

<b>Application Number:</b>	2019/0493	<b>Application Type:</b>	Full
<b>Proposal:</b>	Full: construction of 7 no. new dwellings with associated works and landscaping.	<b>Location:</b>	Land Opposite Braeside Goodshawfold Road Loveclough
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	24 <sup>th</sup> December 2019
<b>Applicant:</b>	Mr Peter Bowen	<b>Determination Expiry Date:</b>	6 <sup>th</sup> January 2020. Extension of time until 17 <sup>th</sup> January 2020.
<b>Agent:</b>	Mr James Mullen		

<b>Contact Officer:</b>	<b>James Dalglish</b>	<b>Telephone:</b>	<b>01706 238643</b>
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	✓
<b>Other (please state):</b>	

## HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

### Article 8

The right to respect for private and family life, home and correspondence.

### Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

## 1. RECOMMENDATION

Approve subject to the conditions set out in this report.

## **APPLICATION DETAILS**

### **2. SITE**

The application relates to a parcel of land located to the west of Burnley Road in Loveclough and on the south side of Goodshawfold Road. The land is located directly to the rear of Nos. 914-928 Burnley Road.

The site is currently a grassed field, bound by timber fencing, hedging and stone walling and is therefore Greenfield in planning terms. Access is via a gate leading off Goodshawfold Road. Public footpath No. 113 runs along the western side of the site.

The site is located just outside the urban boundary on land designated as countryside.

### **3. RELEVANT PLANNING HISTORY**

2019/0033/PREAPP – Pre-application advice on the erection of 6 no. three-storey townhouses and 3 no. detached houses with associated access and landscaping.

### **4. PROPOSAL**

Following receipt of pre-application advice (ref: 2019/0033/PREAPP), the applicant seeks planning permission for the construction of 7 no. new dwellings on the site, with associated garages, garden areas, driveways, boundary treatments and landscaping.

The dwellings would be set within their own plots, in an arrangement surrounding a central access driveway which would serve three of the dwellings.

Four of the proposed dwellings (to be constructed in two pairs of three-bed semi-detached houses) would front directly onto Goodshawfold Road, with small garden areas to the front and driveways (leading to a single garage) to the side of each dwelling. These dwellings would be two storeys in height, with extra room in the roof space served by a pitch roofed rear dormer.

Three of the dwellings would be three-bed detached units, and would be located on the rear (southern) part of the site, served by the access driveway. These houses would each have a detached double garage fronted by a double width driveway.

All dwellings would be constructed of artificial stone under pitched slate roofs, and would feature grey UPVC windows and grey 'Rockdoor' composite door units. The dwellings would have regular fenestration, with patio / bi-folding doors on their rear elevations. Garage doors would be grey (RAL 7016) in colour to match the doors and windows on the houses.

Further to discussions between the applicant's agent and the case officer, amended plans have been received showing that the dwellings will be constructed of natural coursed stone. The amended plans have also taken on board recommendations from the case officer relating to increased overhang of the eaves and the windows to be set deeper in reveal – to increase the design quality of the scheme.

In terms of boundary treatments and landscaping, it is proposed to:

- Re-construct a stone wall (similar to that currently existing) along the frontage of the site facing Goodshawfold Road, with gaps for the proposed driveways and paths to the dwellings. This wall would also extend part way into the site along the new access road.
- Retain the existing stone wall along the southern edge of the site, which would form the southernmost plot boundaries for Plots 3, 4 and 5.
- Construct a stone dwarf wall with timber panel fencing on top (to a height of 1.8m) to bound plots 2 and 6 on their edges facing into the site.
- Erect 1.8m high timber panel fencing between individual garden plots
- Erect 1.2m post and rail fence with attached mesh and planting behind and on the east and west flanks of the site.

It is proposed that all plots would have private rear garden areas with lawns and areas of paving, and smaller front gardens with lawns and planted shrub beds. It is proposed to plant 43 no. new semi-mature (advanced nursery stock) native trees, primarily around the perimeter of the site.

4 no. bird boxes and 2 no. bat boxes are proposed to be installed on the trees.

## 5. POLICY CONTEXT

### National Planning Policy Framework

Section 2	Achieving Sustainable Development
Section 4	Decision Making
Section 5	Delivering a Sufficient Supply of Homes
Section 6	Building a Strong, Competitive Economy
Section 8	Promoting Healthy and Safe Communities
Section 9	Promoting Sustainable Transport
Section 11	Making Effective Use of Land
Section 12	Achieving Well Designed Places
Section 15	Conserving and Enhancing the Natural Environment

### Development Plan

#### Rossendale Core Strategy DPD (2011)

AVP 4	Rawtenstall, Crawshawbooth, Goodshaw and Loveclough
Policy 1	General Development Locations and Principles
Policy 2	Meeting Rossendale's Housing Requirement
Policy 3	Distribution of Additional Housing
Policy 4	Affordable Housing
Policy 8	Transport
Policy 9	Accessibility
Policy 18	Biodiversity and Landscape Conservation
Policy 19	Climate Change and Low & Zero Carbon Sources of Energy
Policy 21	Supporting the Rural Economy and its Communities
Policy 22	Planning Contributions
Policy 23	Promoting High Quality Design & Spaces
Policy 24	Planning Application Requirements

### Other material considerations

National Planning Practice Guidance  
National Design Guide

## 6. CONSULTATION RESPONSES

Cadent	No comments received.
Coal Authority	No objection
Ecology	No objection subject to conditions.
Environment Agency	No comments received.
Land Contamination Officer	No objection subject to conditions.
LCC Highways	No objection subject to conditions.
LCC Public Rights of Way	No comments received.
Limey Valley Residents Assn.	No comments received.
RBC Environmental Health	No objection subject to condition.
RBC Forward Planning	No comments received.
RBC Tree Officer	No objection subject to condition.
RBC Operations	No comments received.
United Utilities	No objection subject to conditions.

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order site notices were posted on 15/11/2019 and neighbour letters were sent out on 13/11/2019. A notice was published in the Rossendale Free Press on 29/11/2019.

11 objections and representations have been received, raising the following concerns:

- Affect local ecology
- Close to adjoining properties
- Conflict with local plan
- Increase danger of flooding
- Increase in traffic
- Loss of privacy
- Strain on existing community facilities
- Traffic or Highways
- Harm to neighbour amenity
- Conflict with separation distances
- Unsustainable location
- Excessive earthworks required
- Harm to visual amenity

## 8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle; 2) Visual Amenity and Countryside Impact; 3) Residential Amenity; 4) Access, Parking and Highway Safety; 5) Ecology

## **Principle**

### **Sustainability of the Site's Location**

Paragraph 11 of the Framework contains a presumption in favour of sustainable development. It states that development proposals that accord with the development plan should be approved without delay and that where relevant development plan policies are out-of-date planning permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- Specific policies in the Framework indicate that development should be restricted

For paragraph 11 to apply, an assessment must be made as to whether the development is considered to be sustainably located. Although it is located outside of the defined urban boundary, the site is in a relatively sustainable location adjacent to the A682 (Burnley Road) and is within five minutes walking distance of the X43 bus route, which provides direct links to Crawshawbooth, Rawtenstall, Burnley and Manchester.

As the Council cannot currently demonstrate an up to date five year housing land supply based on Full Objectively Assessed Need (FOAN), it is considered in accordance with paragraph 11 of the Framework that the policies in the Council's Core Strategy which are most important for determining the application are out of date. There are no specific policies in the Framework (as set out in footnote 6 of the Framework) that indicate that development should be restricted, therefore it is necessary to undertake the balancing exercise as required by paragraph 11 (d) (ii) which requires permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the presumption in favour of sustainable development. This is considered in the following sections.

### **Proposed Allocation**

The site has been proposed as an allocation (H17) for housing development (for 7 dwellings on the site) in the Council's emerging Local Plan (currently paused following the Examination In Public in Autumn 2019). The site is also proposed for inclusion within the revised urban boundary which forms part of the emerging Local Plan.

The Strategic Housing Land Availability Assessment (2018), which forms part of the evidence base for the emerging Local Plan, concludes that the site is suitable for residential development in the medium to long term subject to satisfactory mitigation of any site specific issues which may arise.

Given that the Council's emerging Local Plan has not yet been found sound by the Planning Inspectorate and has not yet been adopted by the Council, the amount of weight that can be afforded to it in the decision-making process is currently very limited.

### **Visual Amenity and Countryside Impact**

Paragraph 127 of the Framework states that planning decisions should ensure that developments:

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

The scale of the proposed houses (two storeys, with pitched roofs) is considered to be in keeping with the character of the area and would not appear overly dominant in the street scene. The use of small pitched-roofed dormers on the rear roof slopes of the houses on plots 1, 2 6 and 7 is acceptable, and will ensure that the dormers are not prominent in views from Goodshawfold Road.

The scheme has been reduced from 9 no. proposed dwellings at pre-application stage to a total of 7 no. dwellings no proposed. It is considered that this reduction in density has resulted in a more spacious layout which retains more open space and enables the implementation of a higher quality scheme of landscaping and planting throughout the site – softening its appearance as a whole considerably.

The reduction in density has enabled driveways to be located to the sides of the proposed dwellings, rather than between their front elevations and the road – improving the appearance of the proposed scheme and preventing it from being visually dominated by parked cars.

The proposed walling materials (natural stone), roofing materials (natural slate) and window / door construction materials (grey UPVC) are acceptable in the site's context, and it is considered necessary to include a condition requiring the submission of samples of the materials prior to commencement of development to ensure a high quality finish to the development.

The scheme would result in the encroachment of built development into an area of countryside, which will undoubtedly result in some harm to the essentially open and rural character of the immediate site. However, the site is located close to existing areas of residential development and given the site's location and the local topography such harm would be very localised and it is not considered that the proposed development would cause significant harm to the wider landscape.

### **Residential Amenity**

The eastern side elevation of the dwelling on plot 1 would have a first floor window directly facing the windows on the rear elevation of properties fronting Burnley Road, at a separation distance of around 14m. This window would only serve a bathroom and not a habitable room, but it is considered necessary to include a condition requiring the window to be obscure glazed in any case to prevent harm to neighbour amenity.

Objections have been received from neighbouring residents which queried the separation distances between the two-storey eastern elevations of the proposed houses on plot 1 (and the garage associated with plot 3) and habitable room windows in the rear extensions of existing properties fronting Burnley Road. Section 2.1 of the Alterations and Extensions to Residential Properties SPD requires a minimum distance of 13m separation in such cases.

The case officer raised residents' concerns with the applicant's agent, who provided amended plans which show that a minimum separation distance of 13m will be achieved in relation to the two storey elevations of the proposed house on plot 1 and the extensions of properties fronting Burnley Road. In relation to the separation distance between the proposed detached garage associated with plot 3 and the houses on Burnley Road, a lesser separation distance of 6.5m would be required in line with the SPD (as the garage is only proposed to be a single storey structure). The submitted plans demonstrate that this will be achieved.

In relation to the accuracy of the submitted plans, the applicant has stated:

*"The revised site plan shows the adjacent properties in relation to the proposals and is based on a combination of the topographical survey and the latest Ordnance Survey plan and is therefore the most accurate information available. The dimensions on the site layout confirm that the blank gable walls are in excess of 13m from the centre of the windows to the ground floor extensions to the properties on Burnley Road."*

Officers have no reason to doubt that the minimum required separation distances will be achieved, and furthermore the submitted site plan includes dimension labels showing the separation distances in question. If planning permission is approved, this plan would form part of the approved documentation and the development would be required to be undertaken in accordance with it.

Having regard to the above and taking into account all other relevant material planning considerations it is not considered that the scheme now proposed would have any unacceptable impact on the daylight, privacy or outlook enjoyed by the occupants of any neighbouring residential properties.

The layout and density of the proposed scheme is such that each dwelling would be provided with an adequate amount of private outdoor amenity space, in line with the requirements of Section 12 of the Framework and Policy 23 of the Core Strategy.

The scheme is considered acceptable in terms of residential amenity.

### **Access, Parking and Highway Safety**

The Local Highway Authority has raised no objection to the scheme proposed, but did require several minor amendments to the submitted plans which have all now been addressed.

The Local Highway Authority has requested the inclusion of conditions relating to the following:

- Submission and approval of a construction traffic method statement
- Wheel washing facilities
- Submission and approval of a scheme for access and off-site highway works
- No walls above 1.05m in height to be erected on site other than those expressly permitted on the approved plans
- Surface water from driveways not to drain on to highway

Subject to the above conditions, the scheme is considered acceptable in terms of access, parking and highway safety.

## **Ecology**

The Council's ecology consultant has raised no objection to the scheme, subject to conditions relating to the following:

- Site clearance including vegetation and undergrowth removal (such as bramble and dense nettle etc.) as well as removal or repair of walls should occur outside the nesting season (March – August inclusive), unless it can be demonstrated by a suitably qualified person that no breeding birds are present.
- Existing dry stone wall on southern boundary of site to be retained, and protected by temporary fencing during construction works (as it provides potential habitat).
- Proposed stone walls within the development to be only partially mortared (to provide habitat opportunities).
- Planting specification to be submitted and approved prior to works taking place on site.

Subject to the above, the Council's ecology advisor finds that the development will achieve enhancement and biodiversity net gain as required by the NPPF and Environment Bill (October 2019).

## **Balancing Exercise**

In line with paragraph 11 of the Framework, it is necessary to carry out a balancing exercise to ascertain whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when considered against the policies contained within the Framework taken as a whole.

The development would provide seven new dwellings towards the borough's recognised housing need. The dwellings would be located in a relatively sustainable location adjacent to the existing urban boundary close to good public transport links. This is a benefit to which significant weight is afforded.

The scheme would result in the encroachment of built development into an area of countryside, which will undoubtedly result in some harm to the essentially open and rural character of the immediate site. However, the site is located close to existing areas of residential development, and given the site's location and the local topography such harm would be very localised and it is not considered that the proposed development would cause significant harm to the wider landscape.

It is not considered that the proposed scheme will have any unacceptable impacts in terms of residential amenity or highway safety and will achieve biodiversity net gain subject to use of planning conditions.

In light of the above, it is considered that the harm which would be caused by the development to the localised character of the countryside on this site would not significantly and demonstrably outweigh the main benefit of the scheme in terms of its contribution towards the borough's housing supply. Accordingly, paragraph 11(d) of the NPPF applies, and planning permission should be granted.



## 9. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle and it is considered that the development would not unacceptably detract from visual amenity and residential amenity or highway safety. It is considered that the development is in accordance with the National Planning Policy Framework and Policies AVP4, 1, 2, 3, 8, 9, 18, 23 and 24 of the adopted Core Strategy DPD.

## 10. CONDITIONS

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

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

- Application Form.
- Site Location Plan (BW9011 LP.01)
- Proposed Drainage Strategy (1002 P.03)
- Indicative Proposed Levels (2100 P.01)
- Site Section A-A (BW9011 SC.01)
- Indicative Street Scene (BW9011 SS.01)
- Access Arrangements and Visibility Splays (VN91450-D102)
- Highway Adoption Plan (VN91450-D103)
- House Type B Plans and Elevations (BW9011 HT.B.01) received as amended on 6<sup>th</sup> December 2019
- House Type C Floor Plans (BW9011 FP.C.01)
- House Type C Elevations (BW9011 EL.C.01) received as amended on 6<sup>th</sup> December 2019
- Garage Plans and Elevations (BW9011 FP.02) received as amended on 13<sup>th</sup> December 2019
- Arboricultural Method Statement (4384)
- Landscape Layout (4384.01B)
- Colour Landscape Layout (4384.02B)
- Tree Protection Measures (4384.03)
- Planting Plan (4384.04)
- Proposed Site Layout (BW9011 SL01 Rev. A)
- Driveway Amendments – Plots 1, 2 and 6 (VN91450-D104)

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. No development shall take place until samples of the materials to be used in the construction of the external walls (natural stone) and roofs (natural slate) of the new dwellings, the window and door frames and the rainwater goods have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent legislation revoking or superseding that Order, no windows or other openings, other than those shown on the approved plans, shall, at any time, be formed within the east-facing elevations of the dwellings on plots 1 or 3 without separate planning permission being obtained first from the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of existing properties.

5. The bathroom window at first floor level in the east elevation of plot 1 hereby permitted shall be fitted with obscure glass and shall be non-opening below a height of 1.7m from first floor level.

Obscure glazing and non-opening windows shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of the privacy of occupiers of neighbouring properties.

6. Site clearance including vegetation and undergrowth removal (such as bramble and dense nettle, etc.) as well as removal or repair of walls shall occur only outside the bird nesting season (March – August inclusive), unless a survey has been undertaken by a suitably qualified ecologist immediately prior to such works, and the results of the survey have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting nesting birds.

7. All new stone boundary walls to be constructed as part of the development shall be only partially mortared.

The existing dry stone wall on the southern boundary of the site shall be retained, and shall be protected for the duration of construction works by temporary metal mesh fencing.

Reason: Unmortared drystone walls provide sheltering opportunities for small mammals and amphibians along with nesting opportunities for birds, and as such require protection against damage during construction works.

8. Notwithstanding the submitted landscaping and boundary treatment information, no development shall take place until a fully detailed landscaping and boundary treatment layout plan and a detailed planting specification (in accordance with BS 4428 1989) have been submitted to and approved in writing by the Local Planning Authority. The planting specification shall include full details of species, numbers, juxtaposition of species in beds, species-specific spacing, depth of soil for trees, hedges and beds, whether grass is seed or turf, grass seed/turf type, a specification for soil cultivation, a specification for planting, a specification for sowing/laying of seed/turf, and details of the type of mulch.

All new planting forming part of the approved scheme shall be carried out in the first planting season either following completion of the development or following first occupation of the last dwelling to be occupied (whichever is the sooner). Any trees or plants which within a period of 5 years of first occupation of the final dwelling die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

The proposed bat roosting and bird nesting boxes shall be installed following substantial completion of the development, or following first occupation of the last dwelling to be occupied (whichever is the sooner).

Reason: In the interests of visual amenity and to enhance the biodiversity value of the site.

9. Notwithstanding any information submitted with the application, no development shall take place (except for demolition and enabling works as agreed with the LPA) until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

i) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and

ii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy prior to commencement of development. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: To mitigate against potential hazards posed by land contamination and in the interests of preventing pollution.

10. Pursuant to condition 9; and prior to first use or occupation a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate against potential hazards posed by land contamination and in the interests of preventing pollution.

11. No development shall take place 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
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- Details of working hours
- Details of the expected delivery timeframes for plant and materials including periods where deliveries will not be made.
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- Routing of delivery vehicles to/from site and manoeuvring within the site to ensure vehicles are able to enter/leave in forward gear.

Reason: In the interests of highway safety.

12. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: In the interests of highway safety.

13. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

The approved details shall thereafter be implemented as part of the development.

Reason: In the interests of highway safety.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended or subsequently re-enacted) and notwithstanding what is shown on the submitted plans, 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, hedges, trees, shrubs or other devices over 1.05m above road level within a distance of 10 metres in either direction from the junction of the new estate road and Goodshawfold Road.

Reason: To ensure adequate visibility at the street junction.

15. The surface water from the approved driveways should be collected within the site and drained to a suitable internal outfall, and shall not drain on to the public highway.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

16. All driveways and garages serving the approved dwellings shall have installed a facility to permit the recharge of an electrical battery-powered vehicle. Unless otherwise required by the location the installation(s) shall comply with IEE regulations, IEC 61851-1 Edition 2, and BSEN 62196-1. The facilities shall be so retained thereafter.

Reason: In the interests of promoting sustainable modes of transportation.

17. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer shall be restricted to 5 l/s.

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.

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

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

19. The future maintenance and upkeep of the private estate road within the site shall be deeded to the residents of plots 3, 4 and 5 and shall be maintained collectively by those residents thereafter, in accordance with the submitted information.

Reason: To ensure that the private estate road is properly maintained in perpetuity.

## 12. INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_adopted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted)

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the

application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. The grant of planning permission will require the applicant to enter into an appropriate legal agreement with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email [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.
3. If, during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance with an agreed process and within agreed timescales in agreement with the Local Planning Authority.

The applicant is advised that they have a duty to adhere to Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.