

Application Number:	2019/0335	Application Type:	Major
Proposal:	Full application for the erection of 131 no. residential dwellings (11 x 2 beds; 84 x 3 beds; and 36 x 4 beds) and all associated works, including demolition of existing buildings, new roundabout access, landscaping and regrading.	Location:	Development To East Of Holcombe Road, Helmshore Rossendale
Report of:	Head of Planning	Status:	For Publication
Report to:	Development Control Committee	Date:	16 November 2021
Applicant(s):	Taylor Wimpey (UK) Limited	Determination Expiry Date:	16 March 2022
Agent:	Pegasus Group		

Contact Officer:	Lauren Ashworth	Telephone:	01706 238637
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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	✓ (Major Application)
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	✓
Other (please state):	

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

That Members resolve that they would be minded to grant planning permission and that the determination of the application hereafter be delegated to the Head of Planning and Chair of Development Control Committee as follows:

(1) To complete a suitable Section 106 Agreement to secure in particular:

- A financial contribution of £64,334 to deliver biodiversity net gain off-site
- Provision of information boards and funding for the installation and maintenance of a dog fouling bin
- A financial contribution of £314,407 for education provision (13 secondary places);
- A financial contribution of £74,146 for outdoor sports provision at Haslingden Sports Centre
- 30% affordable equating to 39 houses comprising 20 social rent and 19 shared ownership
- Management and maintenance of on-site open space and play area

(2) To carry out drafting amendments to any planning condition including adding any conditions as may be required.

(3) To have discretion to refuse planning permission in the circumstance that the Section 106 Agreement is not completed within four months of the resolution to grant planning permission.

(4) That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the conditions listed in Section 10 or as amended by (2) above.

2. SITE

The site extends to 5.38 Ha of mainly greenfield land located to the east of Holcombe Road and to the south of Grane Road. The land gently slopes from Grane Road down to the south east corner.

The site has an open, rural character and is largely free from buildings. It is in agricultural use and comprises grassland, some pockets of mature woodland, hawthorn hedgerows, and a dry stone wall on the boundary with Holcombe Road. A number of dry stone walls traverse the site, dividing the site into a number of fields.

Immediately to the north west is the Holden Arms Public House, and there are a handful of dwellings intermittently fronting Grane Road, on the northern boundary of the site. Employment units adjoin the site in the north east corner and to the south east is land last used for the storage of caravans (a former gas works site that was originally part of the application site boundary but was subsequently removed). To the south the site is bound by a large pond and a mix of modern residential and employment buildings which are largely screened by trees and shrubs. The western boundary is defined by a hawthorn hedgerow, with trees lining Holcombe Road and in part a dry stone wall. Beyond Holcombe Road lies the Holden Wood Reservoir.

800m to the west of the site lies the West Pennine Moors Site of Special Scientific Interest (SSSi). The West Pennine Moors supports an array of upland breeding birds including Twite, Curlew, Redshank and Golden plover, as well as nationally important numbers of breeding Black-headed gulls and Mediterranean gulls. The diverse mosaic of upland habitats includes vast expanses of blanket bog, fens, heathland, wet woodlands, wet flushes, upland hay meadows and wet grassland. The lower slopes also include reservoirs, streams and ponds. It is of special interest by reason of nationally important features that occur within it.

The site is open countryside in the adopted Core Strategy Proposals Map 2011 and partly adjoins the urban boundary of Haslingden. On its southern boundary, it adjoins land designated as Greenlands and an Important Wildlife Site.

The site lies wholly within Flood Zone 1. It is not within or adjacent to a conservation area however, it is 100m to the south east of the Grade II listed St Stephen Church and a number of non-designated heritage assets.

The site is allocated for housing in the emerging Local Plan (ref H64).

3. RELEVANT PLANNING HISTORY

2018/0051/preapp – Advice was given on the erection of 141 residential units along with associated highways and infrastructure works.

2004/134 - This comprised an outline application (with access but all other matters reserved) submitted by Countryside Strategic Projects in February 2004. Permission sought for 172 dwellings, later reduced to 142 dwellings. The application was refused at planning committee in July 2004.

4. PROPOSAL

Full planning permission is sought for 131 residential dwellings. The proposal necessitates an element of demolition works, involving the existing sheds located along the northern boundary of the site and various stone structures and retaining walls within the site.

The proposed housing mix of the development is as follows: 11 no. two bedroom (8%); 84 no. three bedroom (64%); and 36 no. four bedroom (28%). As originally submitted, of the 131 dwellings, 24 were to comprise artificial stone and 107 were brick of two varying tones, and all with concrete tiled roofs. The applicant was advised that brick is inappropriate for this site as it is not a material of the local vernacular and officers were prepared to recommend refusal of the application for this reason.

In October 2021 and after discussions with officers, the applicant submitted amended plans with higher quality materials. As amended, the majority of the dwellings (105) are now to be constructed in reconstituted stone with grey concrete tiled roofs with black front and garage doors. The 26 frontage plots will be constructed in natural stone with natural slate roofs, with green front and garage doors. 8 of the reconstituted plots will incorporate features of render. All plots will have anthracite windows, soffits and fascias, artstone detailing in buff, and black rainwater goods.

Each plot will have an electric vehicle charging point.

As originally submitted, the application comprised 100% market housing with no affordable housing proposed either on-site or off-site on viability grounds, based on the findings of Viability Assessment prepared by Savills. Officers engaged a viability consultant and challenged the applicant's assessment. Viability was revisited and the offer increased from 0 to 10% (13 dwellings). Officers rejected this offer and it subsequently increased to 30% with all houses to be shared ownership tenure. As the need is for a 50/50 split between shared ownership and social rent, the offer was rejected once again. In October this year the applicant amended the offer to 30% with a 50/50 split between the tenures, as required by policy. It is on that basis the application is brought to Committee.

The site layout includes pockets of open space totalling 1.2Ha, including a Local Equipped Area of Play (LEAP) in the centre of the development. Each dwelling is served by two parking spaces either on driveways or parking courtyards. The larger 4-bedroom houses include integral or detached garages, giving them three spaces per property. As amended, electric vehicle charging points will be provided on all plots.

Access into the development is proposed from Holcombe Road to the west, via a new 3-arm roundabout. Access for pedestrians is proposed on the northern boundary onto Grane Road, onto the eastern boundary at Gas Street, to the southern boundary via an existing Public Right Of Way (PROW) and onto the western boundary at Holcombe Road at the site entrance.

To support the application, the applicant has submitted the following documents:

- Financial Viability Appraisal
- Landscape and Ecology Management Plan
- Site Investigation Report
- Site of Special Scientific Interest Assessment
- Landscape and Visual Impact Assessment
- Design and Access Statement
- Utility Strategy
- Lighting Strategy
- Noise Impact Assessment
- Arboricultural Impact Assessment
- Ecological Assessment
- Flood Risk Assessment and Drainage Strategy
- Planning Statement
- Transport Statement
- Statement of Community Involvement
- Heritage Impact Assessment
- Air Quality Assessment

5. POLICY CONTEXT

National

National Planning Policy Framework (2021)

Section 2	Achieving sustainable development
Section 4	Decision making
Section 5	Delivering a sufficient supply of homes
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 14	Meeting the challenges of climate change, flooding and coastal change
Section 15	Conserving and enhancing the natural environment

Development Plan Policies

Rossendale Core Strategy DPD (2011)

AVP 6	Strategy for Haslingden and Rising Bridge
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 16	Preserving and Enhancing Rossendale's Built Environment
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity 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 22 Planning Contributions
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

Rossendale Draft Local Plan 2019-2036

- Strategic Policy SS: Spatial Strategy
- Strategic Policy SD1: Presumption in Favour of Sustainable Development
- Strategic Policy SD2: Urban Boundary and Green Belt
- Policy SD3: Planning Obligations
- Strategic Policy HS1: Meeting Rossendale’s Housing Requirement
- Policy HS2: Housing Site Allocations
- Policy HS3: Affordable Housing
- Policy HS7: Housing Density
- Policy HS8: Housing Standards
- Policy HS10: Open Space Requirements in New Housing Developments
- Policy HS11: Playing Pitch Requirements in New Housing Developments
- Policy HS12: Private Outdoor amenity space
- Policy ENV1: High Quality Development in the Borough
- Policy ENV4: Biodiversity, Geodiversity and Ecological Networks
- Policy ENV6: Environmental Protection
- Policy ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality
- Policy ENV10: Trees and Hedgerows
- Policy TR4: Parking

Site Specific Policy H64 – Grane Village, Helmshore

Other Material Planning Considerations

- National Design Guide January 2021
- National Planning Practice Guidance
- RBC Alterations and Extensions to Residential Properties SPD
- LCC Planning Obligations in Lancashire (2008)
- RBC Open Space & Play Equipment Contributions SPD

6. CONSULTATION RESPONSES

Consultee	Response	Conditions recommended?
LCC Lead Local Flood Authority	No objection	Yes
LCC Highways	No objection	Yes
Contaminated Land Officer	No objection	Yes
Environment Agency	No objection	Yes
LCC Public Rights of Way	No response received	N/A
United Utilities	No objection	Yes
LCC Planning Contributions (education)	No objection	Subject to contribution towards education provision via S106
Greater Manchester Ecology Unit	No objection	Yes and Section 106 Agreement
National England	No objection	Yes and / or Section 106

		Agreement
Health and Safety Executive	Does not advise against	No
RBC Environmental Health	No objection	Yes
Tree Officer	No objection	Yes
RBC Operations	Concerns regarding arrangements for bin collections	No
East Lancashire Hospitals NHS Trust	No objection	Subject to contribution
RBC Conservation Officer	Objection unless materials are amended	Yes
RBC Strategic Housing	Objection unless 30% affordable housing provided	No
LCC Archaeology	No objection	Yes

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a press notice was published on 18 October 2019 (as a departure), site notices were posted on 16 October 2019 and letters were sent to neighbours on 5 October 2019. Re-notification took place following the submission of amended documentation for 21 days on 16 April 2020.

Out of 337 residents notified, approximately 260 objections have been received in addition to a petition submitted by the Grane Road Residents Association containing 1000 signatures. The key areas of concern are summarised below:

- 13 affordable homes are provided, against a policy requirement for 39.
- Ground pollution.
- Concern that the development will cause flooding from the River Ogden due to the reduction in natural drainage.
- Increased traffic on the extremely busy road Grane Road.
- No intention to improve the Holcombe Road / Grane Road junction, which is already busy and has poor visibility.
- Helmshore (village) cannot cope with such an increase in vehicle movements. The roads are already blocked with vehicles double parking.
- Nature conservation by protecting the wildlife.
- Development of this land will remove the visual amenity to both residents and users of the public footpath network which runs through the development site.
- The land is home to a number of endangered species of flora and fauna.
- The development is at odds with the Council's declaration of a Climate Emergency in 2019.
- The revisions include the removal of the developer's original intention to remediate the former gas works site, removal of emergency facilities on Gas Street. and upgrading of the roadway. The developer stated that this remediation would be hugely advantageous to the local area, its residents and the wider environment.
- Concern regarding the proposal to build out the pavement outside 329 Grane Road, and the pavement opposite. If this were to go ahead it would completely cause people to park inappropriately up and down Grane Road. Parking is already an issue for the number of people with cars in the houses that are there. The build out would be better higher up the road near the cemetery, where there is a small stretch that does not have houses on either side.

- Concern regarding pedestrian crossing on Grane Road.
- Loss of trees – concerned that the development is to remove the existing hedgerows which form part of the natural boundary to the site, important habitat for nesting birds and bats.
- Design, appearance and materials – the use of brick within the development is considered to not be in keeping with the local vernacular style of sandstone and slate, the designs should and must respect the local style and heritage of the ‘Valley of Stone.’
- Archaeology – although predominantly green field the site plays host to the original weigh station and also track beds to the railway line which serviced the quarries of Grane and Musbury, a key piece of evidence of the history of the local area and reminder of its industrial past. The proposal does nothing to preserve this key historic feature either through incorporation into the design or preservation.
- Nature conservation / visual amenity – despite documentary evidence submitted to the Council by the developer, the site in question hosts a wealth of wildlife including deer, common newts, frogs, toads, a large population of bats, both barn and tawny owls, sparrow hawks and red kites can be regularly spotted. The loss of this essential habitat and wildlife corridor will have a major impact on nature conservation.
- The site is within the buffer zone of the West Pennine Moors SSSI, which aims to promote wildlife conservation not eradicate habitat. Development of this land will remove the visual amenity to both residents and users of the public footpath network which runs through the development site.

An objection has been received from Rossendale Civic Trust which includes issues of flooding, impact on the West Pennine Moors, wildlife, and highway safety concerns.

1 representation of support which considered that it was appropriate to bring the site into use, that the development would help the supply of much-needed housing, and would serve to tidy up the area.

8. ASSESSMENT

The main considerations of the application are:

The decision-taking framework

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 of the NPPF makes clear that for decision taking this means:

“c) Approve development proposals that accord with an up to date development plan without delay; or

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. 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.”*

The Housing Update Paper (August 2021) provides the housing land supply position taking into account completion and commitment data at 31/03/2021 and recommendations made by the Planning Inspector in the Post Hearing Letter of June 2021. The Council can demonstrate a 5 year housing land supply of 8.2 years correct at 31/03/2021. However, Paragraph 11 of the NPPF 21 refers in footnote 8 to situations “*where the Housing Delivery Test indicates that the delivery of*

housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

As the Housing Update Paper notes the most recent Housing Delivery Test for 2020 published in January 2021, shows that by delivering 64% of its housing requirement the Council must apply a 20% buffer to the 5-year housing land calculation (which it has done), as well as the presumption in favour of sustainable development.

In terms of decision-making, this means that NPPF Paragraph 11 (d) will be applied, i.e. *‘the tilted balance’*. The Council will review this position when the 2021 Housing Delivery Test Results are published, expected later this month (November 2021) and again when the emerging Local Plan (2019 to 2036) is adopted, which is anticipated to be at the Council meeting on the 15th December 2021.

With regards to paragraph 11(d)(i) of the NPPF, analysis later in this report demonstrates there are no protective policies within it which provide a clear reason for refusing the development proposed. Paragraph 11(d)(ii) is therefore engaged i.e. 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 NPPF taken as a whole.

Principle

Within the adopted Core Strategy (2011), the site is an unallocated parcel of land extending to 5.38 Ha and is located within an area designated as open countryside.

However, the site is allocated for up to 139 dwellings within the Council’s emerging Local Plan. As a result of changes introduced through the proposed Main Modifications to the Local Plan, the site, named Grane Village, is now referenced as H64, but previously was numbered H74.

Paragraph 48 a) b) c) of the NPPF (as amended 2021) states: ‘Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) ²⁴.

Policy HS2: Housing Site Allocations which allocates the site for housing can be afforded substantial weight. The proposed Main Modification relating to this allocation is set out below.

Policy H64 supports the development of up to 139 provided that:

1. Vehicular access should be created with a junction on Holcombe Road;
2. A Flood Risk Assessment and drainage management strategy is submitted which guides the layout of the development and secures the appropriate mitigation measures necessary;
3. An Ecological Assessment is undertaken which identifies suitable mitigation measures for any adverse impacts on the adjacent Grassland, and Woodland stepping stone habitats;
4. Landscaping of an appropriate density and height is implemented throughout the site to ‘soften’ the overall impact of the development;

5. New on-site open space is provided which leads to equivalent or better provision of open space in the area;
6. The site has recorded areas of contaminated land connected to historic land uses and therefore investigations and relevant remediation measures will be required.

Given the advanced nature of the emerging Local Plan; the issues raised by objectors are resolved according to the Local Plan Inspectors and the emerging policies are consistent with the NPPF, Framework, the above policies are afforded substantial weight.

The development proposal will be assessed against the criteria in this emerging policy throughout the various relevant sections within this report.

Sustainable Development

Paragraph 11 of the NPPF contains a presumption in favour of sustainable development, and as such a key consideration in this case is whether the proposed scheme represents sustainable development or not. The NPPF promotes the integration of development with sustainable modes of transport, and developments should *“give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas”*.

Policy 1 of the Core Strategy requires that developments:

“Maximise access by public transport, walking and cycling in a manner that promotes safe and inclusive communities and promote co-location of services and facilities.”

Policy 9 of the Core Strategy states that the transport user hierarchy will form the basis of consideration of planning applications, in order to promote sustainable travel and better designed places. The hierarchy is as follows, and consideration is given to the impact of the proposal on users higher up the hierarchy first:

- *Pedestrians and mobility impaired users*
- *Cyclists and equestrians*
- *Emergency Vehicles and refuse collection*
- *Public Transport, motorcycles and taxis*
- *Freight movement*
- *Private cars*

The site is reasonably sustainably located, having regard to the following:

- 150m to bus stop on Grane Road with access to half hourly service – 481
- 1.3km to Haslingden Primary School and 1.7km to Helmshore Primary School
- 2km to Haslingden High School Specialist Arts College
- 1.1km to the nearest GP Surgery
- 1.1km to Haslingden Town Centre
- 780m to Flax Moss sports ground

The Sustainability Appraisal and Strategic Environmental Assessment of the Rossendale Borough Council Local Plan (Regulation 19 Report, August 2018) makes the following observations:

- that the site is considered to have good access to employment opportunities for new residents;
- it is within the target distance of secondary schools;
- it has good access to bus services and PRow;

- its location is likely to help facilitate healthy and active lifestyles; and
- it is likely to have minor adverse impacts on landscape, cultural heritage, biodiversity and geodiversity, natural resources and climate change.

Conclusion on principle

Having regard to all of the factors above, in particular the weight to which is given to the allocation of the site for housing in the emerging Local Plan, the proposal is considered to be acceptable in principle.

Design and impact on the character of the area

At the national level, the NPPF (section 12) makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. At paragraph 127, it requires decisions to ensure that developments achieve the following (inter alia):

- “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;”.*

Paragraph 130 requires permission to be refused for development of poor design that fails to improve the character and quality of an area.

The National Design Guide acts as a practical document to be used by planning officers in their assessment of the quality of planning applications, and provides detailed guidance on design matters including materials, layout, scale and landscaping.

As this is a full planning application, all matters are for approval and as such the application is accompanied by detailed drawings to show the design of each dwelling and the layout of the scheme as a whole. Full boundary treatment details are included, in addition to a materials palette.

The submitted layout plan shows that access is proposed from Holcombe Road (to the west) via a new 3-arm roundabout. Dwellings are set back slightly from the western boundary, and therefore viewed behind hard and soft landscaping, which is to be welcomed. Across the site, there are clear blocks or zones of built development, and these appear to be relatively dense and are standard in their form. However, dispersed across the site are a number of areas of open space and landscaping, which help to mitigate the “standard” form and allow the development, as a whole, to breathe.

Section 2.1 of the Council’s Alterations and Extensions to Residential Properties SPD contains guidance on separation distances between habitable room windows. It specifies that there should be a minimum of 20m between habitable room windows in properties that are directly facing each other. The layout of the development demonstrates compliance with this guidance. Overall, the layout and form is acceptable.

Scale is the height, width and length of each building, in relation to its surroundings. All dwellings are 2 storey, or 2.5 storey with habitable rooms in the roof with the use of dormer roof extensions. The scale is appropriate for this site, having regard to the surrounding residential developments and the site's location and topography.

Appearance is the aspect of a building (or space) which determines the visual impression that it makes. A fundamental part of appearance is materials, along with architecture, decoration, colour etc. The National Design Guide explains that materials used for a building affect not only how well it functions, but also how it lasts over time. They also influence how it relates to its surroundings, and how it is experienced. It goes on to state that *“Choosing the right materials can greatly help new development to fit harmoniously with its surroundings.”*

As originally submitted, of the 131 dwellings, 24 were to comprise artificial stone and 107 were brick of two varying tones, and all with concrete tiled roofs. Officers advised the applicant at an early stage that brick is inappropriate for this site as it is not a material of the local vernacular.

The proposed dwellings are standard Taylor Wimpey house types, some of which (The Gosford and The Lydford) are identical to those currently under construction at the applicant's site marketed as “Woodside”, in Rawtenstall. Woodside has a markedly different context. It is a previously developed site, in an urban boundary location, and the surrounding area is dissimilar in character to this application site, with modern housing developments located to two boundaries. Repeating the same house types on this site demonstrates a lack of recognition of and response to local character and context.

The Council's Conservation Officer noted that there are a number of non-designated heritage assets, including the Holden Arms Public House, and 294 Grane Road (an early 20th century small chapel or school house) that are visible across the site and will be impacted upon. The Officer concurred with Planning Officers that the use of brick is not acceptable for this site, owing to the traditional character of the site's context, including heritage assets. Grane Road is characterised by traditional buildings of local, natural materials of stone and slate. More modern dwellings and employment buildings are located to the south of the site on Kingsway, off Holcombe Road; however, these are constructed from artificial stone, and not of brick.

The overall visual impression was that the development is lacking in identity and fails to have regard to the site's context and local heritage, to the extent that it is contrary to Policies 16 and 23 of the Core Strategy, and the NPPF and National Design Guide. By March 2021 the materials had not been amended, and officers were prepared to recommend refusal of the application for this reason.

Since submission of the application in 2019, Officers have maintained the view that the use of natural stone and slate would be necessary for the most prominent plots, and that the remainder would be acceptable, on balance, in a good quality artificial stone and slate-effect tile. Although the standard house types would have remained, Officers felt that the incorporation of local, natural materials give a “nod” to the local character of the built environment, that the development is missing. Officers identified 37 most prominent plots that they considered to be necessary for stone and slate.

In October 2021 the applicant submitted amended plans with higher quality materials. As amended, the majority of the dwellings (105) are now to be constructed in reconstituted stone with tiled roofs with black front and garage doors. Although Officers requested 37, the amended plans provide for 26 plots fronting Holcombe Road and Grane Road to be constructed in natural stone with natural slate roofs, with green front and garage doors. 8 of the reconstituted plots will incorporate features of render. All plots will have anthracite windows, soffits and fascias, artstone detailing in buff, and black rainwater goods.

The site is widely visible, from long and short distances views, including from PROWs. It is currently located within the open countryside, in the urban-rural interface. Despite the use of standard house types, the incorporation of natural local materials for houses and prominent boundary walls, in combination with high quality hard and soft landscaping, goes some way to respond to existing local character, history and identity. Therefore as amended and on balance, the development is now considered to be acceptable in terms of its design and appearance.

Impact on heritage assets

The Council's Conservation Officer originally identified that the development will have a negative effect on the non-designated heritage assets including the Holden Arms Public House, 294 Grane Road, and Haslingden Cemetery and its gate pillars. In reaching this conclusion, the Conservation Officer objects to the proposed palette of materials, finding that they will have a detrimental effect upon the appearance of the dwellings and the development itself, but will also have wider implications, including harm to the non-designated heritage assets.

However, in light of the recent changes to materials, including the use of local natural stone for the plots facing Holcombe Road and Grane Road, the development is now no longer considered to have such a negative effect on the non-designated heritage assets.

Landscaping and ecology

As the site is greenfield, is within the open countryside, and adjoins land designated as Greenlands and an Important Wildlife Site in the adopted Core Strategy Proposals Map 2011, how the proposed residential development is intended to be landscaped, and how ecological considerations are addressed, are fundamental to the overall acceptability of the scheme. The impact of the development on wildlife is one of the main grounds for objection from local residents.

The submitted documentation in relation to ecological and arboriculture matters is thorough, and comprises the following:

- Arboricultural Impact Assessment
- Landscape and Visual Impact Appraisal
- Detailed landscaping schemes and planting plans
- Landscape and Ecology Management Plan
- Ecological Assessment
- SSSI Assessment

The documents above have been subject to assessment by the Council's Ecologist, Tree Officer and Natural England. The site specific policy in the emerging Local Plan requires the following:

1. An Ecological Assessment is undertaken which identifies suitable mitigation measures for any adverse impacts on the adjacent Grassland, and Woodland stepping stone habitats;
2. Landscaping of an appropriate density and height is implemented throughout the site to 'soften' the overall impact of the development;
3. New on-site open space is provided which leads to equivalent or better provision of open space in the area;

Starting with landscaping, the application is supported by an Arboricultural Impact Assessment, Landscape and Visual Impact Appraisal and detailed landscaping schemes and planting plans. There are two protected trees within the site, both of which are to be retained. A large group of trees to the south of site are to be retained, and this is necessary to screen the factory units and car park beyond. Where trees are to be lost, the Tree Officer finds it to be acceptable, as a

suitable replanting scheme has been submitted. The landscaping and planting plans demonstrate considerable new planting, including hedgerows, native woodlands, meadows, and amenity grassed areas, amongst others.

The Tree Officer is satisfied that the proposed planting scheme is appropriate and will soften the development to an acceptable degree.

As required by the emerging Local Plan, the development incorporates a play area at the approximate centre of the site. Full details are shown on the Play Area Plan, which includes the provision of 5 pieces of play equipment. Management and maintenance of the play area will be secured and detailed within a Section 106 Agreement.

Turning to ecological matters, as a result of comments from Natural England concerning the potential of the development to increase recreational pressure on the West Pennine Moors Site of Special Scientific Interest (SSSi), a SSSI Assessment was submitted and Natural England re-consulted. The consultee recommended no objection, subject to securing mitigation measures via. These are: 1) provision of information boards; and 2) funding for the installation and maintenance of a dog fouling bin. These will be secured via Section 106 Agreement.

The Council's Ecologist at the Greater Manchester Ecology Unit has raised no objection to the development on ecological grounds, subject to the provision of a Landscape and Ecology Management Plan, which has since been submitted and found acceptable.

As the development will result in the net loss of 16.93 units (or -57.95%) of moderate condition grassland, off-site compensation would be needed, and that should be focused on the enhancement of existing, or creation of new grassland habitats, in order to achieve net gain. This would be the equivalent of approximately 4 Ha of grassland habitat. The applicant is willing to provide a financial sum of £64,334 to deliver biodiversity net gain off-site at a receptor site. At the time of report writing, such a site had not been identified; however, Officers are satisfied that it would be possible to locate an appropriate area, and that it would be secured through a Section 106 Agreement. For this reason, the development is capable of being compliant with paragraph 180 of the NPPF.

For the reasons above, the application has demonstrated compliance with relevant local and national planning policies, including the site specific policy in the emerging Local Plan.

Many of the objection representations from local residents relate to ecological and wildlife matters, and these are noted. However, the relevant consultees have confirmed that subject to planning conditions and a Section 106 Agreement, the proposed development is acceptable in regards to habitats, biodiversity and landscaping. With that in mind, refusing the application on such grounds would be difficult to substantiate.

Impact on residential amenity

The proposed development would not have any unacceptable impact on the daylight, privacy or outlook enjoyed by the occupants of any nearby residential properties, having regard to the proposed siting, orientation and levels of the proposed dwellings.

Given the proximity of nearby residential properties and the scale of the proposed development, it is considered appropriate to include a condition restricting the hours of construction on site.

The application is accompanied by a Noise Impact Assessment and Air Quality Assessment. The Council's Environmental Health Officer recommends that the recommendations contained within them are secured by condition, for example higher specification glazing, and acoustic fencing.

Subject to the above, the scheme is considered acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

Policy H64 of the emerging Local Plan requires vehicular access to be created with a junction on Holcombe Road.

Section 9 (paragraph 110) of the NPPF requires Local Planning Authorities, in decision-making, to ensure that:

- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users;*
- c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and*
- d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

Paragraph 111 clarifies that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

Paragraph 112 provides 5 criteria that new developments should meet:

- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

Following pre-application discussions with Lancashire County Council as the Highway Authority, the proposed development proposes vehicular access from Holcombe Road via a new roundabout. Therefore, the development accords with the site-specific policy in the emerging Local Plan.

The development provides for a policy-compliant level of car parking and the layout incorporates pedestrian and / or cycle routes to 4 of the site's boundaries.

The Highway Authority raises no objection on highway safety grounds subject to conditions and a requirement for the applicant to enter into a Section 278 Agreement covering off-site mitigation works. The key principles of these have been agreed, but are subject to detailed design considerations:

- the widening of Holcombe Road at its junction with Grane Road where vehicles turn left;
- footway to be widened to 2m on Grane Road, along the northern site boundary;
- the widening of the footway to take place on the northerly side of Grane Road by creating a parking bay width build out to the front of 329 -331, to reduce the pedestrian crossing distance and improve the intervisibility between pedestrians and motorists; and
- upgrading of bus stops on Holcombe Road (between the site and the Holden Arms public house), and Grane Road (outside of Holden Vale Antiques) to quality stops with DDA compliance, subject to detailed design considerations.

Therefore, subject to planning conditions, the Highway Authority raises no objections to the proposed development on transport related matters. The concerns of local residents are noted, however, for the reasons above, Officers consider that refusing the application on transport grounds would be difficult to substantiate.

Flood risk and drainage

The site area is in excess of 1 Ha and is located within Flood Zone 1, and as such, the application is accompanied by a Flood Risk Assessment and Drainage Management Strategy which have been assessed by the Lead Local Flood Authority at Lancashire County Council, and United Utilities.

Notwithstanding the site's location in Flood Zone 1, it is known to have surface water flooding issues and flooding is a cause of significant concern to local residents in their representations towards this application.

The Assessment states that the nearest Main Rivers to the site are Ogden Brook (located 260m to the southwest) and Swinnel Brook (located 260m to the south-east). There is an on-site drainage ditch which conveys flows to the large pond adjacent to the southern boundary. The Assessment finds that the ditch and pond system are ultimately discharging into Swinnel Brook to the south east of the site, via open channel and culverted sections.

As shown on the proposed planning layout, certain Sustainable urban Drainage System methods such as attenuation basins and ponds have been included within the development proposals and are located within the non-developed areas, to provide a degree of treatment before flows are carried offsite. Permeable paving should also be provided in non-adopted areas such as driveways to assist locally with surface water management. This will be secured by planning condition. The culverted watercourse running north to south through the site will be opened up to improve drainage, and the detailed drainage layout illustrates how underground storage tanks and pipes, beneath the central and south eastern areas of open space, will provide surface water storage / attenuation.

The Lead Local Flood Authority (LLFA) and United Utilities raise no objections subject to conditions and on that basis, the scheme is considered acceptable in principle with regards to flood risk and drainage. Within the conditions, the LLFA requires the submission of a detailed sustainable drainage strategy that demonstrates that the surface water run-off and volume shall not exceed the pre-development runoff rate.

The site-specific policy requires that a Flood Risk Assessment and drainage management strategy is submitted which guides the layout of the development and secures the appropriate mitigation

measures necessary. Officers are satisfied that the development has met the policy requirements in this regard.

Land Contamination

As a result of objections from the Environment Agency and the Council's Contamination Advisor, in September 2020 the applicant removed the land relating to the former gas works from the application site boundary. As amended, both the Environment Agency and the Contamination Advisor withdrew their objections, and recommended planning conditions, including a requirement for a Phase 2 Site Investigation to be carried out prior to the commencement of development.

As such, both consultees are now satisfied that the site is capable of accommodating a residential development, subject to planning conditions.

Affordable housing and other planning obligations

Policy 22 of the Core Strategy relates to planning obligations and states that where developments will create additional need for improvements / provision of services or facilities, contributions will be sought to ensure that the appropriate improvements are made. Policy 4 requires a minimum of 30% affordable housing to be provided on-site on Greenfield sites over 8 dwellings. It states that a maximum target of 40% will be sought wherever practicable, particularly on large sites or those in areas of high demand.

The NPPF states that where major housing development is proposed, planning policies and decisions should expect at least 10% of the homes to be made available for affordable home ownership.

Policy HS3 of the emerging Local Plan similarly requires all new housing developments of 10 or more dwellings to *provide "30% on-site affordable housing, subject to site and development considerations. Of the overall housing contribution at least 10% should be available for affordable home ownership..."* The policy goes on to require the affordable housing to be provided in line with identified needs of tenure, size and type as set out in the latest available information on housing needs.

The Council's Strategic Housing Officer provided the following response:

"This site is in a thriving housing market area with no issues expected in delivering the full 30% affordable housing on site.

To be compliant with the Core Strategy and meet local housing need, the following mix of housing is required:

*8 x 3 bedroom 6 person Social Rented Houses
8 x 2 bedroom 4 person Social Rented Houses
2 x 2 bedroom 3 person Social Rented Bungalows
2 x 4 bedroom 8 person Social Rented Houses*

*13 x 3 bedroom 6 person Shared Ownership Houses
6 x 2 bedroom 4 person Shared Ownership Houses*

Internal space sizes need to be acceptable to Private Registered Providers in the area."

The Rossendale Borough Council Strategic Housing Market Assessment Update, undertaken by Lichfield's, and published March 2019 identifies a need for between 102 and 170 affordable homes a year in Rossendale for the period 2019 to 2034. This study references a locally assessed need of 204 dwellings per annum, rather than the latest emerging Local Plan requirement of 185 dwellings p.a, (as amended in the Main Modifications document).

This study further demonstrates that the majority of affordable housing needs (about 70%) is for rented housing, with the remainder being met by intermediate housing tenures.

Therefore, it is imperative that housing developments contribute to affordable delivery in line with Core Strategy Policy 4, and Policy HS3 of the emerging Local Plan, both in regards to tenure and amount.

In addition to affordable housing, the development necessitates the following off-site financial contributions:

- £314,407 for education comprising 13 secondary school places;
- £64,334 for biodiversity net gain; and
- £74,146 for outdoor sports provision.
- **Total = £452,887**

As originally submitted in September 2019, the development made no provision for or contribution to affordable housing (but did provide for £416,175 of S106 contributions). The application was accompanied by a viability appraisal, which at that time sought to demonstrate that viability is a significant issue.

In February 2020 the applicant submitted a further viability appraisal which amended the offer to either 10% affordable housing (intermediate) or up to £450,000 of S106 contributions.

In May 2020 the applicant submitted a revised offer, comprising £527,391 of S106 contributions with no affordable housing, or £314,407 of S106 contributions (for education) and 5% affordable housing (shared ownership).

On 28 September 2020, the application was amended by way of the removal of an area of land in the south east corner of the site, relating to a former gasworks. The reason for the change, as stated in the covering letter from the applicant's agent, was *"...that detailed site investigations have revealed that the remediation costs involved in developing this part of the site, to the requirements of the Environment Agency and Environmental Health Officer, are much higher than initially thought and would render the development unviable. As such removing this part of the site from the development proposals is required to make the development viable, and the local authority, Environmental Health Officer and Environment Agency support this position in principle. In addition, this change allows an improved offer in respect of affordable housing and S106 contributions than was previously possible, including 13 on-site affordable properties (10%) as shown on the latest layout."*

In October 2020 a formal revised offer was submitted, as follows:

- 10% affordable housing (shared ownership);
- £452,887 of S106 contributions (comprising £314,407 for education, £64,334 for biodiversity net gain and £74,146 for outdoor sports
- Overage clause up to the maximum of £1,525,000.

By February 2021, the applicant made it clear to the Council that their final offer stands as it was in October 2020, and requested that the application proceed to determination at the March

Development Control Committee meeting. Officers drafted a report recommending refusal of the application on two grounds 1) lack of affordable housing of a tenure that reflects local need and 2) inappropriate appearance / materials to be used on the dwellings. However, the applicant requested that the application be deferred to a later meeting, to allow for further discussions to take place.

The Council sought the services of a viability consultant in assessing the applicant's case from the outset. As required by PPG on Viability, negotiations have been taking place between the applicant, officers and their consultant, and in this case, such negotiations have taken place over 2 years.

In October 2021, the applicant submitted the following revised information:

1. Confirmation of provision of 30% affordable housing, split 50/50 between social rent and shared ownership. This equates to 20 social rent houses and 19 shared ownership houses.
2. 26 plots facing Grane Road and Holcombe Road to be constructed in natural stone with slate roofs and the remaining 105 in reconstituted stone with tiled roofs.

To conclude on affordable housing and planning contributions, the development as amended will now provide for the following:

- £314,407 for education (13 secondary places);
- £64,334 for biodiversity net gain; and
- £74,146 for outdoor sports.
- **Total = £452,887**
- Provision of information boards and funding for the installation and maintenance of a dog fouling bin
- 30% affordable equating to 39 houses comprising 20 social rent and 19 shared ownership
- Management and maintenance of on-site open space and play area

Therefore, as amended, the development now incorporates a policy-compliant level of affordable housing and off-site financial contributions.

Regard has been given to the NPPF's requirement for planning obligations to be sought only where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. Officers are satisfied that the affordable housing and financial contributions meet these tests.

Planning Balance and Conclusions

S.38(6) of the Planning and Compensation Act 1991 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision-making.

The Council can demonstrate a 5 year housing land supply however due to low housing delivery rates, the "tilted balance" remains applicable and the "most important" policies are therefore deemed out of date. Where development plan policies are out of date, the presumption in favour of sustainable development in the NPPF applies. It states that permission should be granted unless "...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework." As such, it is necessary to engage the tilted balance and determine whether the adverse impacts outweigh the benefits.

The site is allocated for housing in the emerging Local Plan under Policies HS2 and H64, to which substantial weight is given due to its advanced stage of preparation, consistency with the NPPF, and the addressing of technical issues such as flooding and ecology. The site is outside but adjacent to the Haslingden urban boundary. It is located to the south of Grane Road and to the east of Holcombe Road. It is a largely greenfield site. The site is reasonably well connected to public transport links, employment opportunities and schools. With this in mind, a residential development on this site is acceptable in principle.

Owing to a shortage of housing delivery, the provision of 131 houses with a developer committed and motivated to make a start, carries substantial weight in favour of the proposals.

The development will include large areas of on-site open space, high quality landscaping and policy-compliant contributions towards off-site sports provision. In addition, it will fund 13 secondary school places and will lead to biodiversity net gain. The developer is also willing to fund the upgrading of the nearest two bus stops to incorporate shelters, to encourage the use of the local bus services.

As amended, the development now provides a policy-compliant level of affordable housing, both in terms of amount and, importantly, tenure. 39 affordable homes, including 20 social rent will make a positive contribution towards the delivery of much needed affordable housing in Rossendale.

The development will result in a dramatic change to the character of the site and significant changes to the ways in which it is currently used. However, the provision of on-site amenity greenspace and routes through the site will go some way to enable existing users to continue to use the space for walking and informal amenity.

There are the usual economic benefits associated with on and off-site job creation, including within the construction industry. Officers recognise that Taylor Wimpey employ local contractors where possible. Moderate weight is attached to such economic benefits.

Officers have consistently requested the use of natural stone and slate for the most prominent peripheral plots since it was originally submitted in 2019. Although not as many as requested, 26 plots do now comprise stone and slate. As amended, and on balance, the design and materials are now considered to be acceptable for this site in its context.

Officers recognise that the local opposition to this development is considerable, with objections centring on land-use principle, ecology / wildlife and flooding. However, as explained within this report, the Council is committed to allocating the site for residential development; the Local Plan should be adopted at the Council meeting on the 15th December 2021. In regards to ecology, whilst the site will be redeveloped in its entirety, the development provides on-site mitigation through landscaping and areas of open space, and via financial contributions, will deliver biodiversity net gain. This is not yet mandatory, and therefore is a considerable benefit.

Flooding and drainage statutory consultees are satisfied with proposed development subject to detailed designing of a sustainable drainage system. Whilst local residents concerns are noted, there is no evidence to suggest that a technical solution is not achievable.

To summarise, when returning to the presumption in favour, although there are adverse impacts of granting permission, including the permanent change to the character and appearance of the site and the way it functions, these impacts are not enough to outweigh the benefits of the development, in particular the delivery of 131 homes, of which 39 are genuinely affordable.

9. RECOMMENDATION

That Members resolve that they would be minded to grant planning permission and that the determination of the application hereafter be delegated to the Head of Planning and Chair of Development Control Committee as follows:

(1) To complete a suitable Section 106 Agreement to secure in particular:

- A financial contribution of £64,334 to deliver biodiversity net gain off-site
- Provision of information boards and funding for the installation and maintenance of a dog fouling bin
- A financial contribution of £314,407 for education provision (13 secondary places);
- A financial contribution of £74,146 for outdoor sports provision at Haslingden Sports Centre
- 30% affordable equating to 39 houses comprising 20 social rent and 19 shared ownership
- Management and maintenance of on-site open space and play area

(2) To carry out drafting amendments to any planning condition including adding any conditions as may be required.

(3) To have discretion to refuse planning permission in the circumstance that the Section 106 Agreement is not completed within four months of the resolution to grant planning permission.

(4) That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the conditions listed in Section 10 or as amended by (2) above.

10. CONDITIONS

1. The proposed development must be begun not later than three years from the date of this permission.

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

2. The development shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

Drawing / document	Reference
Location Plan	1036-LP-01 rev B
Planning Streetscenes	1036-SS-01 rev A
Landscape Masterplan	469C-16 rev R
Landscape Proposal (West)	469C-17 rev N
Landscape Proposal (East)	469C-18 rev O
Refuse Strategy Plan	1036-RS-01 rev H
Off-Site Highways Works Grane Road	0165-05B
Drainage Schematic Layout Sheet 1	19432 C2001 P04
Drainage Schematic Layout Sheet 2	19432 C2002 P04
Adopted Highway Plan	1036-HW-01 rev E
Play Area Plan	469C-19 rev B

Landscape Proposal (West)	469C-17 rev N
Landscape Proposal (East)	469C-18 rev O
Planning Layout	1036-PL-01 rev J
Boundary Treatment Plan	1036-MB01 Rev E
Boundary Treatment Details	1036-MB02 Rev B
Materials Plan	1036-MB03 Rev B
House Type Pack	1036-HT-01 Rev C
Electric Vehicle Charging Plan	1036-EV-01 Rev E
SSSI Assessment	Feb 2020
Landscape and Ecological Management Plan	May 2020
Revised Flood Risk Assessment and Drainage Management Strategy	November 2019
Design and Access Statement	July 2019
Air Quality Assessment	AQ106754R2
Ecological Assessment Report	2019
Archaeology and Heritage Impact Assessment	August 2019
Lighting Strategy – S38 Lighting	HLS 735 Draft 1
Lighting Report	July 2019
Noise Impact Assessment	August 2019
Arboricultural Impact Assessment	August 2019
Croft Transport Assessment	July 2019
Additional Transport Note	January 2020
SSSI Information Board	10.06.20
Planning Statement	August 2019
Ground Investigation Report	August 2018 ref 15TAY024/G
Services and Utility Strategy	70050554-UTL-001

Reason: To ensure the development complies with the approved plans and submitted details.

- The development shall be carried out in strict accordance with the Materials Plan which requires the use of natural stone and natural slate to 26 plots.

Prior to the commencement of development, samples of the natural stone, natural slate, artificial stone, roof tile (which shall comprise a good quality slate effect tile), render (which shall be a textured style) any other roof materials (including any dormers and porches) of the dwellinghouses shall be provided by means of the erection on site of a one metre square sample panel including proposed mortar mix and joint detail, for the written approval of the Local Planning Authority. The panel so approved shall be retained on the site and shall not be removed until such time as the external walls of all of the dwellings hereby approved are complete.

The development thereafter shall be constructed utilising the approved materials.

Reason: To ensure that the development is appropriate in terms of visual amenity and to ensure that it responds to the local context of the site.

4. Notwithstanding the submitted details, details of all external hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority, prior to their installation. Permeable paving must be included wherever possible. The development shall be carried out in accordance with the approved details and they shall be retained or replaced as approved thereafter.

Reason: To ensure that the development is appropriate in terms of visual amenity and to minimise surface water run-off.

5. All boundary treatment shall be carried out in accordance with the Boundary Treatment Plan and Boundary Treatment Details. This includes a dry stone wall to the Holcombe Road frontage, and a natural stone wall to the Grane Road frontage. Sample panels of both stone walls shall be constructed on site for formal approval by the Local Planning Authority prior to their construction. The development shall be carried out in strict accordance with the approved details.

No dwelling shall be occupied until all fences / walls shown on the approved plans to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

6. All trees and hedgerows to be retained must be protected by a scheme in accordance with BS 5837 (2012) and as detailed in the Arboricultural Impact Assessment and must be implemented on site before any other works are undertaken. All tree work must be undertaken in accordance with BS 3998 (2010).

Reason: In the interests of visual amenity and biodiversity.

7. The Landscape Proposals shall be implemented fully in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier. Any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of the appearance of the locality.

8. No development shall commence until an updated Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall be updated to reflect the amended site boundary. The development shall be carried out in accordance with the measures contained therein.

Reason: To ensure the long-term management and maintenance of the landscaping and open space associated with the development.

9. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a phased programme of archaeological investigation, recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Class F) or any subsequent re-enactment thereof no hardsurfacing shall be constructed over the front gardens shown on the approved landscaping plan without express planning permission first being obtained.

Reason: To protect the visual amenities of the development.

11. No development shall commence until full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) and a drawing to show full details of any retaining walls (heights, locations, materials) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

12. The garage(s) hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.

Flood risk and drainage

13. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep. The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate (yet to be agreed). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons: 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 flood risk on site or elsewhere. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

15. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that 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 development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 168 of the National Planning Policy Framework.

16. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development.

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.

Contamination of ground and water

17. 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: In the interests of mitigating any hazards posed by contaminated land, and in the interests of reducing pollution.

18. Pursuant to condition 17; 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: In the interests of mitigating any hazards posed by contaminated land, and in the interests of reducing pollution.

19. 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 who shall respond within 21 days from receipt. The development shall be undertaken in accordance with the agreed mitigation scheme.

Reason: In the interests of mitigating any hazards posed by contaminated land, and in the interests of reducing pollution.

20. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. Additional or supplementary site investigation, based on previously submitted information including the Ground Investigation Report by Betts Geo Consulting Engineers (referenced 15TAY024/GI; dated August 2018) and Supplementary Geo Environmental Appraisal of land at Grane Road, Haslingden (southern site area) by Sirius Geotechnical Ltd (reference C8226; dated February 2020), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

21. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

22. No infiltration of surface water drainage into the ground where adversely elevated concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

23. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Highways

24. The new estate road/access between the site and Holcombe Road shall be constructed in accordance with the Lancashire County Council Specification for

Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

25. The existing redundant access points into the land from Grane Road and Holcombe Road shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

Reason: To limit the number of access points to, and to maintain the proper construction of the highway.

26. 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 (subject to detailed design) has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

None of the dwellings shall be occupied until the works have been completed in accordance with the approved details.

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.

27. No part of the development hereby approved shall commence until a scheme for the retaining structure adjacent to the highway has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

The development shall be carried out in accordance with the approved details.

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

28. Prior to occupation of any of the dwellings, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

Reason: To promote and provide access to sustainable transport.

29. 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: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

30. 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 provide:

- 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;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- 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 approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

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

31. Prior to first occupation, the pedestrian and cycle links and EV charging points shown on the approved plans shall be provided. They shall be retained as approved thereafter.

Reason: In the interests of improving accessibility to the site for pedestrians and cyclists and to support the move to electric cars to improve air quality.

32. The mitigation measures contained within the Noise Assessment and Air Quality Assessment and as shown on the approved plans shall be carried out in full prior to occupation of any dwelling and shall be retained as approved (or replaced to match) for the lifetime of the development.

Reason: In the interests of residential amenity and air quality.

33. Notwithstanding submitted details, no dwelling shall be occupied until a refuse strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been submitted to support the application.

34. Details of the phasing of the construction of the development shall be submitted to the Local Planning Authority, in addition to a timetable for the construction of the areas of open space and LEAP, which shall be approved in writing prior to development commencing. The open space and LEAP shall be constructed in accordance with the agreed timetable.

Reason: To ensure that the on-site open space and LEAP are delivered prior to completion of the development.

11. INFORMATIVES

1. The applicant's attention is drawn to the advice contained within the Environment Agency's response dated 30 October 2020.
2. The applicant's attention is drawn to the advice contained within Cadent and National Grid's response.
3. 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.
4. 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.