approximately 70m from the nearest point of the square, however, they would be more directly to the rear of the square which

would further reduce the chance of ball strike from the nearest end, the far wicket would be over 90m away, again with a dense belt of mature trees between.

It is highly unlikely that the bat and bird boxes would be at risk from cricket ball strike.

Condition 11 (Contamination) – Environmental Health have confirmed that the submitted investigation and remediation strategy is acceptable. A remediation and validation report is still required to fully discharge the condition, the suggested wording by the applicant reflects that.

Condition 12 (Flood Risk Mitigation Measures) – The submitted details are acceptable.

Condition 13 (Maintenance Scheme) – Concerns have been raised by Sport England and Earby Cricket Club regarding the ongoing maintenance of the drainage scheme and that, if not adequately maintained, the development could increase the risk of to the cricket ground. However, no specific technical reasons for those concerns have been raised. The relevant consultees are satisfied with the proposed maintenance arrangements and that the development would not lead to any increase in the risk of off-site flooding. The submitted details are acceptable.

Condition 15 (Surface Water Sustainable Drainage Strategy) – The submitted details are acceptable. Yorkshire Water have objected to the variation on the basis that no drainage plans have been submitted, they have now been provided with details of the plans submitted with the discharge of conditions application and their response is awaited.

Condition 16 (Construction Surface Water Management Plan) - The submitted details are acceptable.

Condition 17 (Operation and Maintenance Manual) - The submitted details are acceptable.

Condition 19 (Flood Resilience Measures) – The applicant has requested the removal of this condition as the levels of the site would result in no other flood resilience measures being necessary. The EA and LLFA have raised no objection to this. The removal of the condition is acceptable.

Condition 20 (Construction of Site Access and Off-Site works) – The submitted details are acceptable.

Condition 21 (Full Engineering, Drainage, Street Lighting and Constructional Details) – The submitted details are acceptable. Yorkshire Water have objected to the variation on the basis that no drainage plans have been submitted, they have now been provided with details of the plans submitted with the discharge of conditions application and their response is awaited.

Condition 22 (Management and Maintenance of Estate Road and Footways) – The submitted details are acceptable.

Condition 25 (Highway boundary wall) – The wall has now been demolished and condition 24 ensures that visibility splays are maintained, the condition can therefore be removed as requested.

Condition 29 (Archaeological Recording) The archaeological recording has been submitted to the Historic Environment Record, therefore the condition has been fully satisfied and can be removed as requested.

Condition 30 (Historic Record Feature) A proposal for a plinth feature within the public open space representing the former use of the site has been submitted and is acceptable in principle, however,

detailed plans are required to fully discharge the condition. The applicant has requested the removal of the condition but it is necessary for a condition to remain to ensure that plans are submitted and it is implemented.

## **Conclusion**

It is recommended that the approval of the application is delegated to the Assistant Director Planning, Building Control and Regulatory Services subject to the withdrawal of Yorkshire Water's objection and the expiry of the publicity period.

## **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 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**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Rev P, 05 Rev F, 06 Rev C, Materials Schedule Rev E, P22- 1812\_01K, P22-1812\_02K, P22-1812\_03K, P22-1812\_04K, 201-S-0001 Rev C03, 201-S-0301 Rev C04, 301-S-0001 Rev C05, 301-S-0301 Rev C04, 304-S-0001 Rev C03, 304-S-0301 Rev C04, 311-S-0001 Rev C04, 311-S-0301 Rev C04, 313-S-0001 Rev C04, 313-S-0301 Rev C03, 314-S-0001 Rev C04, 314-S-0301 Rev C03 , 337-S-0001 Rev C06, 337-S-0301 Rev C06, 401-S-0001 Rev C05, 401-S-0301 Rev C05, 403-S-0001 Rev C02, 403-S-0301 Rev C02, BT\_01, NSD251 Rev B, SD103 Rev C, SD125 Rev P01, SD1700 Rev C, SD1701 Rev C.

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

2. The materials of external walls and roofs of the development shall be in accordance with the Materials Schedule F.

Reason: To allow the Local Planning Authority to control the external appearance of the development to protect the significance of the Conservation Area.

3. The window openings shall be set back from the external face of the wall. Unless otherwise agreed in writing by the Local Planning Authority the depth of reveal shall be at least 70mm.

Reason: To ensure the continuation of a satisfactory appearance to the development.

4. The landscaping scheme (P22-1812\_01K, P22-1812\_02K, P22-1812\_03K, P22-1812\_04K), 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.

5. The landscaped areas shall be managed and maintained in accordance with Landscape and Ecological Management Plan (Pegasus Group, November 2023).

Reason: To ensure the landscaped areas are adequately managed and maintained in the interest of the visual amenity of the area and to protect the significance of the Conservation Area.

6. The Construction Management Plan (Gleeson, 28.02.2024) shall be adhered to throughout the construction period.

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

7. The development shall be carried out in strict accordance with the recommendations of the Preliminary Ecological Appraisal May 2022, the Bat Activity Survey Results Report June 2022, and bat and bird boxes shall be installed as shown on the landscaping scheme prior to the occupation of each dwelling they are installed to (P22-1812\_01K, P22-1812\_02K, P22-1812\_03K, P22-1812\_04K).

Reason: To ensure that the development acceptably preserves or enhances the ecology of the site and does not result in unacceptable harm to protected species.

8. All agreed remediation measures shall be carried out in accordance with the Remedial Options Appraisal, Remediation Strategy and Verification Plan (Ground Risk, September 2023).

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 prevent contamination of the controlled waters.

9. The flood mitigation measures provided in the Flood Risk and Drainage Assessment Rev B and shown on 30581\_102C\_Proposed Flood Mitigation and 30581\_104C\_Flood Mitigation Detailed Sections shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

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

10. The proposed development shall be carried out in accordance with 30581 Flood Mitigation Maintenance Schedule Rev A.

Reason To prevent flooding elsewhere by ensuring that compensatory storage of flood water is maintained.

11. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment ("Flood Risk and

Drainage Assessment – New Road, Earby” ref “30581/FRA/SRG” Rev B, dated August 2023, compiled by Gleeson).

The measures shall be fully implemented prior to occupation of the development 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 in consultation with the Lead Local Flood Authority.

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

- 12: The final surface water sustainable drainage strategy, based on the Flood Risk and Drainage Assessment Rev B, shall be implemented in accordance with:

30581 Proposed SW New Road Earby 1to30yr RP Rev C  
30581 Proposed SW New Road Earby 100yr Rev C  
30581\_25\_Drainage Layout with Flood Levels & Depths  
30581\_1A\_Highways and Drainage Layout  
30581\_3\_1A\_Longitudinal Sections  
30581\_3\_2A\_Longitudinal Sections,  
30581\_7A\_Control Manhole Details  
30581\_11\_1A\_Offline Private Attenuation Tank Details  
30581\_11\_2A\_Offline Private Attenuation Tank Details  
30581\_11\_3A\_Offline Private Attenuation Tank Details  
30581\_12\_A\_Single & Shared Private Drive Details  
30581\_22\_Emergency Flood Route Plan  
30581\_8A\_External Levels Layout  
30581\_17A\_Impermeable Area Layout  
30581\_102C\_Proposed Flood Mitigation  
30581\_104C\_Flood Mitigation Detailed Sections

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

13. The proposed development shall be carried out in accordance with the 30581\_23A\_Construction Phase Surface Water Management Plan. The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: 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 surface water flood risk on-site or elsewhere during any construction phase.

14. The drainage system shall be retained, managed, and maintained in accordance with the 30581 SUDS Operation & Maintenance Plan dated Dec 2023.

Reason: To ensure that surface water 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, and to ensure that the sustainable drainage system is subsequently maintained.

15. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water 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.

16. The development shall be constructed in accordance with 30581\_200D\_S278 Agreement General Arrangement and 30581\_202A\_Typical Bus Stop Details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interests of highway safety and pedestrian and cycle accessibility.

17. The development shall be constructed in accordance with the following details:  
24725-D-01 – Proposed Lighting Layout  
30581\_1A\_Highways & Drainage Layout  
30581\_2A\_Road Setting Out Details  
30581\_3\_1A\_Longitudinal Sections  
30581\_3\_2A\_Longitudinal Sections  
30581\_8A\_External Levels Layout  
30581\_8A\_External Levels Layout  
30581\_10A\_Proposed Road Contours Layout  
30581\_16A\_Section 38 Agreement Layout – PLAN 1

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

18. The estate road and footways shall be maintained in accordance with 30581\_16A\_Section 38 Agreement Layout – PLAN 1 until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

19. 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.

20. Prior to occupation of the first dwelling visibility splays measuring 2.4m back from the centre line of the access and extending 48.8m Eastbound and 47.9m Westbound on the nearside

carriageway edge shall be provided at the new access onto New Road, 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: In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

21. Prior to first occupation of any dwelling the driveways shall be constructed in a porous bound material and the garages constructed and shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

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

22. Prior to first occupation of each dwelling secure, covered cycle storage shall be provided at a ratio of two cycle spaces per dwelling in accordance with the approved plans and maintained thereafter.

Reason: To ensure adequate provision for sustainable transport.

23. Prior to the 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 available.

Reason: To ensure adequate provision for sustainable transport.

24. Prior to the occupation of the first dwelling details of the proposed on-site feature to be provided and the timing of the provision 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 and timing.

Reason: In order to provide an appropriate record of the chimney and engine house as an archaeological record.

Note:

The grant of planning permission will require the applicant 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 works outlined in Condition 2. 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](mailto: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.

The use of flood resistance and resilience measures is recommended.

Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact the building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning



practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

- Government guidance on flood resilient construction  
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
- CIRIA Code of Practice for property flood resilience  
[https://www.ciria.org/Research/Projects\\_underway2/Code\\_of\\_Practice\\_and\\_guidance\\_for\\_property\\_flood\\_resilience.aspx](https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx)
- British Standard 85500 – Flood resistant and resilient construction  
<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506

506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

**Application Ref:** 24/0213/VAR

**Proposal:** Variation of Condition: Regularise Condition 1 (Implementation of timescales), Vary Condition 2 (Plans), Condition 3 (Materials), Condition 4 (Materials), Condition 5 (Materials), Condition 7 (Landscaping Scheme); Compliance of Conditions: Condition 8 (Management and Maintenance), Condition 9 (Construction Method Statement), Condition 10 (Ecological Mitigation Scheme), Condition 12 (Flood Risk Assessment), Condition 13 (Maintenance Scheme), Condition 14 (Site Specific Flood Risk Assessment), Condition 15 (Sustainable Drainage Strategy), Condition 16 (Construction Surface Water Management Plan), Condition 17 (Site-Specific Operation Manual), Condition 20 (Construction of Site Access and Off-site works), Condition 21 (Full Engineering, Drainage, Street Lighting and Constructional Details of roads and footways), Condition 22 (Management and Maintenance of estate roads and footways); Removal of Conditions: Condition 19 (Flood Resilience Measure), Condition 25 (Highway boundary wall), Condition 29 (Archaeological Recording) and Condition 30 (Historic Record) of Planning Permission 22/0577/FUL.

**At:** Site Of Former Brook Shed, New Road, Earby

**On behalf of:** Gleeson

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NPW/MP**

**Date:** 17th April 2024