

Application Number:	2022/0165	Application Type:	Full
Proposal:	Full: Construction of 2 no. dwellings with associated access, and works.	Location:	Land Adjacent Cliffe Bank Hamlet Burnley Road East Waterfoot Rossendale Lancashire
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	6 September 2022
Applicant:	Mr & Mrs P & E Farrow	Determination Expiry Date:	20 May 2022
Agent:	Mr Steven Hartley		

Contact Officer:	Storm Grimshaw
Email:	planning@rossendalebc.gov.uk

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
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

Approval subject to the conditions contained within this report.

APPLICATION DETAILS

2. SITE

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The site comprises a narrow strip of land located on the western side of Burnley Road East in Waterfoot. Most of the site is positioned between the highway and Cliff Bank Hamlet – a private track rising to the north where it serves a small group of residential properties.

The application form states the existing use of the land is ‘garden land’ and the site is mostly lawned with planting and an area of hardstanding to the south for car parking. Google Street View and the site’s recent planning history indicates the site previously contained mature trees and scrub and was mostly overgrown with a section of hardstanding to the south used for vehicular parking. The submitted Design and Access Statement for a proposed hand car wash on the site (ref. planning application 2014/0046) confirms most of the site was covered with scrub with instances of ‘fly tipping’ which included ‘car parts’ and ‘builders rubble’. In any case, the Council has no record of planning permission being granted to change the use of the land to garden.

The site has a low wall fronting Burnley Road East and a large retaining wall to the embankment supporting Cliff Bank Hamlet. Part of the site lies within Flood Zone 3 and some is within Zone 2 and Zone 1.

The site lies within countryside and the land to the north and west is primarily woodland and scrub areas. Other surrounding land uses include residential properties, a gym and a large industrial site to the west.

3. RELEVANT PLANNING HISTORY

2014/0046 – Creation of hand car wash (**Refused**).

2017/0059/PREAPP – Proposed 3/4 bed dwelling with associated parking area and garden (**Advice Issued**).

2021/0320 – Full: construction of 2 no. dwellings with associated access, and works. (**Refused**).

APP/B2355/W/21/3283772 – Appeal against decision to refuse application 2021/0320. (**Dismissed**).

4. PROPOSAL

Planning permission is sought for the construction of 2 no. dwellings on the site, labelled Unit 1 and Unit 2. The dwellings would comprise a two storey building and according to the submitted plans would measure 23.69m in depth along Burnley Road East. The building’s maximum width to the south of the site would be 7.8m, however, owing to the embankment supporting Cliff Bank Hamlet, the west facing elevation would be staggered, gradually decreasing in width so the north facing elevation would be 4.8m in width. The building would be topped with a pitched roof, although the design of the west facing elevation would result in an irregular roof plane on this side of the building with sections of varying lengths.

The entrance to each property would be from the gable elevations of the building. The south facing elevation of Unit 1 would incorporate a large Juliet balcony with extensive glazing at first floor level. Windows of different shapes and sizes would be included across all elevations of the building and would be finished in black pvcu. The external walls of the building would be finished in natural local stone and the roof finished with natural blue slate.

The existing area of hardstanding to the south of Unit 1 would be used for car parking for both dwellings, and Unit 1's external amenity space. An external amenity space for Unit 2 would be created in the northern part of the site beyond the building's north-facing gable.

5. POLICY CONTEXT

Policy Considerations

National

National Planning Policy Framework

- Section 2 Achieving sustainable development
- Section 4 Decision-making
- Section 5 Delivering a sufficient supply of homes
- Section 6 Building a strong, competitive economy
- Section 9 Promoting sustainable transport
- Section 12 Achieving well-designed places
- Section 15 Conserving and enhancing the natural environment

Development Plan Policies

Local Plan

- Policy SS: Spatial Strategy
- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Urban Boundary and Green Belt
- Policy HS1: Meeting Rossendale's Housing Requirement
- Policy ENV1: High Quality Development in the Borough
- Policy ENV2: Historic Environment
- Policy ENV3: Landscape Character and Quality
- 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 HS8: Private Outdoor amenity space
- Policy HS16: Self-Build and Custom Built Houses
- Policy TR4: Parking

Other Material Planning Considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

LCC Highways	No objection, subject to conditions
Ecology	No objection, subject to conditions
Environment Agency	No objection, subject to measures in FRA being adhered to. Also, recommended advice to LPA/applicant
LCC Historic Environment Team	No objection
Land Contamination Consultant	No objection subject to conditions
United Utilities	No objection, subject to condition
RBC Building Control	No comments received
LCC LLFA	No comments to make, LLFA Flood Risk Standing Advice should have been applied

7. REPRESENTATIONS

In order to publicise the application a site notice was posted and neighbour letters were sent out. The application was also available for viewing on the Council's website.

3 objections have been received, raising the following points in summary:

- Lack of parking within the site and in the local area.
- Inadequate / unsafe parking provided within the application site.
- Flood risk from surface water flooding and presence of watercourse/spring running through the site, which the Flood Risk Assessment does not take into account.
- The land serves as a soakaway.
- The proposed balcony would have an adverse impact on the living conditions of occupants/users in neighbouring properties.
- Concerns regarding the stability of the embankment / retaining walls within the site.
- Impact of development on Cliffe Bank Hamlet during construction phase.
- The site is contaminated due to previous uses / fly tipping and waste disposed on the land.
- Site has been converted into a garden and parking area for 352-354 Burnley Road East without planning permission and this should be investigated before this or any further applications for the site are considered.
- The site includes land not under the applicant's ownership which they have fenced off without permission.
- The proposal constitutes overdevelopment of the site.
- Lack of outdoor space for future occupants of the no. 2 residential properties.
- Concerns with the Appeal Decision for Appeal ref. APP/B2355/W/21/3283772.
- Impact of the development on the trees adjacent to the site.
- Noise and air pollution resulting from the development.

8. ASSESSMENT

The main issues for consideration in this instance are:

- a) Principle
- b) Visual Amenity and Countryside Impact
- c) Neighbour Amenity / Residential Amenity
- d) Access, Parking and Highway Safety
- e) Ecology
- f) Flood Risk

Presumption in Favour of Sustainable Development

At the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 of the Framework 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 Council can demonstrate a five-year supply of deliverable housing sites. However, the Borough is not in a position to demonstrate that it is achieving the required level of housing delivery.

As such, this triggers paragraph (d) above. The Framework clarifies that policies that are most important to an application are considered out of date where local authorities cannot demonstrate that they are achieving the required level of housing delivery. The weight to be afforded to such policies is a matter for the decision maker.

Paragraph 11(d)(ii) is 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 Framework taken as a whole.

An assessment in relation to the above will be made below.

Principle

Most of the site is located within the Countryside, as identified within the adopted Local Plan, except for a very minor section of the site to the south which is included within the defined urban boundary.

Paragraph 11 of the Framework contains a presumption in favour of sustainable development as set out above, and as such a key consideration in this case is whether the proposed scheme

represents sustainable development or not. Sections 2 and 9 of the Framework and Policy SD1 of the Local Plan all place emphasis upon securing sustainable forms of development.

Whilst this site is mostly within the Countryside it is considered to be sustainably located and cannot realistically be considered remote or isolated. The site sits adjacent to the urban boundary, with the dwellings to the south and buildings to the east falling within the urban boundary. The site is within walking distance of shops, employment opportunities, and public houses, and occupiers of the proposed dwellings could reasonably access bus services on Burnley Road East (less than 100m to south).

As such, the site is considered to be reasonably sustainable in its location. A balancing exercise will be carried out at the end of this report to determine whether any harm which would result from the development would clearly and demonstrably outweigh the benefits of the scheme.

Visual Amenity and Countryside Impact

Paragraph 130 of the Framework states that planning decisions should ensure that developments:

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

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

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

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

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

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

With reference to Appeal Decision (ref: APP/B2355/W/21/3283772), the Inspector concluded residential development of the site would not adversely affect the character and appearance of the countryside. As such, it is not considered that the scheme would conflict with the aims of Policies SD2 and ENV3 of the Rossendale Local Plan.

In terms of the building’s design and impact on the character and appearance of the local area, the Inspector concluded that the design and style of the building “*would echo the character of the building opposite the site...*”, and “*in terms of materials, and to an extent fenestration, the proposal would be reflective of the residential properties immediately adjacent to the site*”. The Inspector also had no concerns over the staggered nature of the west-facing rear elevation of the building, given in their opinion it would not be easily visible in main public views. However, the Inspector noted that the balcony proposed under the previous application would appear as an incongruous

and imposing feature on the south-facing elevation and therefore concluded “*that the proposal, namely the balcony, would result in significant harm to the character and appearance of the area.*”

In reference to the plans submitted under this application, the external balcony has been removed and replaced by a large Juliet balcony extending almost across the full width of the south facing elevation. Officers continue to have concerns over the appearance of the south-facing elevation under the current scheme, namely the amount of glazing and the size of the Juliet balcony proposed, however, the Inspector commented: “*The distinctive stone piers to either side of the south elevation would be reflective of the building opposite and, alongside the sizeable nature of the openings, would add interest to the building that would be somewhat reflective of its industrial setting*”. Consequently, given that significant weight needs to be afforded to the Inspector’s Appeal Decision, the proposed scheme is considered to be acceptable in terms of its effect on the character and appearance of the local area.

Neighbour / Residential Amenity

The proposed scheme would not have any significant impacts on the outlook, daylight or privacy enjoyed by residents of any nearby residential properties.

The floor space of the proposed dwellings would comply with the minimum floor space set out in the Nationally Described Space Standards, for both a two storey dwelling with two bedrooms and four bedspaces (Unit 1), and a two storey dwelling with one bedroom and two bedspaces (Unit 2). Furthermore, the proposed dwellings comply with the technical requirements set out in paragraph 10 of the standard.

Under the previous application, it had not been demonstrated that the proposed scheme could provide a high standard of amenity for future occupants of Unit 1 as a result of the insufficient private external amenity space available for this dwelling. The scheme currently under consideration has now addressed such concerns and provides a suitably sized amenity area adjacent to the south-facing elevation of Unit 1. Officers are satisfied that the application complies with Policy HS8 in this regard.

As such, it is considered that the development is acceptable in terms of neighbour amenity and the amenity of future occupants of the proposed dwellings.

Access, Parking and Highway Safety

Objections received from local residents in relation to highway and parking issues are noted. In reference to the relevant Appeal Decision, the Inspector concluded that the amount of parking proposed for the previous scheme, which is the same as the amount proposed under this application, was acceptable. The Local Highway Authority has been consulted on the application and has no objection to the proposed scheme subject to conditions relating to the following:

- Construction Method Plan being adhered to throughout the construction phase
- Details of any earthworks to the retaining structures supporting Cliffe Bank Hamlet
- Secure covered cycle parking
- Electric vehicle charging points for each dwelling
- Implementation of parking and manoeuvring areas
- Boundary wall between car parking area and Burnley Road East and the car parking area and Cliffe Bank Hamlet to be kept below 1m high to maximise visibility for highway users

In terms of the earthworks to retaining structures, the planning agent has confirmed that no earthworks shall be undertaken to the retaining structure/embankment supporting Cliffe Bank Hamlet, and it is recommended a condition is attached to any permission to ensure this.

Subject to the conditions suggested by the Local Highway Authority, it is considered that the development is acceptable in relation parking, access and highway safety.

Ecology and landscaping

Policy ENV1 of the Local Plan requires that developments demonstrate that:

“There is no adverse impact to the natural environment, biodiversity and green infrastructure unless suitable mitigation measures are proposed and the Council will seek biodiversity net gain consistent with the current national policy.”

Policy ENV4 relates to biodiversity and ecology and requires new developments to protect areas of biodiversity and enhance sites where possible.

Policy ENV10 relates to trees and hedgerows and requires new developments to avoid the loss of trees and where tree loss is found to be acceptable, it shall be compensated for at a ratio of 2:1, and shall make a positive contribution to biodiversity.

The Council’s ecologist has assessed the application and has raised no objection subject to conditions as follows:

“The site appears to have been covered in scrub until relatively recently a medium value habitat. I recommend that some biodiversity enhancement measures are included within the scheme such as bird and bat bricks within the new build and inclusion of a native trees such a silver birch or mountain ash.”

The application is accompanied by a Biodiversity Enhancement Statement which provides for two swallow cups, which will be secured by planning condition.

The application is not accompanied by any proposed landscaping plans and as such, it is necessary to require such details by condition. The landscaping details must include existing and proposed ground levels owing to the topography of the site, the planting of a native tree, and details of any hardsurfacing, including a path from the parking area to the dwellings.

In addition to the above, the ecologist recommended as a precaution that a condition for protecting nesting birds should be attached to any permission granted, as the scrub previously covering the land may have regrown. The case officer can confirm that the scrub has not regrown and it is not considered that the recommended condition in regards to protecting nesting birds is included on any permission granted.

Subject to a condition securing implementation of the submitted biodiversity enhancements and landscaping, the scheme is considered capable of complying with Policies ENV1, 4 and 10 in terms of ecology and landscaping.

Flood Risk

Policy ENV9 of the Local Plan requires all development proposals to consider and address flood risk from all sources.

The Environment Agency have assessed the application including the Flood Risk Assessment (FRA) and have raised no objection, commenting as follows:

“We have no objection to the proposed development but we wish to make the following comments:-

The FRA only considers fluvial flood risk and based on past recorded flood events, this could be considered the main source of risk to the proposed development. However, while not within our remit to advise on, surface water run-off from the steep sided slopes of the valley and run-off from Cliff Bank Hamlet and the slope to the rear of the proposed dwellings could be a source of flood risk which should be accounted for in the design of the proposed development.

The proposed floor level of the dwellings has been elevated above the estimated flood levels for Whitewell Brook and this appears reasonable. During flood events, flows along Burnley Road East could present a significant hazard due to flow velocity but the report makes reference to access to higher ground available to Cliff Bank Hamlet.”

It is considered that some of the design measures set out within the submitted Flood Risk Assessment will address the potential risk from surface water running off Cliffe Bank Hamlet and such details will be secured by condition.

United Utilities submitted comments towards the application, requesting details of a sustainable surface water drainage scheme, which should, subject to their review and approval, account for the potential flood risk from surface water flooding.

Balancing Exercise

In line with paragraph 11 of the Framework, it is necessary to carry out a balancing exercise to ascertain whether or not any harm caused by the development would *significantly and demonstrably* outweigh the benefits.

Benefits of the Development

The development would deliver two new dwellings towards the borough’s housing need, in a relatively sustainable location, and would (in a limited way) benefit the local economy of Waterfoot. Accordingly, *limited* weight is attached to these benefits.

Harm Caused by the Development

With reference to the Inspector’s Appeal Decision, it is not considered that the development would result in any demonstrable harm. The Inspector concluded that the site would represent a suitable location for residential development, and with the removal of the balcony proposed on the previous scheme the development is considered to be acceptable in terms of its visual impact. In terms of living conditions, it is considered the scheme as amended would provide future occupants with a high standard of amenity.

Other Considerations

All other considerations in the planning balance are considered to be neutral having regard to the advice received from consultees on the various matters and the case officer’s assessment.

Technical matters such as flooding, drainage, biodiversity and landscaping can be addressed by planning condition.

Conclusion

Having regard to the Inspector's Appeal Decision, it is considered that no harm would result from the development whilst a limited benefit would be secured through the modest contribution the development would make to the Borough's housing supply and local economy.

As such, in line with Paragraph 11 of the Framework, planning permission should be approved.

9. RECOMMENDATION

Approval subject to conditions.

10. CONDITIONS

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

Reason: Required by Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the following:
 - Submitted application form signed 24th March 2022 and received 25th March 2022
 - Location Plan drawing no. EPF.200521.A.2. received 25th March 2022
 - Proposed Site Plan drawing no. EPF-30-04-21-B (amended 5) received 25th July 2022
 - Proposed Elevations drawing no. EPF-30-04-21-D (amended 4) received 22nd August 2022
 - Proposed Floor Plans drawing no. EPF-30-04-21-C (amended 1) received 25th March 2022
 - Construction Method Plan received 22nd August 2022
 - Construction Method Statement received 22nd August 2022
 - Flood Risk Assessment received 25th March 2022
 - Biodiversity Enhancement Statement received 22nd August 2022

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

3. No above ground works shall take place until physical samples of the proposed facing materials and roofing materials have been submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the above, the walls of the dwelling shall be constructed entirely of natural coursed stone, and the roof shall be exclusively natural slate.

The development thereafter shall be constructed utilising the approved materials.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.

4. The development shall be carried out in strict accordance with the submitted Flood Risk Assessment.

Following completion of the measures identified in the approved Flood Risk Assessment, a verification report that demonstrates the measures have been carried out shall be submitted

to and approved in writing by the Local Planning Authority prior to first occupation of either of the dwellings.

Reason: To manage the risk of flooding.

5. No development shall be undertaken to the retaining structure/embankment supporting Cliffe Bank Hamlet.

Reason: To prevent instability of Cliff Bank Hamlet and to ensure the development would not cause a risk to highway safety.

6. No dwelling shall be occupied until the secure covered cycle parking, electric vehicle charging points for each dwelling and car parking and manoeuvring areas are provided in accordance with the approved plans.

Reason: To ensure that the development provides sustainable transport options and to ensure satisfactory levels of off-road parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

7. For the lifetime of the development, the boundary wall between the car parking area and Burnley Road East and the car parking area and Cliff Bank Hamlet shall be kept below 1m high to maximise visibility for emerging drivers and users of Cliff Bank Hamlet and highway users on Burnley Road East.

Reason: To ensure adequate inter-visibility between highway users at the site access, in the interests of highway safety.

8. Notwithstanding any information submitted with the application, no development shall take place 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) 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 prevent pollution.

9. Pursuant to condition 8 and prior to first occupation of either of the dwellings 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 prevent pollution.

10. No development shall commence until a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

No dwelling shall be occupied until the drainage schemes have been completed in accordance with the approved details and they shall be retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

11. Notwithstanding the provisions of Class A, Part 2, of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), or any subsequent legislation revoking or superseding that Order, no fencing or other boundary treatments shall be erected within or around the perimeter of the site for the lifetime of the development.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.

12. Prior to first occupation of either of the dwellings hereby approved, the two No 10 Schwegler swallow cups listed in the approved Biodiversity Enhancement Statement shall be permanently affixed to the exterior walls of the dwelling as shown on drawing no. EPF-30-04-21-D (amended 4).

The biodiversity enhancement measures shall be retained and maintained thereafter.

Reason: To ensure that the development provides an adequate net gain for biodiversity.

13. No above ground construction shall take place until a scheme for the landscaping of the development has been submitted to and approved in writing by the Local Planning Authority. These details shall include the types and numbers of native trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, and details of

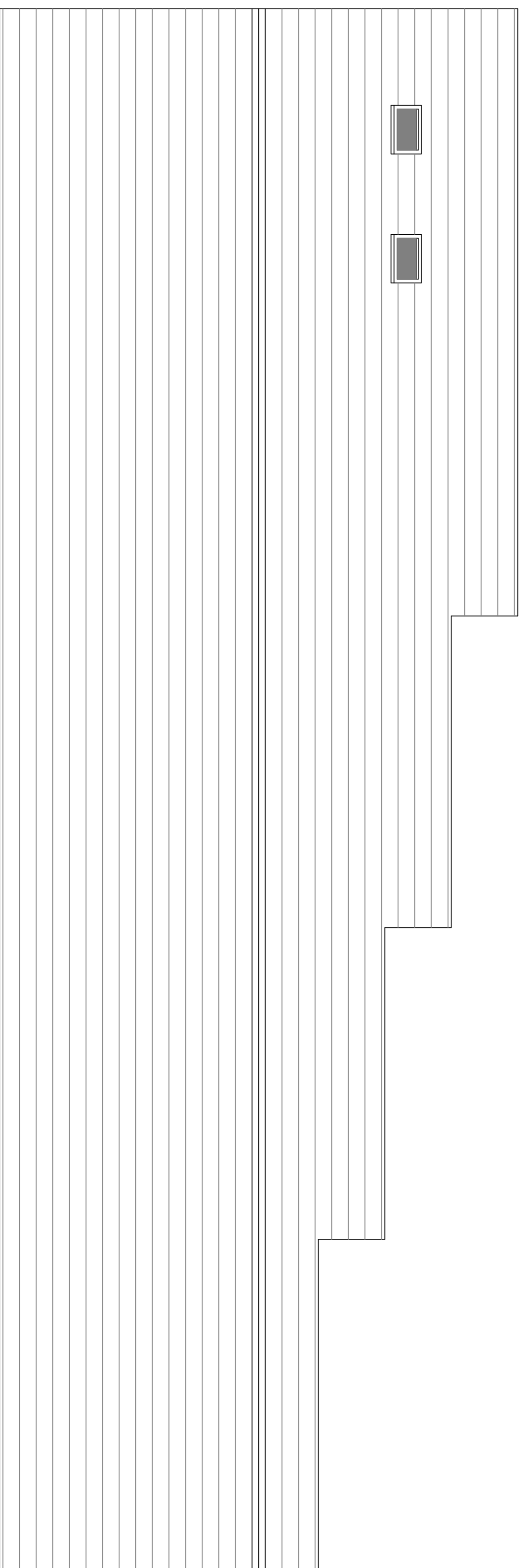
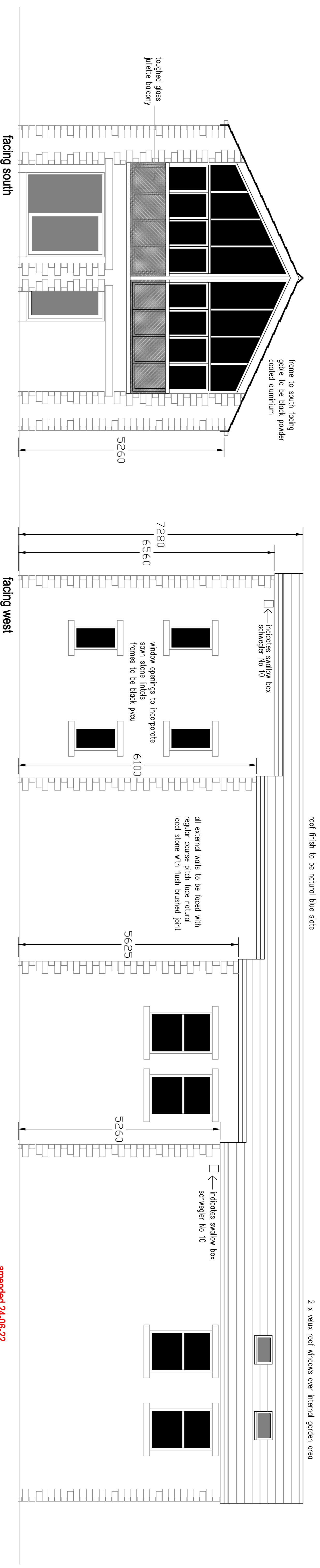
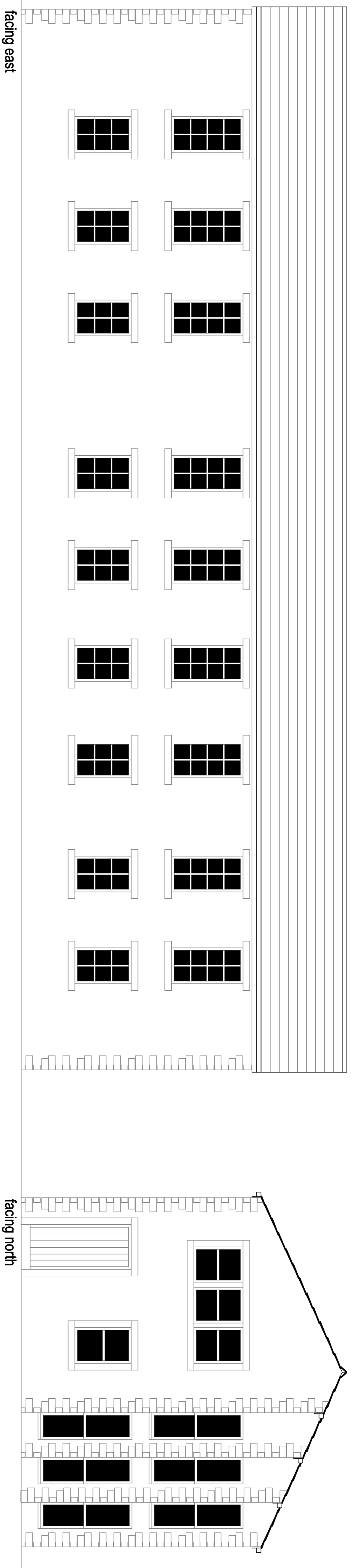
the pedestrian routes for access to the dwellings and manoeuvring refuse receptacles. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and 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: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design, in addition to biodiversity enhancement.

11. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.
2. 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.
3. 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.
4. 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. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.
5. It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.
6. The applicant's attention is drawn to be the advice set out in the Environment Agency's comments on the application. It is the developer's responsibility to have regard to the issues identified by the Environment Agency.



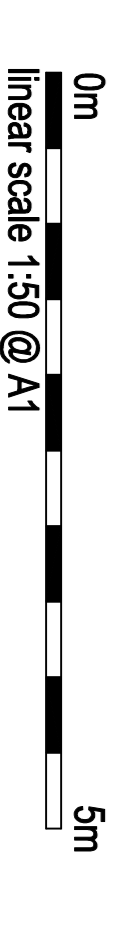
amended 24-06-22
 south facing gable glazed within aluminium frame
 amended 24-03-22
 balcony removed in accordance with
 comments from Planning Inspector
 amended 20-07-22
 swallow boxes included

proposed elevations

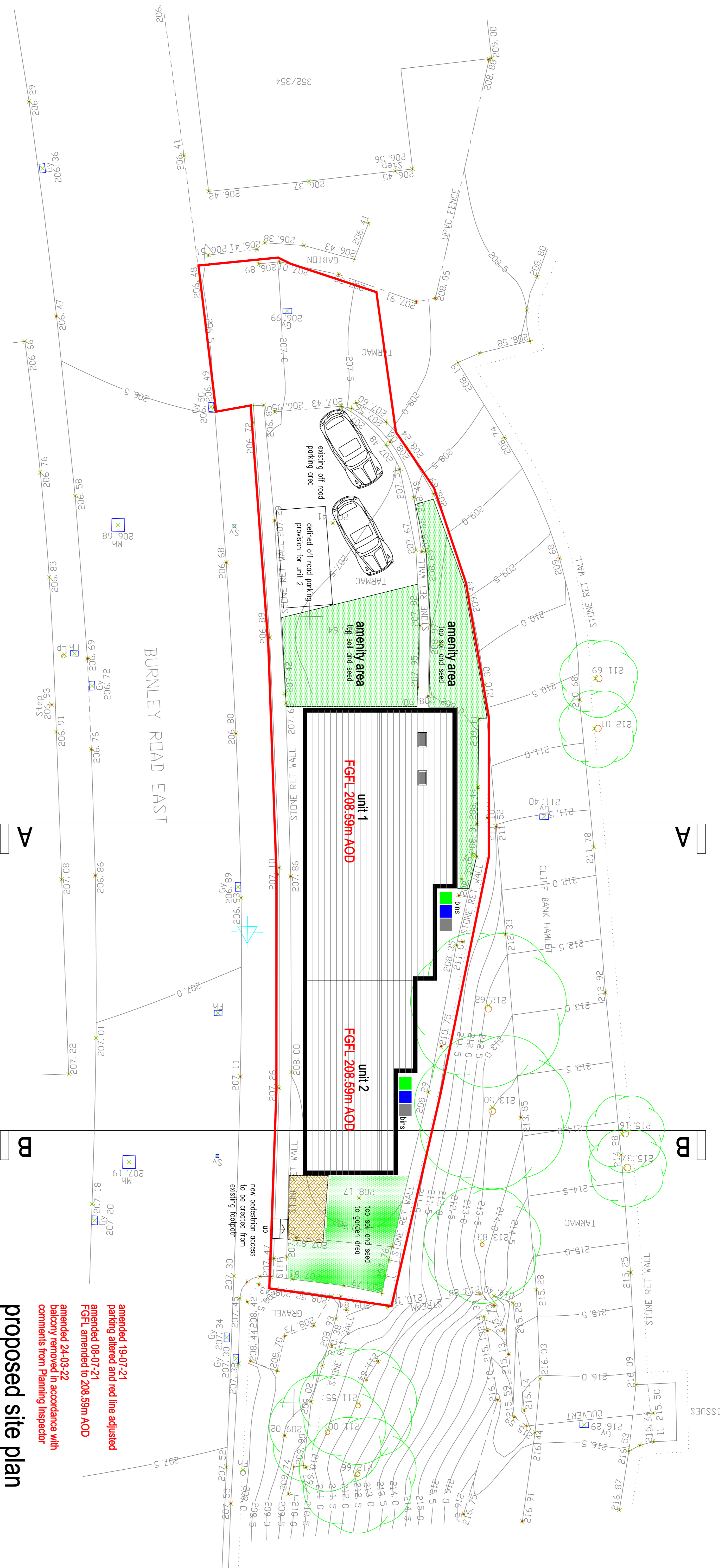
proposed residential development
 comprising 1 x 2 bed dwelling +
 1 x 1 bed dwelling on vacant garden area
 adjacent to

352, 354 Burnley Road East
Waterfoot
Rossendale

scale 1:50 @ A1



drawing number EPF-30-04-21-D (amended 4)



- amended 19-07-21 parking altered and red line adjusted
- amended 08-07-21 FGFL amended to 208.59m AOD
- amended 24-03-22 balcony removed in accordance with comments from Planning Inspector

proposed site plan

proposed residential development comprising 1 x 2 bed dwelling + 1 x 1 bed dwelling on vacant garden area adjacent to

352, 354 Burnley Road East Waterfoot Rossendale

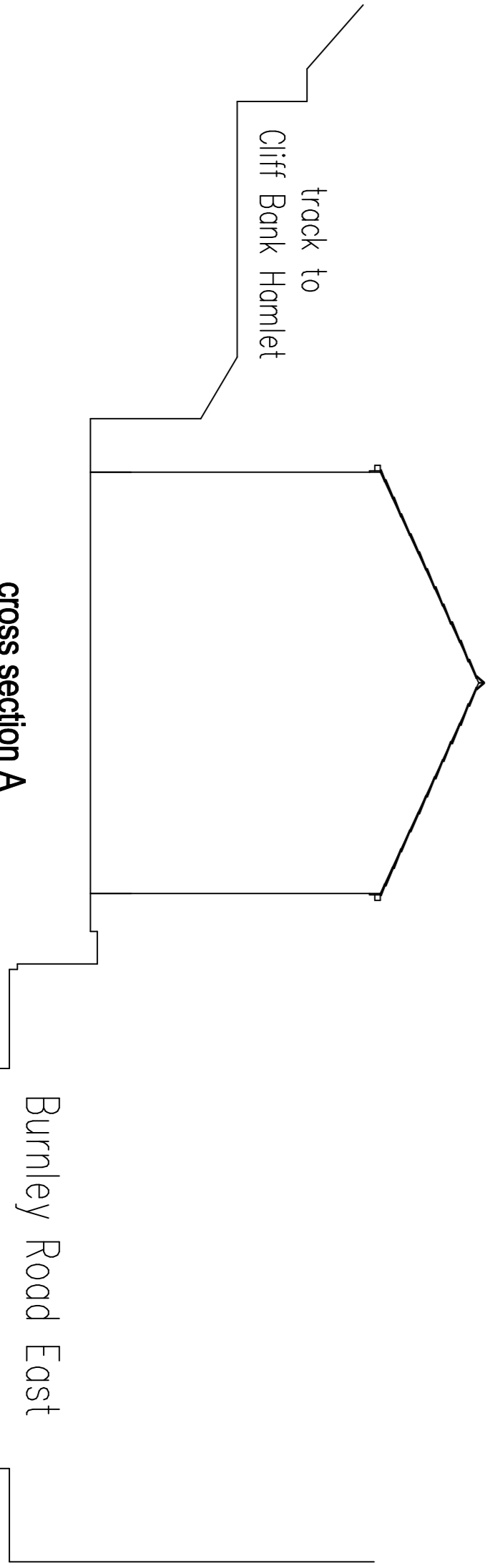
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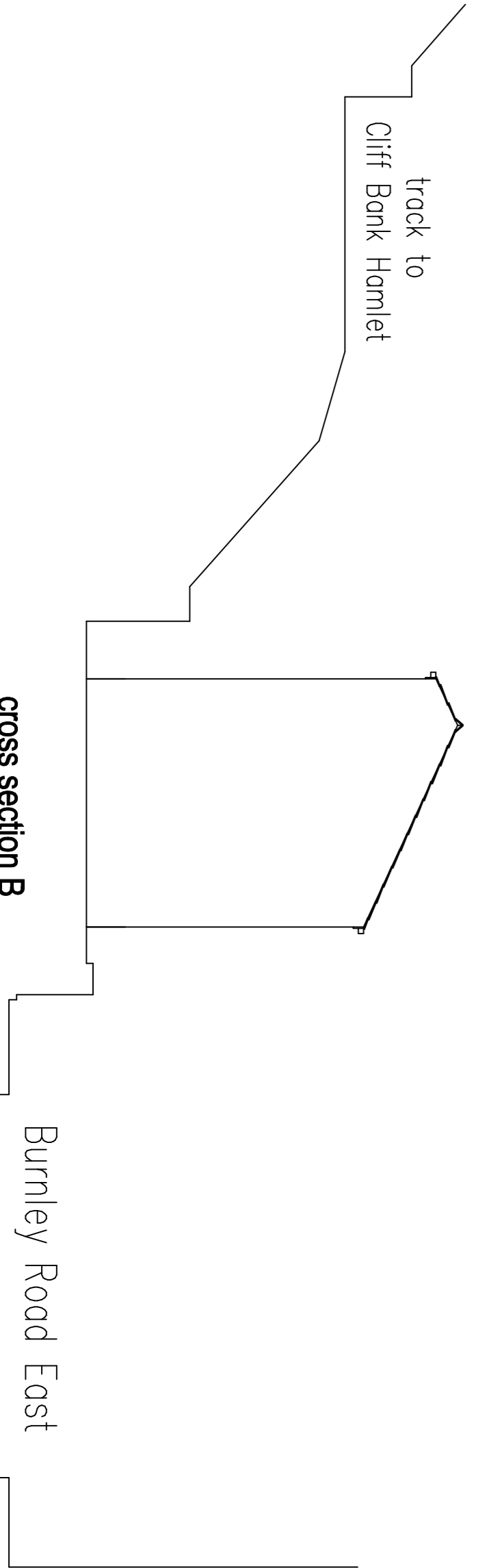
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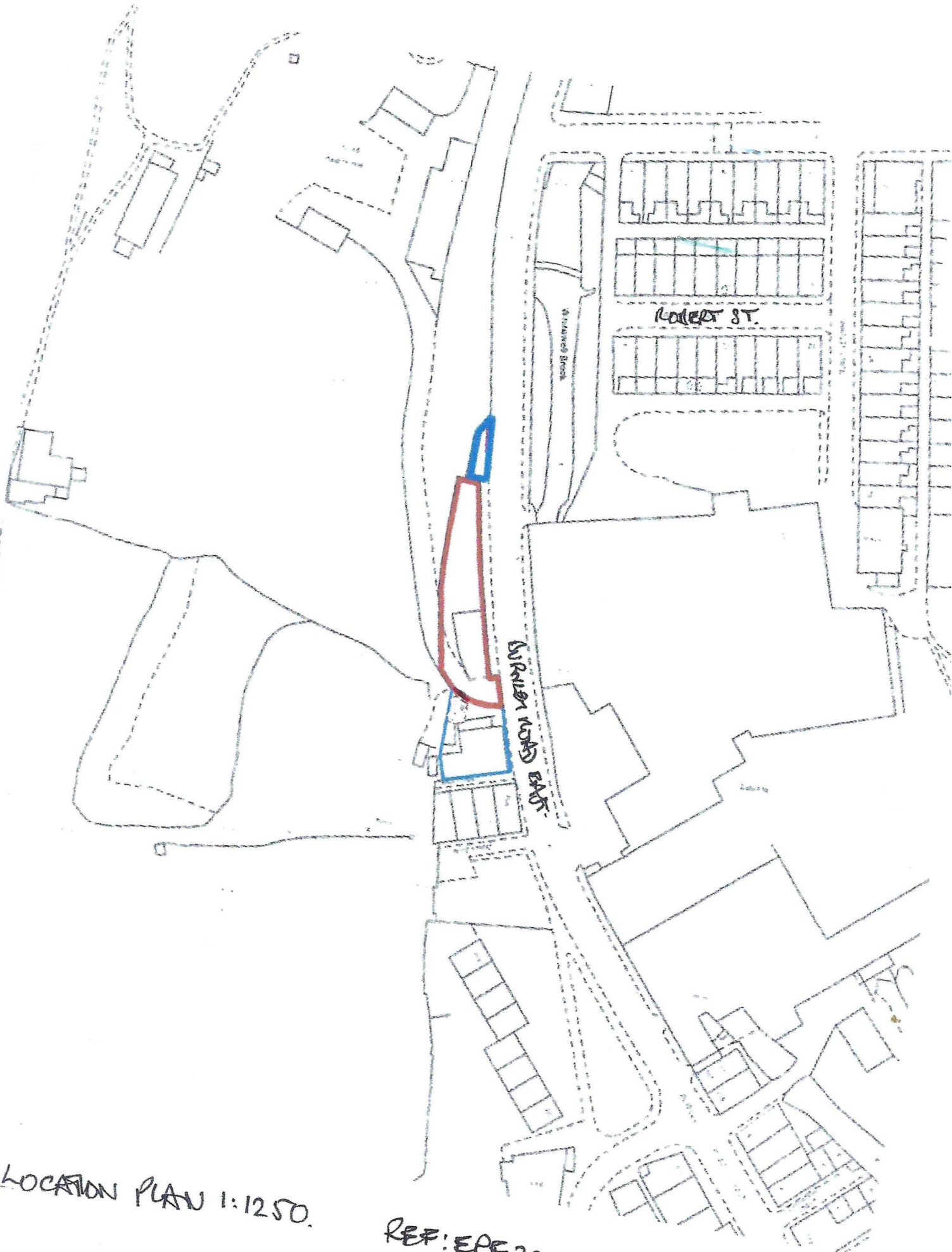
drawing number EPF-30-04-21-(Amended 5)

cross section A



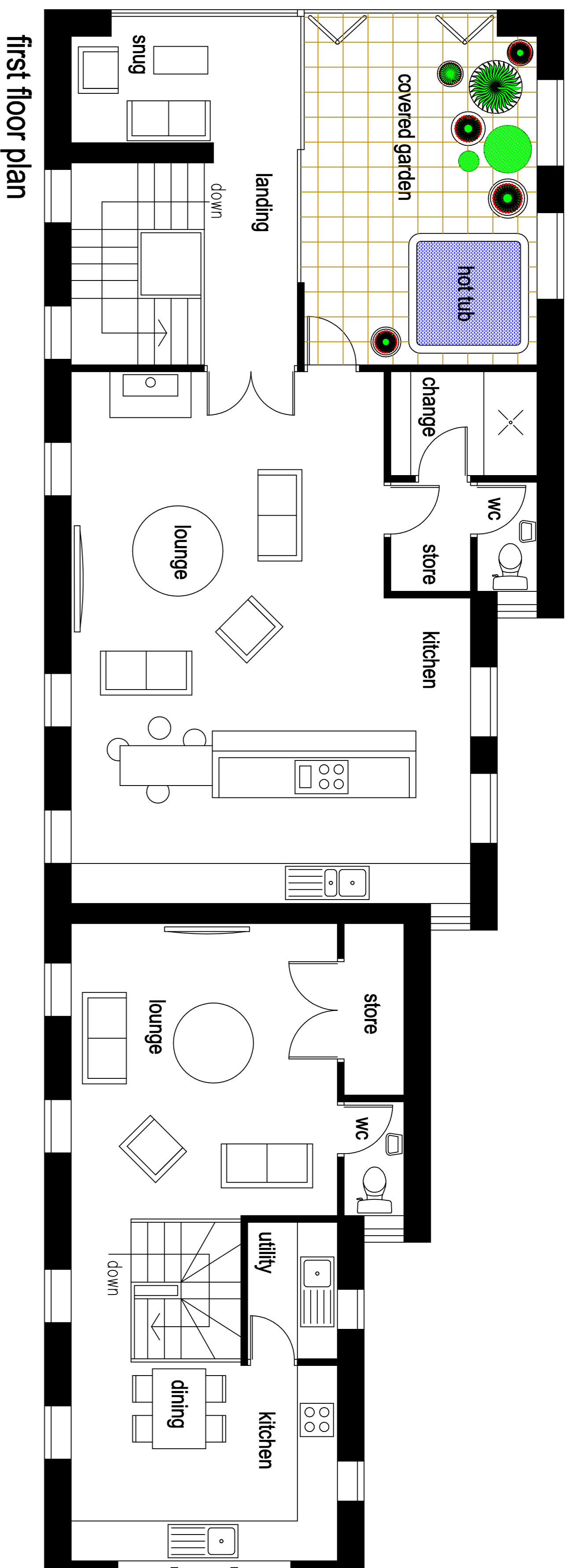
cross section B



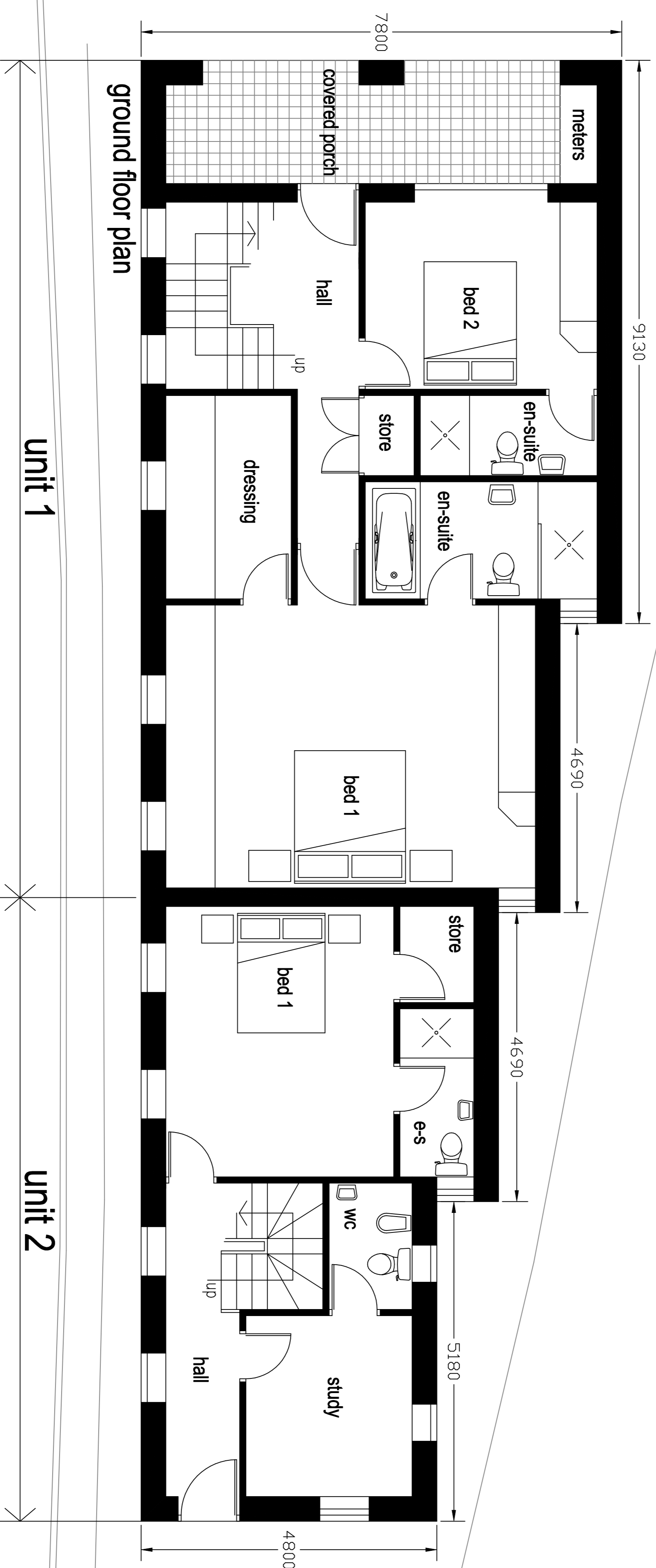


LOCATION PLAN 1:1250.

REF: EPF.200521.A.2.



first floor plan



ground floor plan

unit 1

unit 2

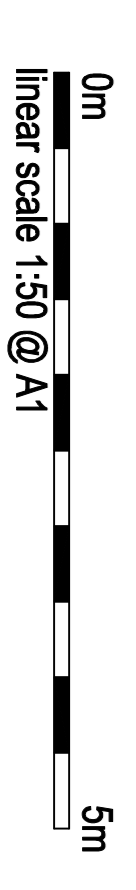
amended 24-03-22
balcony removed in accordance with
comments from Planning Inspector

proposed floor plans

proposed residential development
comprising 1 x 2 bed dwelling +
1 x 1 bed dwelling on vacant garden area
adjacent to

352, 354 Burnley Road East
Waterfoot
Rossendale

scale 1:50 @ A1



drawing number EPF-30-04-21-(C)amended 1)