

<b>Application Number:</b>	2023/0018	<b>Application Type:</b>	Full Planning Permission
<b>Proposal:</b>	Conversion and alterations of a former Care Home with attached Sunday School into an Apartment Building with six dwellings plus three attached Town Houses.	<b>Location:</b>	Deerplay Rest Home 10 Heald Lane Weir Bacup
<b>Report of:</b>	Head of Planning and Building Control	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	21/03/2023
<b>Applicant:</b>	MSC and James Grace Developments Ltd	<b>Determination Expiry Date:</b>	09/03/2023 EOT agreed to 24/03/2023
<b>Agent:</b>	Peel Design Partnership Ltd		

<b>Contact Officer:</b>	<b>Claire Bradley</b>	<b>Telephone:</b>	<b>01706 238636</b>
<b>Email:</b>	<b>planning@rossendalebc.gov.uk</b>		

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	No
<b>Member Call-In</b> Name of Member: Reason for Call-In:	No
<b>3 or more objections received</b>	Yes
<b>Other (please state):</b>	No

## 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

Planning permission is granted subject to the conditions below.

## 2. SITE

The application site is a roughly oblong shaped plot of land of approximately 0.1 hectares in area. It is located approximately 70 metres east of the junction of Burnley Road (A671) and Heald Lane in an area of largely residential development that lies within the identified Urban Boundary. The site is currently occupied by a freestanding natural stone/natural blue slate building. This is currently vacant but was last used as a care home and Sunday school.

## 3. RELEVANT PLANNING HISTORY

X/1990/268 – Residential Development – Erection of 150 dwellings – Approved 24/09/90 (Significantly larger site that included this one).

2022/0252 - Conversion and alterations of a former Care Home with attached former Sunday School into an Apartment Building containing 16 dwellings – Withdrawn 01/08/22 because of a number of concerns with the scheme.

2022/0437 - Conversion and alterations of a former Care Home with attached Sunday School into an Apartment Building with six dwellings plus three attached Town Houses – Refused for the following reasons:

1. *Dormer windows are not considered to form part of the character of this building. This aside it is considered that the windows proposed, by reason of their size, design and position, would relate in an unsatisfactory manner to, and would appear out of keeping with, the host building and, because of the prominence that the building enjoys, would detract from the appearance of the surrounding area in general. The proposals are therefore considered to be contrary to the provisions of Policy ENV1 of the Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.*
2. *It is considered that locating the car parking spaces in front of the host building and removing part of the stone boundary wall would unduly detract from the setting of the building and from the appearance of the street scene in general. The proposals are therefore considered to be contrary to the provisions of Policy ENV1 of the Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.*
3. *The habitable room windows to be formed within the rear (north eastern facing) elevation of the building would closely overlook the private rear gardens of 3 and 5 Scar End Close. This would significantly and adversely affect the level of privacy currently enjoyed by the occupiers of those properties. The proposals*

*are therefore considered to be contrary to the provisions of Policy ENV1 of the Rossendale Local Plan 2019 to 2036.*

4. *It is considered that the proposals would represent overdevelopment of the site to the detriment of the visual amenity of the area. The proposals are therefore considered to be contrary to the provisions of Policy ENV1 of the Rossendale Local Plan 2019 to 2036.*

#### **4. PROPOSAL**

Planning permission is sought to convert the premises into 9 residential units, six apartments and three town houses. The previous scheme submitted had all dwellings containing three bedrooms.

This revised proposal includes the following sized apartments

2 No. 1 bed apartments

2 No. 2 bed apartments

2 No. 3 bed apartments.

The three dwellings all include 2 bedrooms

The six flats are to be accommodated on the ground and first floors but the three houses are to be accommodated on three floors to the rear of the building. The conversion works involve the demolition of the single storey buildings to the rear of the premises and a small portion of the rear of the main structure. They also involve alterations (including the introduction of rooflights at second floor and partly obscure glazed first floor windows) to the back (north eastern facing elevation) of the remaining building, and minor alterations to the door and window arrangements in the side and front (south eastern, north western and south western facing) elevations.

There are a total of 16 parking spaces including 2 mobility spaces, motor cycle parking, and cycle storage in the basement.

The applicants have indicated that it is their intention to provide high quality private accommodation which will be available solely to private tenants. It will be managed exclusively by the applicants and their letting agent.

#### **5. POLICY CONTEXT**

##### **National Planning Policy Framework**

- Section 2 Achieving Sustainable Development
- 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 Challenge of Climate Change, Flooding and Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment

**Development Plan**

**Rossendale Local Plan 2019 to 2036**

- SD1 Presumption in Favour of Sustainable Development
- SD2 Urban Boundary and Green Belt
- HS1 Meeting Rossendale’s Housing Requirement
- HS4 Housing Density
- HS5 Housing Standards
- HS8 Private Outdoor Amenity Space
- ENV1 High Quality Development in the Borough
- ENV4 Biodiversity, Geodiversity and Ecological Networks
- ENV6 Environmental Protection
- ENV9 Surface Water Run-off, Flood Risk, Sustainable Drainage and Water Quality
- ENV10 Trees and Hedgerows
- TR4 Parking

**Other material considerations**

- National Planning Practice Guidance
- RBC Five Year Land Supply Report 2022/23 – 2026/27
- RBC Alterations and Extensions to Residential Properties SPD (2008)

**6. CONSULTATION RESPONSES**

Consultee	Response	Suggest Conditions
LCC Highways	No objections. Earlier concerns regarding the off street parking, cycle storage and access have been addressed. The surface water from the approved driveway / hardstanding /car park and roof should be collected within the site and drained to an approved system, a direct connection to the highway drainage system will not be granted.	Y
RBC Environmental Health	No objections but would like conditions imposed limiting the hours of construction of the development (including the hours of delivery of materials); requiring the implementation of measures to prevent undue noise, dust and fumes during construction; and preventing the burning of	Y

Consultee	Response	Suggest Conditions
	materials on site. Housing Standards have also commented that if the properties are to be privately let the bedrooms should have a minimum floor area of 6.51 square metres and LACORS Fire Safety Guidance should be adopted as a minimum standard for fire safety.	
Cadent Gas	No objections subject to an informative requiring that their assets and legal rights are suitably protected	N
Greater Manchester Ecological Unit	No objections provided that no works are undertaken during the bat hibernation period (November to March). If works are to be carried out within this period the requirements of the submitted bat method statement will need to be fully implemented	Y
Environmental Protection	No objections. Historical maps don't appear to suggest there were any burials on site however it would be prudent for the applicant to confirm this with the relevant authorities. As this is a conversion to a sensitive residential end use, the standard contaminated land watching brief information should be included.	N
United Utilities	No objections subject to conditions	Y
RBC Operations	No comments received	N
Environment Agency	No comments received	N
LCC Lancashire Flood Risk Management	No comments received	N
Police Architectural Liaison Officer	No comments received	N
Fire Brigade	No comments received	N

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order neighbour letters were sent out to surrounding properties on 20<sup>th</sup> January 2023 and a site notice was posted next to the site on 24<sup>th</sup> January 2023. 18 letters of objection have since been received. The objections are as follows:-

- The surrounding roads are not adopted and already causing problems for motorists and pedestrians,

- There are bats that are nesting in the building.
- The trees that will be removed to make way for parking will result in the homes behind the rest home being overlooked.
- The submitted proposals do not provide sufficient segregation of pedestrians and vehicles on the site. There is no safe means of access (i.e. footpath) from the rear parking area to the apartments which are accessed from the west elevation and residents will be expected to negotiate the narrow vehicular access road. Similarly, residents of the proposed townhouses will also have to navigate the vehicular access road to take their wheelie bin to the public footpath on collection days.
- Adequate garden areas are an essential component of high quality design and are key to the creation of a sustainable residential environment by way of their contribution to liveability, recreation, health and wellbeing. None of the dwellings will be provided with a private outdoor amenity space.
- Plans have been changed for bedrooms in flats to office/study room. This is possible attempt at deceiving the planning officer to sign off for adequate parking provision.
- There will be undue disruption caused to neighbouring properties during the construction works. Such disturbance was recently caused when a vehicle visited the site delivering building materials.
- The proposals would result in a development that is not of good design, with a type and density of dwelling out of character with the area.
- The construction phase will create problems and disturbance in the area
- The conversion works would not respect the character of this building. Furthermore, the development as a whole would be out of keeping with the character of the surrounding area in terms of its scale, design, density and in terms of the type of accommodation it would provide.
- The proposals would lead to the overdevelopment of the site,
- An approval of these proposals would not be in the best interests of highway, pedestrian and child safety in the area. The proposals do not make adequate provision for associated 'off-street' parking and would therefore lead to an increase in 'on-street' parking on the surrounding road network near to a recreation ground in an area where 'on-street' parking is already a problem. This would be even worse in winter when incidences of 'on-street' parking would be greater. The scheme also makes inadequate provision for the turning and general manoeuvring of vehicles (including emergency vehicles) within the site and for the circulation of pedestrians. The proposals would add to congestion on

the surrounding road network and would cause the condition of the roads to get worse. The access serving the development would not allow vehicles safe access onto Heald Lane due to poor visibility, and the scheme does not propose sufficient electric vehicle charging points.

- The development would lead to an unacceptable increase in noise, air and light pollution. Car park lights will create light pollution and encroach on the privacy of the gardens of the homes behind.
- The development would adversely affect the level of light and privacy currently enjoyed by neighbouring properties. Habitable room windows to the first floor flats will overlook the gardens of adjacent properties on Deerplay Drive.
- The development does not make satisfactory provision for the associated storage of bicycles.
- The proposals make inadequate provision for the storage and disposal of refuse. Furthermore the bin store currently proposed will attract vermin, will be unpleasant for anyone living near, or passing by, it, and will be unsightly.
- The flats would not provide a satisfactory standard of accommodation.
- The development would not make satisfactory provision for people with disabilities or the elderly,
- The additional properties created by this scheme would put an unacceptable strain on the very limited existing schools, community facilities, infrastructure and bus service,
- The drainage problems and increased run-off caused by this development would lead to flooding of the adjoining properties,
- The development would represent a fire hazard,
- The submitted plans do not include details of the layout of the basement. Furthermore, they are not wholly accurate in that they do not show the proposed roof lights, sun pipes, soil and vent pipes etc.

Some of the people who object to the scheme have indicated that they would have no objection to the building being converted to residential use in principle. However, too many units are being proposed.

The agent has submitted Planning, Design and Access Statements in support of their proposals in which they state:-

- a) that the proposals are in accordance with adopted local and national planning policy,
- b) that the proposals will provide much needed housing and will retain an attractive building,
- c) that the development will appear in scale and keeping with its surroundings,
- d) that the development will safeguard the amenities of neighbouring properties. In coming to this view consideration has been given to the fact that whilst the development proposes the re-use of a significant number of side facing 'habitable' windows that will face neighbouring properties at relatively close quarters, these same openings previously served bedrooms in the care home. These would have been occupied for far longer than the proposed dwellings.
- e) that the proposals will improve highway safety here as they will provide associated 'off-street' parking for a building that did not previously benefit from any. The parking facilities will also include five electric vehicle charging points.
- f) that whilst the development will lack significant associated 'on-site' open space there is a recreation ground opposite that will compensate for this.

## 8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Residential Amenity;
- 4) Access, Parking and Highway Safety;
- 5) Ecology;
- 6) Drainage;
- 7) Flood Risk;
- 8) Land Contamination
- 9) Other Issues

### **Principle**

Paragraph 11 of the National Planning Policy Framework (NPPF) advises that plans and decisions should apply a presumption in favour of sustainable development. It adds, within the same paragraph, that where the policies in the Development Plan, deemed most relevant to the consideration of the proposal in question are out-of-date, the default position is that planning permission should be granted unless:-

- a) policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or



- b) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

In the case of applications for residential development such as this, the NPPF adds that policies will normally be considered 'out of date' if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing land.

The Local Planning Authority currently can demonstrate more than 5 years of housing land supply (indeed the latest report identifies 7.6 years of housing supply), but since the local housing delivery is below 75% of the housing requirement (57% as identified in the latest Housing Delivery Test results published in January 2022) it means the presumption in favour of sustainable development is engaged in accordance with paragraph 11d of the NPPF. Therefore proposed schemes should be approved unless the application of national policies "that protect areas or assets of particular importance provides clear reasons for refusing the development proposed" or any adverse impacts of granting approval would outweigh the benefits

Policies SD1 and SD2 of the Local Plan and Sections 2 and 9 of the NPPF both place emphasis upon securing sustainable forms of development. It is considered that the development proposed by this application could reasonably be viewed as meeting this aim in so far as it seeks the re-use of an existing building that is located within the defined Urban Area, and that is located within 70 metres of a bus route and approximately two miles from Bacup Town Centre.

Additionally the proposals would assist in meeting the housing needs of the Borough. This would be 'in line' with the aims of Section 5 of the NPPF, which states that medium sized sites such as this can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly, and with Policy HS1 of the Local Plan which seeks to demonstrate how the housing needs of the Borough will be met and where that housing should be located.

In conclusion, it is considered that the use of this building/site for residential purposes would be sustainable and would assist in meeting housing need. In view of this the proposals are considered to be acceptable in pure planning policy terms meeting the requirements of Policies SD1, SD2 and HS1 of the Local Plan and Sections 2, 5 and 9 of the NPPF in this regard.

### **Visual Amenity**

It is considered that the proposals to convert the building itself are largely acceptable in visual amenity terms essentially retaining its form and character.

The previous application which was refused include proposals to introduce dormer windows on the rear elevation which were not considered acceptable in this location.

The current proposal includes roof lights in the three town houses at second floor level.

In view of the amendments made by the applicant to address the previous design issues with the dormers above, it is considered that the proposed design of the overall scheme is in keeping with the character of the building and in keeping with the character of the surrounding area in general.

In addition, the previous proposals involve introducing two car parking spaces onto an area of grassed land located directly in front of the premises and removing part of the existing stone boundary wall. It was considered that these works would harm the setting of the building (causing the frontage to be dominated by vehicular parking and hard standing) and, because of the prominence that this part of the site enjoys, the character and appearance of the general street scene in general.

This has now been amended to introduce one car parking space onto the area of grassed land located directly in front of the premises, and also providing a ramped pedestrian access to the building resulting in less of the existing stone boundary wall requiring removal.

This provides a better visual appearance to the prominent frontage of the development.

Given the proposed amendments from the previous application to this current proposal it is considered that the proposals are acceptable in visual amenity terms and satisfy the requirements of Policy ENV1 of the Local Plan and Sections 12 and 15 of the National Planning Policy Framework in this regard.

## **Residential Amenity**

### **Light**

It is considered that the development will reasonably safeguard the level of light currently enjoyed by the occupiers of the surrounding residential properties. This is because the proposals essentially involve the conversion of a building there will be a slight reduction in building mass this caused by the proposed demolition works.

There are no proposals to increase the height of the main building, or alter the ridge lines, as part of this development.

### **Overlooking**

The proposals involve re-using existing window openings in the side (south eastern and north western) facing elevations of the main building in order to primarily serve 'habitable rooms'. A significant number of these will face the private rear gardens of both 8 and 12 Heald Lane at a distance of just over five metres. This would not

normally be considered acceptable as it would lead to unacceptable overlooking at close quarters of those gardens. However, in this instance the windows in question previously served 'habitable' rooms in the nursing home so it is considered that it would be difficult to argue that there would be significantly greater harm caused as a result. Consequently, it is considered that a further refusal of this scheme on these grounds could not reasonably be sustained.

The proposals also involve re-using former window openings in the south eastern and north western facing elevations of the rear portion of the main building which was not previously used as part of the nursing home. However, these openings will serve non-habitable toilets, hallways and stairwells and as an added safeguard are to be obscure glazed to safeguard the privacy of the neighbouring properties. Consequently it is not envisaged that this element of the scheme will lead to unacceptable overlooking either.

In addition, 'habitable' windows are also to be introduced at first floor level and roof lights at second floor level within the rear elevation of the building, a portion that has not previously been used for residential purposes.

These will directly face 3 and 5 Scar End Close neither of which are currently overlooked by the building. There appears to be a distance of approximately 10.8 metres between these windows and the property boundary and 21 metres between facing windows.

It has been agreed with the applicant to obscurely glaze these windows to a minimum height of 1.5 metres from floor level. This will ensure that occupants seated in their living rooms on the first floor will not be able to overlook the properties or the amenity spaces to the rear, whilst natural light is allowed into the rooms.

It is considered that this provides an acceptable solution to the privacy and overlooking issues and the current proposal will not lead to an unacceptable overlooking of those properties harming the residential amenities currently enjoyed by the occupants.

### Overdevelopment

The site is currently predominantly occupied by the building with the remainder of the curtilage largely laid to grass. Whilst accepting that the proposals involve marginally reducing the 'footprint' of the structure they also involve the introduction of hard surfacing on two sides and a reduced part of the front elevation in order to create the associated parking/turning/access roads.

The current proposal retains one side fully landscaped and a section on the front elevation to provide amenity space for the residents.

Whilst the development retains the same number of properties in the conversions, the number of bedrooms has been reduced, resulting in less parking being required.

Given the above, it is considered that the proposals are acceptable in terms of residential amenity in accordance with the requirements of Policy ENV1 of the Rossendale Local Plan.

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

It is proposed to provide sixteen (16) car parking spaces in conjunction with this development including two disabled spaces. Six of these are to be for the sole use of the occupiers of the town houses with the remainder, plus the disabled spaces, retained for the occupiers of the flats. Provision is also to be made for the parking of motorcycles to the rear of the site and for the storage of cycles within the basement of the main building.

It will be possible for vehicles using the new parking spaces to the rear of the site to turn around so that they are able to enter Heald Lane in a forward gear. However, in all other cases they will need to be reversed onto or off that highway.

Vehicular access to the development is to be gained from Heald Lane using an existing access point. However, this is to be widened and surfaced with improved visibility splays provided on either side.

Concerns had previously been raised by the Council's Operations Team about the proposed measures for the collection and disposal of refuse from the new dwellings. However, following recent amendments they now consider them to be acceptable. For the record the scheme now proposes four Biffa bins for use in conjunction with the six flats and three bins per town house (nine in all). The former are to be located at the front of the site and the latter are to be located to the rear on the driveways of each property.

The scheme has been considered by LCC Highways who, following recent amendments, now consider it to be acceptable subject to conditions. They have raised slight concerns about the current lack of electric vehicle charging points and about the current lack of measures for ensuring that water from the wheel washing facility does not drain onto the highway. However, in the event of the application being approved it is considered that these issues could reasonably be addressed through conditions.

In view of the above, it is considered that, despite concerns to the contrary, the proposals are acceptable in highway safety terms reasonably satisfying the requirements of Policy TR4 of the adopted Local Plan in this regard.

### **Ecology**

Since the proposals involve the demolition of buildings and alterations to the roof space they could potentially disturb bats. A Bat Survey Report and a Bat Method Statement have therefore been submitted with this application. The former concludes that whilst the building may have some potential as a roost for hibernating bats neither the bats nor their roosts should be harmed by the proposals if the demolition or roof works are carried out outside of the bat hibernation period (November to March). The latter sets out the measures that are proposed should works be carried out within the bat hibernation period in order to ensure that no hibernating bats are harmed by the proposals.

The reports have been considered by the Greater Manchester Ecology Unit who accept their findings and recommendations and therefore raise no objections to the development. Ideally they consider that the works should be carried out outside of the bat hibernation period. However if this is not possible the recommendations of the method statement should be implemented to ensure that no bats are harmed during that time.

Subject to the imposition of suitable conditions to this end it is considered that, despite concerns to the contrary, the scheme will be acceptable in ecological terms reasonably satisfying the requirements of Policies ENV1 and ENV4 of the Local Plan and Section 15 of the National Planning Policy Framework in this regard.

### **Drainage**

The applicants' have submitted a Drainage Strategy report in support of their proposals. This states that foul waste will be discharged into the foul sewerage system and surface water will be discharged separately into a culverted watercourse located immediately outside of the site. The submitted details have been assessed by United Utilities who consider them to be acceptable in principle. However, they have requested conditions:-

- a) requiring full details of the drainage scheme to be agreed in writing with the Local Planning Authority before development commences and subsequently implemented before that development is first occupied,
- b) requiring that a management and maintenance plan be submitted for approval to minimise the risk of surface water drainage having a detrimental impact upon the public sewer network should the two systems interact.

United Utilities are prepared to accept conditions to control the above. Subject therefore to the imposition of conditions to this end it is considered that, despite concerns to the contrary, the scheme will be acceptable in drainage terms reasonably satisfying the requirements of Policies ENV1 and ENV9 of the Local Plan and Section 14 of the National Planning Policy Framework in this regard.

## **Flood Risk**

Information supplied by the Environment Agency indicates that this site lies wholly within Flood Zone One. In view of this it is not envisaged that the future occupiers of the dwellings will be at significant risk of flooding or that the development will significantly exacerbate problems of flooding elsewhere. It is therefore considered that there are no reasonable flood risk grounds for opposing this development either and that it will reasonably satisfy the requirements of Policies ENV1 and ENV9 of the Local Plan and Section 14 of the NPPF in this regard.

## **Land Contamination**

The application has been assessed by the Land Contamination Officer. They raise no objections to the development as they do not envisage that future occupiers of the dwellings are likely to be at significant risk from land contamination given the way the site has previously been used. In view of this it is considered that the scheme will reasonably satisfy the requirements of Policies ENV1 and ENV6 of the Local Plan and Section 14 of the NPPF in pure land contamination terms.

## **Other Issues**

The concerns raised by objectors to the development, as outlined in the '*Representations*' section above, have been considered. A number of those set out above have been addressed in sections of the report above. However, the remainder are addressed below:-

- a) it is accepted that some disruption would probably be caused during the construction of the development if it was approved.. However, it would not be reasonable to refuse a planning application on such grounds. It is not envisaged that a residential development of this scale would generate an unacceptable level of noise once it was occupied, or that it would cause unacceptable air or light pollution,
- b) the proposals have recently been amended and the flats/houses would now meet the requirements of the Government's Technical Housing Standards governing room sizes.
- c) it is not envisaged that the nine additional properties created by this proposal would in themselves put an unacceptable strain on existing schools, community facilities or infrastructure,
- d) the submitted details are considered to be sufficiently accurate to enable the implications of the proposals to be properly judged,
- e) concerns about fire safety cannot currently taken into consideration when determining a planning application as this is not a recognised 'planning matter',

## 9. CONCLUSION

The proposals are for the conversion of the existing building into 6 apartments and 3 townhouses. The proposed development is considered to be acceptable in all respects or could be rendered so through the imposition of suitable conditions. The proposed development is in accordance with the NPPF and the Rossendale Local Plan

## 10. RECOMMENDATION

That Planning permission be approved subject to the following conditions:

## 11. CONDITIONS

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

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

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

Drawing Title	Drawing Number	Date Received
Location Plan and Proposed Block Plan	22-04-04-A	12/01/2023
Existing Block Plan	22-04-02	12/01/2023
Existing Ground and First Floor Plans	22-04-05-A	12/01/2023
Existing Elevations	22-04-07	12/01/2023
Proposed Ground First and Second Floor Plans	22-04-32-A	12/01/2023
Proposed Building Elevations	22-04-36-A	15/02/2023
Existing and Proposed Basement Floor Plans	22-04-09	07/03/2023
Bat Survey Report by Dominic Rigby (Dated: 18th August 2022)	JE 7728-22	12/01/2023
Construction Management Plan by MSC & James Grace Developments Ltd (Dated 22nd September 2022)		12/01/2023
Drainage Strategy and Assessment of Flood Risk by CFA Civils Ltd	CFC22048	12/01/2023
Cycle Storage Rack Details	Email	07/03/2023

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

3. No materials shall be used on the external elevations or roofs of the proposed development other than those referred to on the approved plans.

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

4. The surface water from the approved driveway/hardstanding/car park should be collected within the site and drained to a suitable outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

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

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

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

5. Deliveries to the approved development shall only be accepted between the hours of 9:00am and 3:00pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety.

6. No building or use hereby permitted shall be occupied or use commenced until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway (and/or verge) fronting the site in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety and accessibility.

7. 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, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

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



8. The garages and parking areas hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the households and shall not be used for any use that would preclude the ability of their use for the parking of private motor vehicles, 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.

Reason: To ensure that adequate parking provision is retained on site.

9. Any external source of lighting shall be effectively screened from the view of a driver on the adjoining public highway.

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

10. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be 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. The development shall be implemented in accordance with the approved details.

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

11. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and 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.

12. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

13. Before any development commences, full and final details of the proposed comprehensive hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.
  - a. Hard landscaping shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); retained historic landscape features and proposals for restoration.
  - b. Soft landscaping shall include full details of the schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate.
  - c. The scheme shall also include details of habitat mitigation enhancement measures such as bat and bird boxes which could be installed on the new buildings. Details of these shall be submitted to the LPA for approval in writing.

Reason: To ensure that the proposed scheme contributes to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in full.

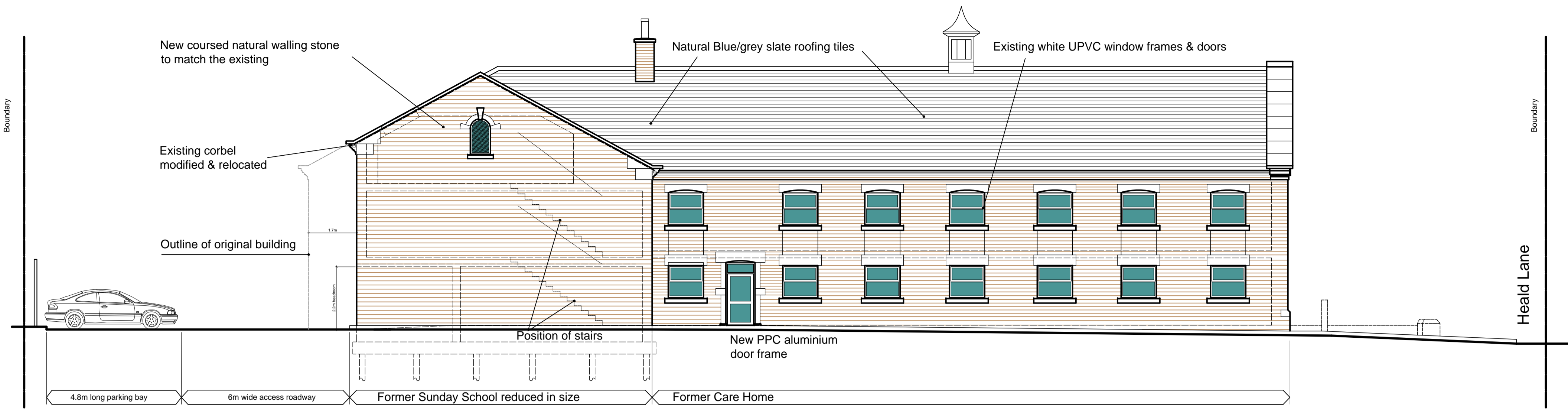
14. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development or in accordance with a programme approved in writing by the local planning authority.

Reason: In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings, and in order to ensure that the landscaping works proposed are carried out in full.

## 12. INFORMATIVES

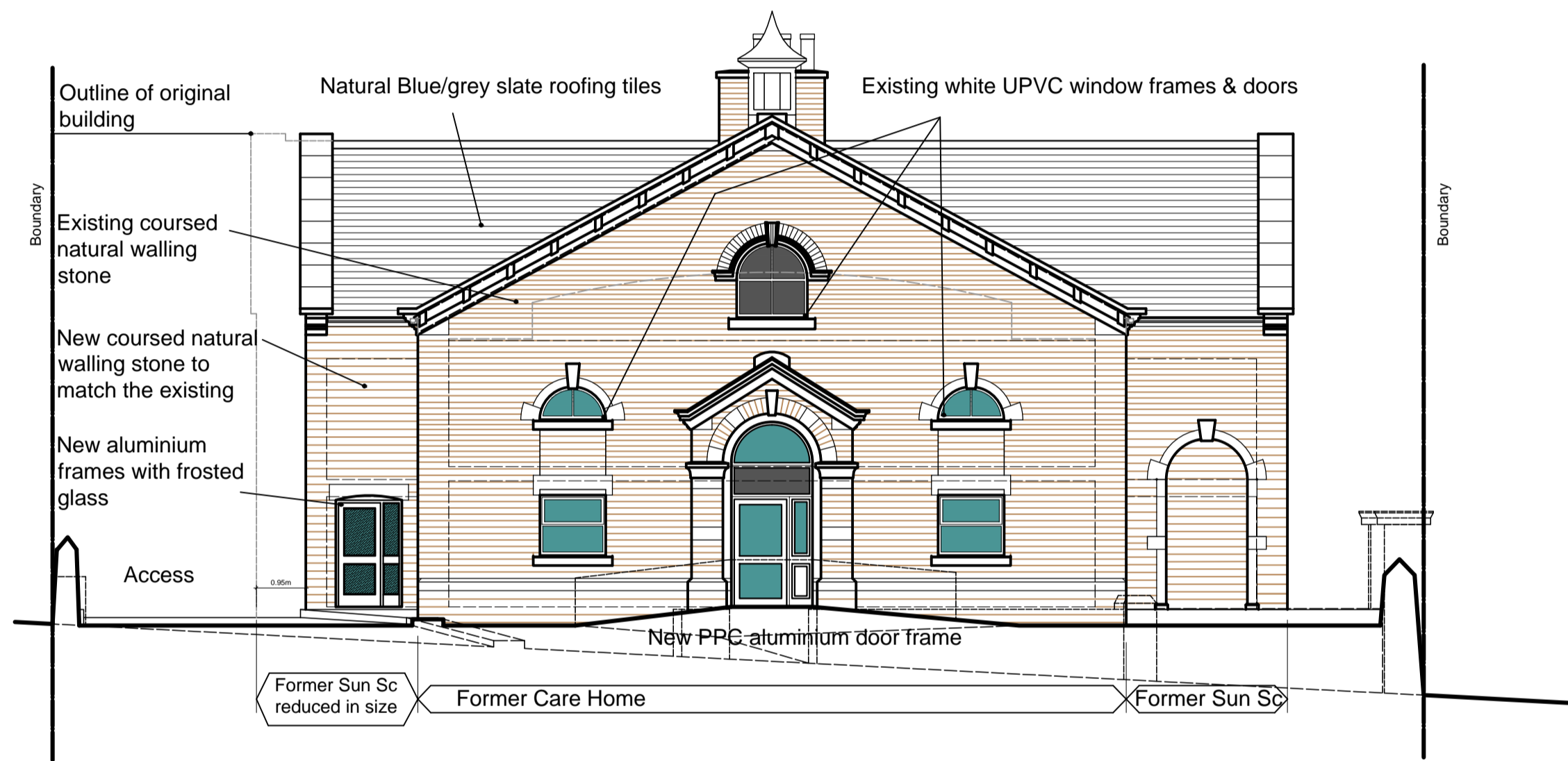
1. Through negotiation and amendments, the proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works.
3. The applicant is advised that the new site access and off site highway works, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for "278 agreement".
4. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433.
5. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.
6. 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.
7. 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 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.
8. The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

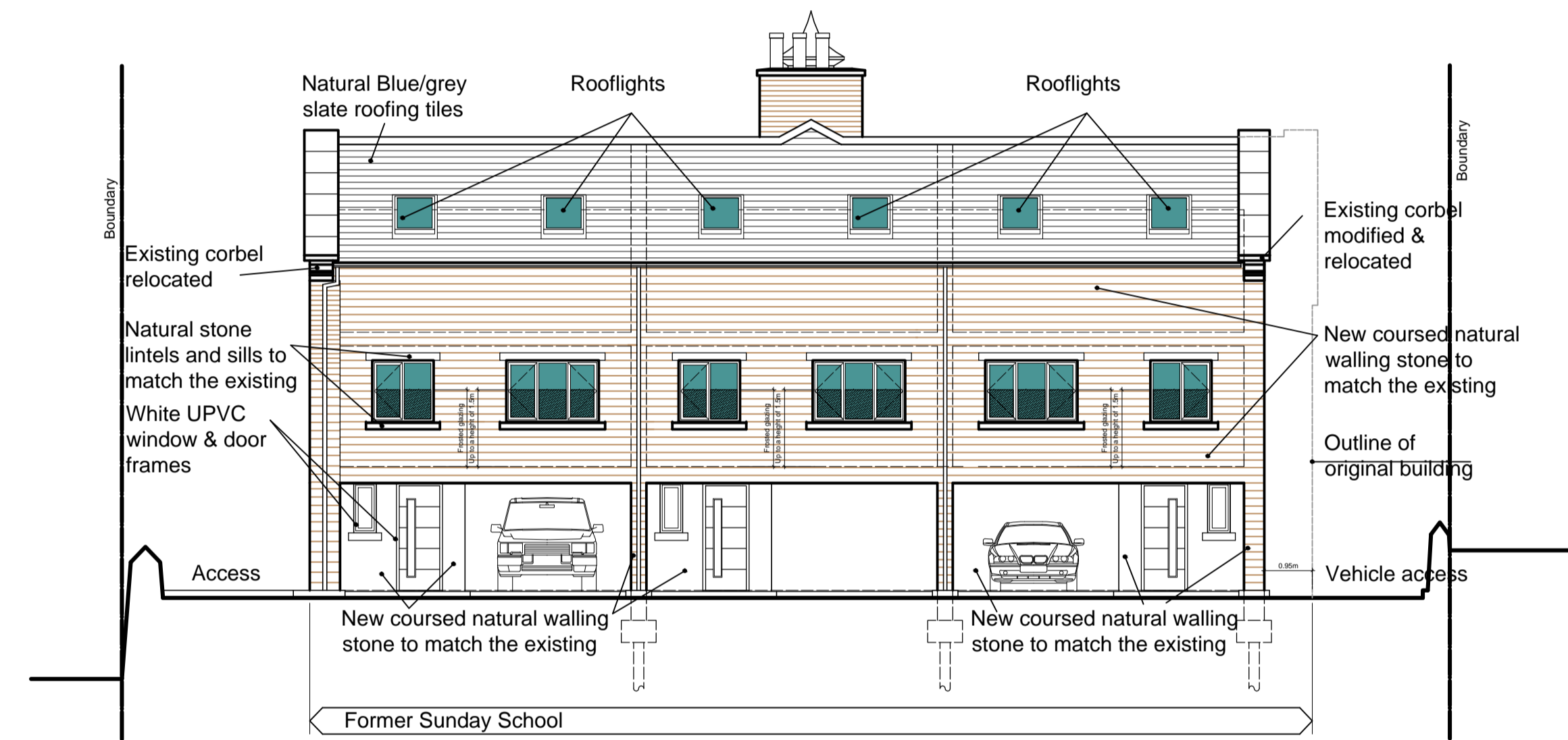


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  - Do not scale from prints. Use figure dimensions only.
  - Contractors to check all dimensions on site prior to commencement of works.
  - All works to be carried out in accordance with current statutory Health and Safety Regulations.
  - This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.
- | REV.  | AMENDMENTS  | DATE     |
|-------|---|----------|
| Rev A | Obscure glazing up to a height of 1.5m from finished floor level indicated to first floor windows of the North Elevation. | 23-02-15 |

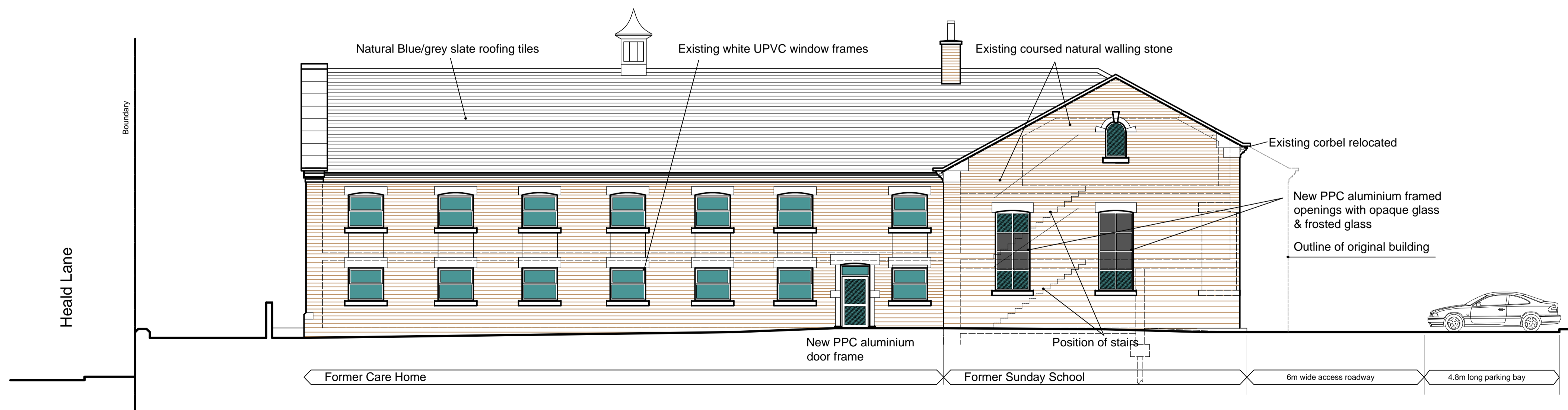
Proposed West Elevation



Proposed South Elevation



Proposed North Elevation



Proposed East Elevation

- Opaque glass
- Frosted glass
- Clear glass

Proposed Elevations @1:100



Project	PROPOSED NEW APARTMENTS: FORMER CARE HOME 10 HEALD LANE, WEIR, BACUP OL13 8NZ
Drawing	PROPOSED BUILDING ELEVATIONS
Client	MSC JG DEVELOPMENTS
Dwn. By	NP
Scale	1:100 @ A1
Drw. No.	22-04-36-A
Drw. Size	A1
Date	DECEMBER 2022



Proposed Block Plan @ 1:200 at A1



Location Plan @ 1:1250 at A1

NOTES

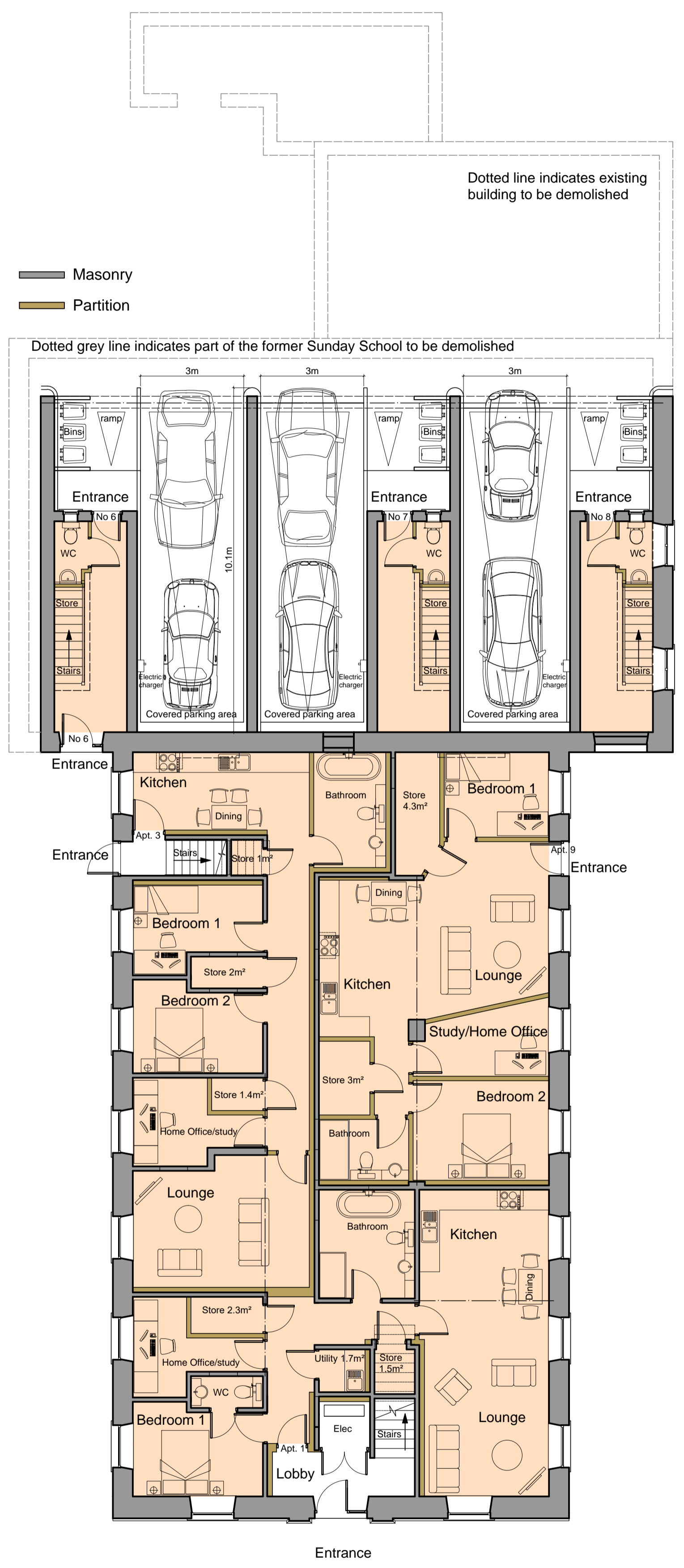
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REV.	AMENDMENTS	DATE
Rev A	Ground floor Plan altered	23-01-06

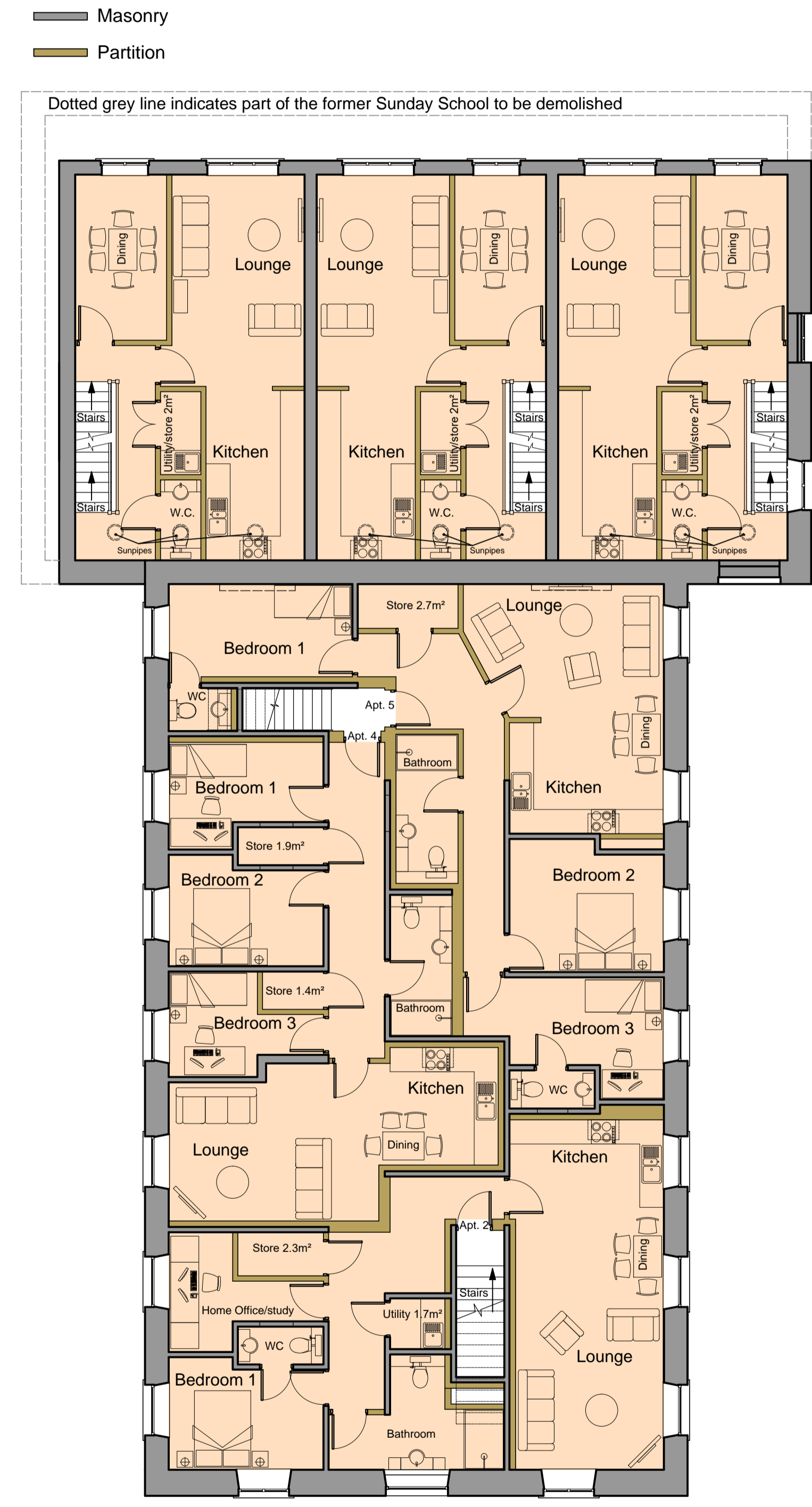
Project	PROPOSED NEW APARTMENTS: FORMER CARE HOME 10 HEALD LANE, WEIR, BACUP OL13 8NZ
Drawing	LOCATION PLAN & PROPOSED BLOCK PLAN
Client	MSC JG DEVELOPMENTS
Dwn. By	NP
Scale	1:1250 & 1:200 @ A1
Drg. No.	22-04-04-A
Drg. Size	A1
Date	DECEMBER 2022

- NOTES**
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  - Do not scale from prints. Use figure dimensions only.
  - Contractors to check all dimensions on site prior to commencement of works.
  - All works to be carried out in accordance with current statutory Health and Safety Regulations.
  - This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

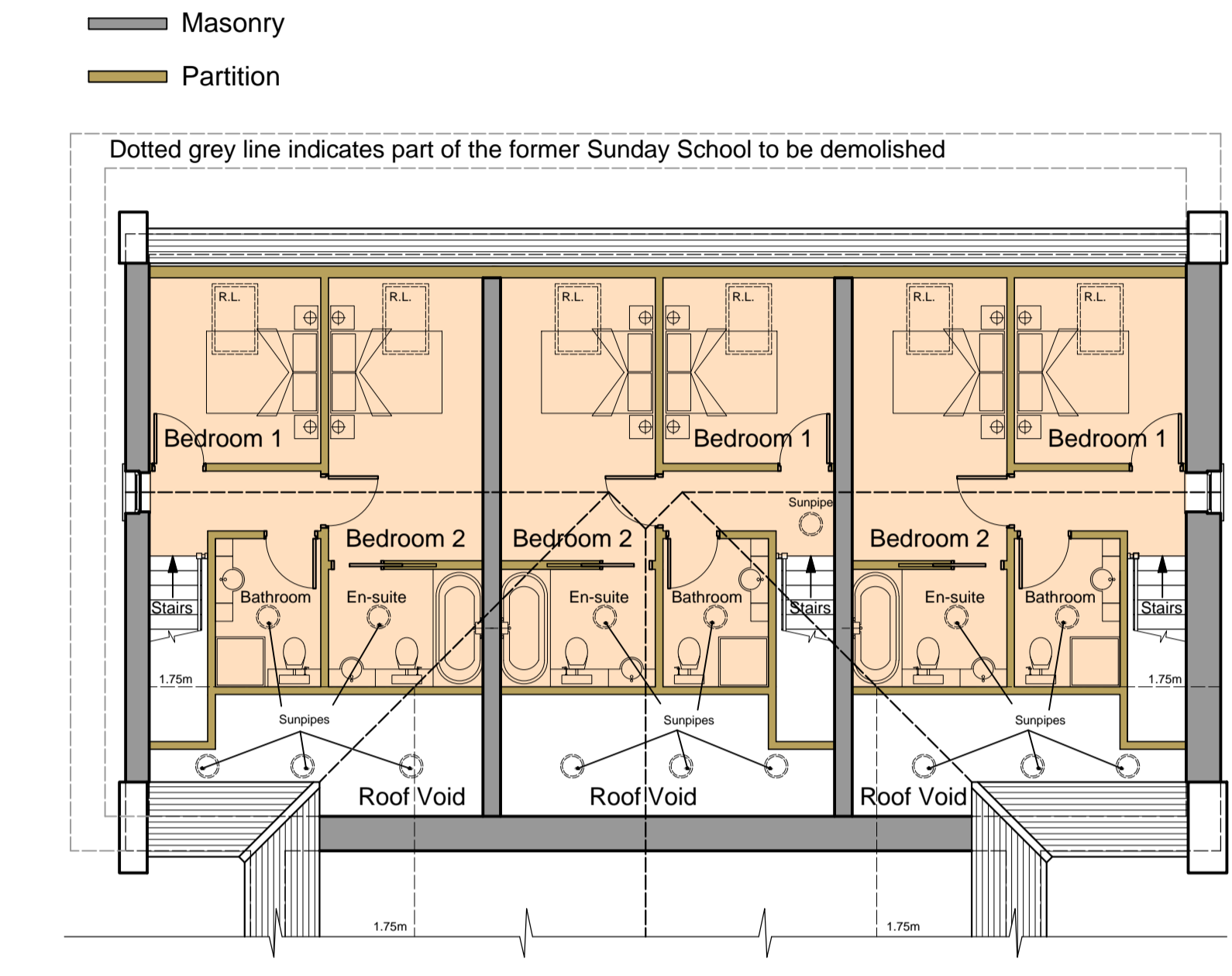
REV.	AMENDMENTS	DATE
Rev A	Minor room amendment	23-01-08



Proposed Ground Floor Plan



Proposed First Floor Plan

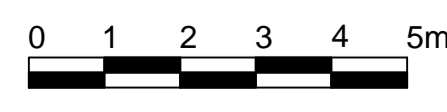


Proposed Second Floor Plan

**Net floor areas**

Apartment 1 (1 bed - 2 person)	81.0m <sup>2</sup> 872ft <sup>2</sup>
Apartment 2 (1 bed - 2 Person)	78.7m <sup>2</sup> 847ft <sup>2</sup>
Apartment 3 (2 bed - 3 Person)	85.2m <sup>2</sup> 917ft <sup>2</sup>
Apartment 4 (3 bed - 4 Person)	78.2m <sup>2</sup> 841ft <sup>2</sup>
Apartment 5 (3 bed - 4 Person)	89.8m <sup>2</sup> 966ft <sup>2</sup>
House 6 (2 bed - 4 Person)	102.3m <sup>2</sup> 1,101ft <sup>2</sup>
House 7 (2 bed - 4 Person)	102.3m <sup>2</sup> 1,101ft <sup>2</sup>
House 8 (2 bed - 4 Person)	102.3m <sup>2</sup> 1,191ft <sup>2</sup>
Apartment 9 (2 bed - 3 Person)	77.5m <sup>2</sup> 834ft <sup>2</sup>

Proposed Floor Plans @1:100



Project	PROPOSED NEW APARTMENTS: FORMER CARE HOME 10 HEALD LANE, WEIR, BACUP OL13 8NZ
Drawing	PROPOSED GROUND FIRST & SECOND FLOOR PLANS
Client	MSC JG DEVELOPMENTS
Dwn. By	NP
Scale	1:100 @ A1
Dwg. No.	22-04-32-A
Dwg. Size	A1
Date	JANUARY 2023



