

<b>Application Number:</b>	2020/0590	<b>Application Type:</b>	Full
<b>Proposal:</b>	Full: Change of land from agricultural land to glamping camp site including demolition of existing dwelling, erection of one 1.5 storey holiday lodge, four glamping pods, a utility unit, car parking, an amenity area, landscaping and the associated use of existing farm building and facilities at Lower Whams Farm	<b>Location:</b>	Hawthorne Farmhouse Also Use Of Building At Lower Whams Burnley Road East Waterfoot Rossendale Lancashire BB4 9ND
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	16th March 2021
<b>Applicant:</b>	Mr and Mrs Kevin Millar	<b>Determination Expiry Date:</b>	18 <sup>th</sup> March 2021
<b>Agent:</b>	Richard Gee, Roman Summer Associates Ltd		

<b>Contact Officer:</b>	<b>Sophie Anderson</b>	<b>Telephone:</b>	<b>01706 238625</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

Grant planning permission subject to the conditions set out in section 11.

## **APPLICATION DETAILS**

### **2. SITE**

The site in question lies in an area designated as countryside to the north west of Waterfoot. For clarification, the site is not within the designated Green Belt. The site is accessed via an access lane off Burnley Road East, past Hawthorne Farmhouse and onto Lower Whams Farm (which falls in the same ownership and forms part of the application site). It lies to the west and at a higher elevation than properties on Rock Bridge Fold and slopes from west to east.

The site is close to the urban boundary which runs along the west of properties on Rock Bridge Fold. Three Public Rights of Way pass through the site (14-4-FP 169, 14-4-FP 170 and 14-4-FP-59) and the site lies close to the Pennine Bridleway.

The site forms part of Lower Whams Farm, which has been unused for decades and has never been farmed. There is currently one dwelling / caravan on the land which is in poor condition and appearance and is currently unused. To the south of the dwelling / caravan is unused agricultural land and to the west lies a cluster of trees and shrubs. The site is bounded by a mixture of timber post and wire fencing, stone walls and hedging.

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

2020/0025/PRE – Pre-application enquiry for proposed change of land from agricultural land to glamping camp site including demolition of existing dwelling, erection of one 1.5 storey holiday lodge, four glamping pods, car parking and an amenity area.

### **4. PROPOSAL**

Planning permission is sought for the change of use of land from agricultural land to a glamping camp site including the demolition of an existing dwelling/caravan, the erection of one 1.5 storey holiday lodge, four glamping pods, a utility shed, a car parking area, an amenity area, landscaping and the associated use of existing farm building and facilities at Lower Whams Farm

At the northern end of the site, the existing unused dwelling would be demolished and replaced with a 1.5 storey, holiday lodge (approximately 162 sqm in size) to be fully accessible to accommodate disabled visitors. A utility unit, approximately 15 sqm would be erected to replace an existing shed which is to be demolished. Further south, four individual timber-framed glamping pods each at circa 39 sqm would be erected, each with its own external terrace. The land immediately in front (east) of the glamping pods would be reconfigured to create a terrace for picnics and children's play.

The glamping pods would be timber framed with sedum roofs. The holiday lodge would have timber cladding, slate hanging and gabion retaining structure with an anthracite colour metal standing seam roof. The utility unit would stand on timber posts, have timber cladding and a black felt roof.

The guests would have access to an existing horse stable within the farm complex and there is scope to provide two additional stables. There are also hardstanding areas within the farm complex that would be available for guests to park their horse boxes / trailers.

The site would be accessed directly from the existing farm access road, and a car park (4 spaces) would be created directly off this. The holiday lodge would be served by two disabled parking spaces.

Hard and soft landscaping is proposed.

Following advice from Officers at pre-application stage, the application is accompanied by the following:

- Planning Statement
- Design and Access Statement
- Landscape and Visual Impact Assessment
- Landscape Specification
- Landscape Masterplan
- Arboricultural Constraints Appraisal
- Transport Statement
- Preliminary Ecological Appraisal
- Preliminary Roost Assessment (Bats) (Ecology Services)
- 2 Ecology Plans (submitted as strictly confidential in respect of protected species)
- Drainage Strategy Report
- Drainage Layout.

## 5. POLICY CONTEXT

### Rossendale Core Strategy DPD (2011)

AVP3 – Waterfoot, Lumbe, Cowpe and Water

Policy 1 – General Development Locations and Principles

Policy 9 – Accessibility

Policy 10 – Provision for Employment

Policy 14 – Tourism

Policy 15 – Overnight Visitor Accommodation

Policy 18 – Biodiversity, Geodiversity and Landscape Conservation

Policy 19 – Climate Change and Low and Zero Carbon Sources of Energy

Policy 21 – Supporting the Rural Economy and its Communities

Policy 23 – Promoting High Quality Designed Spaces

Policy 24 – Planning Application Requirements

### National

#### National Planning Policy Framework (2019)

Section 2 - Achieving Sustainable Development

Section 4 - Decision Making

Section 6 – Building a strong, competitive economy

Section 9 - Promoting Sustainable Transport

Section 11 - Making Effective Use of Land

Section 12 - Achieving Well Designed Places

Section 14 – Meeting the Challenges of Climate Change etc

Section 15 - Conserving and Enhancing the Natural Environment

### Other Material Considerations

National Planning Practice Guidance

RBC Emerging Local Plan

National Design Guide

## 6. CONSULTATION RESPONSES

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RBC Economic Development	Support the development
RBC Operations	No objection
LCC Lead Local Flood Authority	No comments
Environment Agency	No comments
Cadent	Advice provided
LCC Highways	No objection subject to conditions
RBC Environmental Health	No objection subject to conditions
RBC Tree Officer	No objection subject to conditions
United Utilities	No objection subject to conditions
Ecology	No objection subject to conditions
Land Contamination Consultant	No objection subject to conditions
The Coal Authority	No objection
PROW	No objection subject to conditions
Lancashire Fire and Rescue Service	No objection

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 16<sup>th</sup> December 2020 and 21 neighbour letters were sent out on 16<sup>th</sup> December 2020.

In total 29 objections (including a petition with 20 signatures) have been received from respondents raising the following issues:

- Drainage and flood risk issues;
- Cliff erosion;
- Loss of privacy / overlooking;
- Noise nuisance;
- Highway safety concerns;
- Poor condition of access lane;
- Harm to wildlife;
- Fire risk; and
- Increased litter.

## 8. ASSESSMENT

### Principle

1. Starting with the development plan, Policy 1 of the Core Strategy provides for the general development locations and principles, and directs new development to the Urban Boundary unless “...it has to be located within the countryside, and should be of a size and nature appropriate to the size and role of the settlement.” It goes on to state that the countryside should be enhanced and protected.

2. Policy 14 relates to tourism more specifically and in relation to new development outside of the Urban Boundary, it will be only be acceptable where:

- it is essential for the proposed facility; and
- no sites within the Urban Boundary are suitable; and
- there are no impacts affecting landscape character, or visual quality (including light pollution), or amenity to neighbours (including noise pollution) or nature conservation assets.

3. Policy 15 relates to overnight visitor accommodation specifically, and states that proposals for overnight visitor accommodation will be supported both within and outside of the Urban Boundary where:

- they are appropriate to their locality (including in terms of size, amenity to neighbouring uses), and
- they are complementary to existing tourism facilities, and
- access is good by a variety of modes (with no adverse effects on the local road network) and
- the capacity of existing infrastructure is adequate, and
- there are no harmful effects on visual amenity, landscape, or nature conservation assets, and
- the development will not reduce the amount of land in use for the purposes of open space or recreation, and
- where need can be demonstrated.

4. In addition, for sites outside of the Urban Boundary, it will be expected that...*where it is appropriate to the type of establishment (for example a hotel) use will be made of existing buildings.*” In this case it is noted that there are no buildings within the site that are suitable for conversion.

5. There is a recognised need for appropriate overnight visitor accommodation within the Borough, as demonstrated in the findings of the Rossendale Town Centre, Retail, Leisure and Tourism Study (April 2017).

6. At the national level, Section 6 of the National Planning Policy Framework (the Framework) requires support to be given to economic growth in rural areas where it is sustainable and would allow the growth and expansion of all types of business and enterprise, through the conversion of existing buildings, and well-designed new buildings. More specifically, the Framework states that planning policies and decisions should enable: *“sustainable rural tourism and leisure developments which respect the character of the countryside.”*

7. The submitted planning statement states:

*“Considering the requirement that such development ‘has to’ be located in the countryside, it is a given that a rural holiday retreat intended to link with / take advantage of / promote the bridleway and PROW network must, by definition, be located in the rural area. Any attempt to locate the enterprise in a town centre (even assuming a site of 0.5 hectare was available would entirely undermine the business rational and would offer a materially different type of holiday. Fundamentally, there are no available, suitable and viable in centre sites that could possibly accommodate the proposal.”*

*and*

*“This proposal seeks to promote and cater for rural based-tourism. By its nature, it demands a rural location. This is its raison d’etre. Its sole purpose is to provide accommodation for those wishing to spend time in an attractive and tranquil setting.”*

8. Having regard to both the development plan and national planning policy, it is considered that there is support in principle for the proposed holiday accommodation at this site, subject to more detailed matters including visual amenity, landscape and nature conservation being considered satisfactory.

### Visual Amenity and Landscape Impact

9. The site is located in an elevated position above Burnley Road East. The site is currently undeveloped, and given its location and elevation there is potential for the development to have a detrimental impact on the essentially open and rural character of the site and its wider context. However, the proposed siting of the glamping pods and lodge set back from the ridge, together with the thick belt of trees and vegetation to the east would help ensure the buildings would be largely concealed from properties on Rock Bridge Road, Burnley Road East and Lumb Lane and there would be limited impact on users on nearby public footpaths and roads as highlighted in the submitted Landscape and Visual Assessment. The number/design/size/facing materials is such that the buildings would safeguard the open and rural character of the area.
10. The buildings are of a high standard of design that it is in keeping with the rural context (see Figures 1 and 2). Although the holiday lodge would be 1.5 storeys in height, it would replace the existing unsightly Hawthorn Farmhouse and it has been designed to appear as a modern agricultural barn. The glamping pods would be small in number and size, would have sufficient space in between them and would be built into the hillside to ensure that they are not unduly prominent or intrusive. The buildings would be constructed from lightweight, low-impact materials appropriate to the rural setting including timber, stone and sedum with green roofs for the glamping pods and an anthracite colour metal standing seam roof for the roof of the holiday lodge. The glazed elevations of the buildings face east overlooking the valley so there is potential for limited light pollution from longer distances, however this is unlikely to be significant because of the elevated siting of the buildings, their set back from the natural ridge and their position behind the bank of trees and vegetation. Other lighting around the site is minimal and would be low level / intensity.



*Figure 1: The front (east) elevation of the proposed holiday lodge*



Figure 2: The front (east) elevation of the proposed glamping pods

11. The car parking space area is small in size and located close to the existing complex of buildings and existing car and horse box parking at Lower Whams Farm. The car parking area and footpaths would be surfaced with permeable, coloured resin bound gravel to ensure they do not have an unacceptable urbanising visual impact on the site. Repairs have been carried out to the existing access track to the site and further works to repair and re-surface it will be required by condition.
12. The landscaping scheme utilises a range of native species and native hedgerow planting to soften the appearance of the development, help the buildings blend into the landscape and improve the visual appearance of the wider site. The grassland in front of the lodges would be kept open to retain long views. The Council's Tree Officer has no objection to the scheme and the proposed landscaping arrangements, subject to conditions including:
  - The recommendations of the Arboricultural Impact Assessment should be implemented including the requirement for the submission for approval and subsequent full implementation of an Arboricultural Method Statement and Tree Protection Plan.
  - The Landscape Layout (452/01) and associated Landscape Specification should be implemented in full.
13. The submitted landscape and visual impact assessment concludes that *"...this development and the proposed landscaping is appropriate and would be largely beneficial in terms of its landscape and visual impact on this valley side setting."* The issue of landscape and visual impact has been assessed by your officers and it is concluded that there would be some limited impact upon the landscape and visual amenity.
14. The proposed development does involve the erection of new buildings within the countryside and whilst it is acknowledged that careful siting, design and materials of the proposed scheme has scaled down any potential adverse impacts as far as possible, the impact of the development on this countryside location, through further built development, needs to be weighed against the benefits of the scheme. A balancing exercise is undertaken further on within this report.

### Residential Amenity

15. Objectors' comments are noted. However, it is not considered that the proposed scheme would necessarily result in significant harm to the privacy, daylight or outlook of any neighbouring residential properties given: (1) the proposed siting of the development in an elevated position above Rock Bridge Fold and Burnley Road East; (2) the setting back from the natural ridge; and (3) the thick belt of trees and vegetation to the east of the site.



16. The potential for light and noise pollution is not considered to be significant given the siting of the development and the surrounding trees and vegetation. Low level lighting is proposed to pathways and to the car parking areas and a condition would be used to ensure all lighting is of low level / intensity. A condition would also be required to ensure that no outside amplified music would be played.

17. As such, the scheme is considered acceptable in terms of residential amenity.

#### Access, Parking and Highway Safety and Waste

18. A small car park (four spaces) would serve the glamping pods and the accessible lodge would be served by two disabled spaces. Hardstanding areas within the farm complex would be available for guests to park their horse boxes / trailers. Secure cycle parking (4 bicycles) and cycle washing facilities are also provided.

19. Access to the site is via the existing farm access road. The gradient of the single track access road is relatively steep, and the road is unsurfaced. Concerns have been raised by several local residents relating to the poor condition of the access lane off Burnley Road East and highway safety.

20. The Local Highway Authority has stated the following in relation to the proposed scheme:

*“Subject to the applicant agreeing to the surfacing of the passing places and introducing a turning head and submitting approved plans for approval I would raise no objection to the proposal on highway grounds”.*

21. Following the comments from the Local Highway Authority, repair works have been carried in relation to the surfacing of the passing places and the Local Highway Authority have confirmed that repairs to the passing places are satisfactory. In relation to the need for a turning head to avoid the need for vehicles to reverse along the track, it is noted that there is potential for vehicles to turn within the site itself which would negate the need for vehicles to reverse down the track. The access track is outside the applicant’s ownership, so it is not possible to require works to be undertaken to repair and re-surface the whole of the access track as part of this application however, it is considered that the access track is in a satisfactory condition.

22. In relation to the impact of the proposal on public rights of way, Lancashire County Council Public Rights of Way have no objection to the proposal subject to conditions. Public Right of Way (14-4-FP169) runs to the western side of the site and through part of the site from the south of the parking area to where it intersects Public Right of Way (14-4-FP170) and a condition would be required necessitating that this would be a minimum of 2m wide, with adequate drainage and the access to the land to the south would have a kissing gate for stock control. Public Right of Way (14-4-FP170) runs in part from Burnley Road East and along the access track before diverting into woodland and is currently obstructed in part by fencing. Further to recommendations from Lancashire County Council Public Rights of Way, public access should either be made available along this section of footpath or access should be diverted along the existing access track and this will be required by condition.

23. The car parking area would be re-surfaced with a permeable bound gravel path and footpaths with discrete low level bollard lighting and this would form the pedestrian/disabled access to the proposed buildings.



24. The Local Highway Authority recommends conditions relating to:

- A Construction Management Plan;
- Facilities on site for the cleaning of wheels of vehicles and equipment during construction;
- A scheme for the construction of the site access and the off-site works of highway mitigation;
- Requirement for the highways works (including repairs and re-surfacing of the access track) to be constructed and completed in accordance with a scheme submitted and approved by the Local Planning Authority prior to the development being occupied or opening for trading;
- Requirement for the car parking area to be surfaced or paved in accordance with the scheme to be approved by the Local Planning Authority, for car parking spaces and manoeuvring spaces to be marked out and kept free of obstruction thereafter.

25. In relation to waste, the Council's Operations Team have advised that they have no concerns in relation to commercial waste storage and removal.

26. Having regard to all of the above and subject to the above conditions, the proposed scheme is considered acceptable in terms of access, parking, highway safety and waste.

#### 27. Ecology

28. The proposal seeks to improve local biodiversity including for example, planting new species of wetland species, wildflowers and increasing tree cover.

29. The Council's Ecology Consultant has no objection to the proposed scheme, subject to a number of recommendations relating to:

- Vegetation clearance;
- Badgers;
- Invasive plant species;
- Reptiles;
- Hedgehogs; and
- Bats and birds.

30. Subject to suitable conditions, the scheme is considered acceptable in terms of ecology in accordance with Policy 18 of the Core Strategy.

#### Drainage and Flood Risk

31. Concerns have been raised from residents regarding drainage and potential flood risk issues.

##### *Drainage*

32. United Utilities have reviewed the proposed drainage arrangements and have no objections subject to conditions, which are listed in Section 11 of the report.

##### *Flood risk*

33. The site is located within Flood Zone 1 and has a low probability of flooding. The Environment Agency and the Lead Flood Authority were consulted as part of this application and made no comments.
34. The proposal is acceptable having regard to relevant drainage and flood risk policies within the Core Strategy and the Framework.

### Other Issues

35. Concerns have been raised from local residents regarding cliff erosion and potential fire risk from visitors having barbecues. The buildings would be set back from the natural ridge and it is not therefore envisaged that the development would lead to cliff erosion. The Lancashire Fire and Rescue Service have been consulted and have not raised any objections to the development on fire risk grounds.

### Balancing Exercise

36. Having regard to paragraph 14 of the Framework, it is necessary to carry out a balancing exercise to weigh the benefits of the scheme against any potential adverse impacts of the development.

37. Paragraph 14 states:

38. *“For decision-taking this means:*

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *Specific policies in this Framework indicate development should be restricted.”*

39. The proposed scheme would involve the erection of new buildings in an undeveloped countryside location and would result in the encroachment of built development into the countryside. However, having regard to the submitted information and the submitted landscape and visual impact assessment it is considered that the proposed scheme has been carefully designed to reduce the impact to minimal levels upon the countryside, as well as acknowledged landscape and visual amenity interests.

40. There is a recognised need for the provision of new overnight visitor accommodation within the Borough, which is recognised and given support by Policies 14 and 15 of the Core Strategy. The proposed scheme would deliver an additional four no. bedrooms in the holiday lodge and four no. bedrooms in the glamping pods. There is also currently a limited supply of accommodation serving disabled guests in Rossendale and the holiday lodge would help serve this need.

41. Subject to conditions, officers are satisfied that the scheme would not have an unacceptable impact on neighbour amenity, ecology or highway safety.

42. On balance, and in accordance with paragraph 14 of the Framework, it is considered that the scheme is acceptable having regard in this case to the provision of a significant benefit

in terms of overnight visitor accommodation and tourism which is supported by Policies 14 and 15 of the Core Strategy.

## 9. RECOMMENDATION

Approve planning permission subject to conditions.

## 10. SUMMARY REASON FOR APPROVAL

The proposed scheme would provide a significant benefit to tourism within the Borough in terms of overnight visitor accommodation, and is considered acceptable in principle within the countryside. Subject to conditions, the development will not have an unacceptable impact on visual amenity, neighbour amenity or highway safety. As such, it is considered that the proposed development accords with the National Planning Policy Framework and Policies 1, 9, 10, 14, 15, 18, 19, 21, 23 and 24 of the Core Strategy DPD.

## 11. CONDITIONS

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

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in accordance with the following plans and documents:

- Application form, signed 27/11/2020.
- Location Plan (drawing number 11077, 01, Rev C)
- Location Plan and Public Rights of Way (drawing number 11077, 03, D)
- Proposed Elevations Glamping Pods (drawing number 11077, E03, B)
- Proposed Elevations Accessible Lodge (1 of 2) (drawing number 11077, E04, B)
- Proposed Elevations Accessible Lodge (2 of 2) (drawing number 11077, E05, B)
- Proposed Elevations Utility Shed (drawing number 1077, E06, B)
- Existing Topographical Survey (drawing number 1077, L01, A)
- Existing Site and Tree Survey (drawing number 11077, L02, C)
- Proposed Site Plan (drawing number 11077, L03, H)
- Proposed Site Plan (drawing number 11077, L05, D)
- Proposed Site Plan PROW Plan (drawing number 11077, L09)
- Proposed Accessible Holiday Unit (drawing number 11077, P01, C)
- Proposed Glamping Unit (drawing number 11077, P02, C)
- Proposed Glamping Unit 2 (drawing number 11077, P03, A)
- Proposed Utility Shed (drawing number 11077, P04, A)
- Proposed Sections (drawing number 11077, S01, A)
- Planning Statement, November 2020
- Design and Access Statement, Revision A, November 2020
- Transport Statement, Highways Advice Ltd, November 2020
- Arboricultural Impact Assessment, Bowland Tree Consultancy LTD, November 2020
- Landscape and Visual Assessment, Penny Bennett Landscape Architects, November 2020
- Landscape Layout (drawing number 452/01), Penny Bennett Landscape Architects, October 2020
- Landscape Specification, Penny Bennett Landscape Architects, November 2020
- Ecological Assessment Report, Ecology Services Ltd, November 2020
- Preliminary Roost Assessment (Bats), Ecology Services Ltd, November 2020

- Figure 1: Extended Phase 1 Habitat Survey Map, Ecology Services Ltd – Strictly Confidential
- Figure 3: Badger Sett Buffer Zones, Ecology Services Ltd – Strictly Confidential
- Preliminary Roost Assessment (Bats), Ecology Services Ltd, November 2020
- Drainage Layout (drawing number 1165-1007-CIV-10, P1)
- Drainage Strategy Report, RCD, 29<sup>th</sup> December 2020, Rev B

Reason: To define the permission and in the interest of the proper development of the site.

Landscaping

3. The recommendations of the Arboricultural Impact Assessment by Bowland Tree Consultancy (November 2020) shall be implemented in full in accordance with the timescales set out within that report.

Reason: To safeguard the visual amenity of the area.

4. The approved landscaping layout (reference no.452/01) and the associated Landscape Specification shall be implemented in full within the first planting season following the substantial completion of the development. Any planting forming part of that scheme which, within a period of 5 years from the completion of those works, dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with replacement plants of similar size and species.

Reason: In order to preserve the visual amenity of the site.

Ecology

5. No trees, shrubs or other vegetation shall be removed from the site between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive unless a competent ecologist has first undertaken a detailed check of the vegetation for active birds' nests immediately before the vegetation is cleared and has provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the Local Planning Authority.

Reason: In order to mitigate the impact of the development on birds.

6. The recommendations for mitigating harm to badgers and reptiles as set out in sections 5.31 and 5.38 of the Ecological Assessment Report by Ecology Services Ltd November 2020 shall be implemented in full in accordance with the timescales set out within that report.

Reason: In order to mitigate the impact of the development on badgers and reptiles.

7. Prior to first occupation of the buildings, bat roosting and bird nesting boxes (2 of each) together with hedgehog refuges shall be installed on the site and retained as such thereafter.

Reason: To ensure the proposed works do not adversely impact on bats, birds and hedgehogs.

Noise

8. No amplified music shall be played on the site outside of any building.

Reason: To protect the amenities of the occupiers of nearby premises.

## Environmental Protection

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 has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place.

The submitted report shall include:

- i) A Preliminary Risk Assessment report (phase 1), including a conceptual model and a site walk over survey;
- ii) 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
- iii) 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 risks associated with land contamination and in the interests of preventing pollution.

10. Pursuant to condition 9 and prior to first use or occupation of the approved development 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 risks associated with land contamination and in the interests of preventing pollution.

## Highways

11. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall include:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;

- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities to prevent mud, stones and debris from being carried onto the highway
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction; These shall include for the mechanical sweeping of the roads adjacent to the site
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The requirements of the approved Construction Management Plan or Construction Method Statement shall be adhered to at all times throughout the construction of the development.

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.

12. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not be occupied or opened for trading until all of the approved highway works have been constructed and completed in accordance with the approved scheme.

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

13. No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.

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

### Lighting

14. No development shall take place until a scheme for the external lighting of the site has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include full details of the proposed location, design, hours of operation and luminance of all external lighting units. The approved scheme shall be implemented in accordance with the approved details before the use hereby approved is commenced, and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of visual and neighbour amenity.

### Drainage and Flood Risk

15. The development hereby approved, shall be drained in accordance with the details set out on Drainage Layout Drawing Ref: 1165-1007-CIV-10 Rev P1, Dated 22.09.2020 and prepared by RCD Consultants Ltd. For the avoidance of doubt, no surface water will be drained directly or indirectly into the public sewer. The approved drainage works shall be completed in accordance with the approved details before the use hereby approved is commenced, and shall thereafter be satisfactorily retained at all times.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

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

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

### Materials

17. No development shall take place until full details (including samples) of the proposed timber cladding, slate hanging and the stone to be used for the gabion walls of the buildings hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed using the approved materials and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of securing a high quality finish to the development.

18. No development shall take place until a management and maintenance plan for the proposed green roofs of the glamping pods hereby approved has been submitted to and approved in writing by, the Local Planning Authority. The roofs shall thereafter be managed and maintained at all times in accordance with the requirements of the approved plan

Reason: In the interests of securing a high quality finish to the development.

### Public Rights of Way

19. No development should take place until improvements to the section of Public Right of Way (14-4-FP169) which runs to the western side of the site and through part of the site from the south of the parking area to where it intersects Public Right of Way (14-4-FP170) have been submitted to, and approved in writing by, the Local Planning Authority. The width should be a minimum of 2m wide with adequate drainage and the access to the land to the south should have a kissing gate for stock control. The development shall thereafter be constructed using the approved materials and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of pedestrian amenity.

20. No development should take place until details showing that either public access has been made available along this section of footpath or that the diversion and approval of the section of Public Right of Way (14-4-FP170) has been submitted and approved in writing by the Local Planning Authority. This shall focus on the area which runs through the existing woodland. The approved footpath scheme shall be completed before the use hereby approved has commenced and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of pedestrian amenity.



## 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 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. It is an offence under the Wildlife & Countryside Act 1981 (as amended) to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. Although Himalayan balsam is present on the wider site the stands of the plant will not be directly affected by the development. The stands of balsam should be demarcated before any works on the site commence to avoid the spread of this plant. If any such species will be disturbed as a result of this development, a suitably experience consultant should be employed to advise on how to avoid an offence.

3. Care must be taken during the course of any site clearance works to avoid harm to hedgehogs which may be present in deep undergrowth or under buildings.

4. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.

5. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 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.

6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

7. Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works on Telephone: +44 (0)800 688588 or E-mail: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com).