

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:** 3<sup>rd</sup> September 2024

**Present:** Councillor Procter (Chair)  
Councillors Ashworth (sub), Bauld (sub), Hancock, Harris, Hodgkiss and Kenyon

**In Attendance:** Mike Atherton, Head of Planning  
James Dalglish, Principal Planning Officer  
Storm Grimshaw, Senior Planning Officer  
Yasmin Ahmed, Principal Legal Officer  
Sattar Hussain, Legal Officer

**Also Present:** 9 members of the public  
1 press

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Adshead (Councillor Bauld sub) and Councillor Eaton (Councillor Ashworth sub).

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on the 23<sup>rd</sup> July 2024 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

The following interests were declared:

- Councillor Hancock declared an interest in items B1 and B2 (minutes 5 and 6) as he was the Agent.
- Councillor Ashworth declared a non-pecuniary interest in item B4 (minute 8) as she was part of the Stacksteads Countryside Park Group.

**4. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

**PLANNING APPLICATIONS**

The Chair noted that the Planning Officers would be outlining the main points of the applications and any relevant additional information. The Committee were given copies of all reports and plans in advance of the meeting, which they had adequate time to read.

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**Councillor Hancock left the Chamber for the following two items.**

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**5. 2024/0247 - 189 Bacup Road, Rawtenstall (ITEM B1)**

The Planning Officer introduced the application as detailed in the report including the proposal, site details, representations and consultation responses received.

A proposal was moved and seconded to approve the application in line with the Officer's recommendation as detailed in the report.

Moved: Councillor Kenyon  
Seconded: Councillor Ashworth

Voting took place on the proposal, the result of which was as follows:-

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	0	0

**Resolved:**

That planning permission is granted subject to the following 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Application Form received 07.06.2024

Location Plan received 07.06.2024

Drawing No: 16017 1 - Existing Layouts received 07.06.2024

Drawing No: 16017 3 – Existing and Proposed Elevations received 07.06.2024

Drawing No: 16017.2 - Proposed Layouts received 07.06.2024

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

3. No materials shall be used on the elevations of the proposed development other than those referred to on the application form and drawings.

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

**6. 2024/0284 - 165 Bacup Road, Rawtenstall (ITEM B2)**

The Planning Officer introduced the application as detailed in the report including the proposal, site details and consultation responses received.

A proposal was moved and seconded to approve the application in line with the Officer's recommendation as detailed in the report.

Moved: Councillor Harris  
Seconded: Councillor Kenyon

Voting took place on the proposal, the result of which was as follows:-

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	0	0

**Resolved:**

That planning permission is granted subject to the following 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Application Form received 21.06.2024

Location Plan received 07.06.2024

Drawing No: 16017 1 - Existing Layouts received 07.06.2024

Drawing No: 16017 3 – Existing and Proposed Elevations received 07.06.2024

Drawing No: 16017.2 - Proposed Layouts received 07.06.2024

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

3. No materials shall be used on the elevations of the proposed development other than those referred to on the application form and drawings.

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

4. The new window proposed in the side elevation of the dwelling shall be fitted with obscure glass and shall be non-opening below a height of 1.7m from the associated floor level. Obscure glazing and a non-opening window in line with the above shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the Local Planning Authority.

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

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**Councillor Hancock returned to the Chamber for the remaining items.**

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**7. 2024/0223 - Development Site Former Forest Mill, Henrietta Street, Bacup (ITEM B3)**

The Planning Officer introduced the application as detailed in the report including the proposal, site details, relevant planning history and consultation responses received. The Planning Officer also brought members attention to the Update Report and amended numbering of the conditions, and also the comments detailed in the Further Update Report.

Mr Brown spoke in favour of the application. Members asked questions for clarification purposes only.

In determining the application, the Committee discussed the following:

- 2 variations of stone are similar or the same however not seen them
- Clarification on samples and being able to view on site
- Acceptability of stone will be discussed on a later application
- Natural stone to also be included in the sampling exercise

A proposal was moved and seconded to approve the application in line with the Officer's recommendation as detailed in the report and Update Report and an amendment to the conditions to include either the use of reconstituted stone or natural stone. The final decision on the stone

product to be used to be made by Officers in consultation with Members following an inspection of the alternative samples under a separate application for approval of the details reserved by the condition.

Moved: Councillor Kenyon  
 Seconded: Councillor Harris

Voting took place on the proposal, the result of which was as follows:-

FOR	AGAINST	ABSTENTION
7	0	0

**Resolved:**

That planning permission is approved subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date
Proposed Site Plan	102 Rev H	11/02/2021
Proposed Roof Plan	105 Rev A	07/08/2020
Proposed GA Plan	103 Rev C	29/01/2021
Proposed Elevations	104 Rev B	29/01/2021
Proposed Roller Shutter Details	107 Rev C	29/01/2021
Tree Pit Detail	D01	29/01/2021
Tree Pit Detail Hard	D02	29/01/2021
Landscape Plan	L01 Rev E	11/02/2021
Site Location Plan	100 Rev A	07/08/2020
Design and Access Statement	Issue 2 - January 2021	29/01/2021
Flood Risk Assessment		07/08/2020
Ecological Walkover Survey		07/08/2020
Noise Impact Assessment		07/08/2020
Transport Assessment and Travel Plan		07/08/2020
Planning and Retail Statement		27/08/2020

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

2. The sales area as shown on the approved Proposed GA Plan as listed at Condition 2 shall not exceed 1,315 square metres. The sales area shall be used primarily for the sale of convenience goods, with a maximum of 300 square metres used for the sale of comparison goods.

Reason: A greater area used for the sale of comparison goods has not been assessed. There is the potential for a retail use of the development with a different character to that assessed to harm investment in Bacup Town Centre and/or to harm the vitality and viability of the Town Centre.

3. The development shall be progressed in accordance with the remediation strategy approved under 2023/0443

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

4. Pursuant to condition 3 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

5. 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.

6. No further above ground construction shall take place until full details, including physical samples displayed on the site, of the following have been submitted to and approved in writing by the Local Planning Authority:

- Reconstituted or Natural pitched dark stone (1m x 1m panel)
- Reconstituted or Natural pitched light stone (1m x 1m panel). In any case, a sample of natural stone shall be provided for comparison purposes.
- Powder coated aluminium sheeting in RAL 7016
- Kingspan cladding in RAL 7012
- Composite cladding laid vertically in RAL 7012
- Service doors and fire escapes and shelter in RAL 7016
- Ribbon glazing and aluminium frame in RAL 7016

The development shall thereafter be implemented in strict accordance with the approved details.

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

7. All boundary treatment, plant enclosures, and railings, shall accord with the details approved under 2024/0075. All railings, cycle loops and trolley bay rails shall have a black finish. The development shall be constructed in accordance with approved details and they shall be retained or replaced with the same materials thereafter.

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

8. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, which has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting nesting birds

9. Invasive Plant species shall be dealt with in accordance with the details approved under 2023/0443.

Reason: Derelict sites adjacent to watercourses are high risk for such species. No mention is made of the presence of either species in the ecological report, but photographs in the ecological report, appear to show that Himalayan balsam at least is present.

10. All development, site clearance or earth moving that shall take place (or material or machinery brought on site) in accordance with the details approved under 2023/0492 to protect the River Irwell from accidental spillages, dust and debris. All approved measures shall be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: In the interests of protecting the nearby watercourse from pollution.

11. All development shall take place in accordance with the details approved under 2023/0492 to ensure there will be no negative impacts on the ecological status / potential of the River Irwell resulting from the disposal of foul water and surface water post-development.

Reason: In the interests of protecting the ecological potential of the nearby watercourse.

12. During the first planting season following the commencement of development, the approved Landscaping Plan and Tree Pit Plans, shall be carried out in full, in so far as they relate to the soft landscaping / planting and ecological features (bird nesting boxes).

Any trees, plants or shrubs so planted which die or are felled, uprooted, wilfully damaged or destroyed within ten years of the date of planting shall be replaced by the applicants or their successors in title.

Reason: The soft landscaping / planting details are approved, however the hard landscaping details e.g. paving materials, are not. To ensure a satisfactory form of development and to enhance the visual amenities of the locality.

13. Notwithstanding the submitted details, full details of all materials for external hard-surfaces related to the development, including the proposed shared pedestrian / cycle route on Henrietta Street, shall be submitted to (including physical samples displayed on the site) and approved in writing by the Local Planning Authority. The details shall include the delineation of the shared pedestrian / cycle route.

The works shall then be constructed in accordance with approved details, which shall be completed prior to opening, and shall be retained or replaced with the same materials thereafter.

Reason: Insufficient details have been submitted, and to ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in the interests of improving accessibility to the site for pedestrians and cyclists.

14. Prior to first opening, confirmation that the 'Measures for Sustainability' identified within the Design and Access Statement paragraph 7.7 have been incorporated into the development, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of minimising energy consumption and achieving sustainable development.

15. No construction works shall take place outside of the hours of Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00. There shall be no working on Sundays or Bank or Public Holidays.

Construction deliveries shall not take place outside of the hours of 09:30 to 16:00 Monday to Friday.

Reason: To protect neighbouring residents from loss of amenity and to avoid peak traffic on the surrounding highway network in the interests of highway safety

16. The food store hereby permitted shall only open for use by customers between 07:00 and 23:00 hours Monday to Saturday and 09:00 and 17:00 hours on Sunday.

Reason: To protect the residential amenity of neighbouring

17. Once operational, no deliveries (including waste collections) shall be taken at or despatched from the site outside the hours of Monday to Saturday 06.30 to 23.00 hours and Sundays 08.00 to 17.00 hours.

Reason: To protect the residential amenity of neighbouring properties.

18. The arrangements for any external lighting on the rear of the building shall be carried out in accordance with the details approved under 2023/0492. Thereafter the lighting shall be installed and retained in accordance with the approved details.

Reason: To protect the residential amenity of neighbouring properties and in the interests of the visual amenities of the area.

19. The proposed development shall comply with the details submitted under 2023/0523 (relating to the survey of the highway).

Any damage to the adopted highway shall be made good to the satisfaction of the Highway Authority prior to first opening of the food store.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

20. The development shall accord with the details of the Construction Management Plan (CMP) / Construction Method Statement approved under 2024/0492 (CMS).

The approved Construction Management Plan / 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

21. 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 shall be available as required, 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

22. Prior to first use of the food store, the footway (and/or verge) shall be reinstated to full kerb height, where any vehicle crossover(s) are redundant, 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: To maintain the proper construction of the highway and in the interest of pedestrian safety.

23. Prior to first use / opening, the following shall be submitted to and approved in writing by the Local Planning Authority:

- i) a scheme for the construction of the site access; and
- ii) full details of the off-site highway works, subject to detailed design.

Such details shall demonstrate no encroachment or narrowing of the footway on the east side of Market Street, to the north of Henrietta Street.

The development shall not be open for trade until the works have been completed in accordance with the approved details.

Reason: For reasons of highway safety in relation to construction traffic and customer traffic.

24. Prior to first occupation of the food store, the cycle parking (which shall be finished in black) shall be installed as detailed on the approved Site Layout Plan. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

25. Prior to first trading, the car park shall be surfaced / paved and marked out, and the cycling, motorbike facilities and EV charging points shall be provided in accordance with approved plans listed in Condition 2.

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

26. Prior to first trading, and pursuant to Condition 14, the proposed pedestrian / cycle link as shown on the approved plans, shall be implemented and thereafter retained as such.

Reason: In the interests of improving accessibility to the site for pedestrians and cyclists.



27. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk and Surface Water Drainage Assessment, Ref: No.: 3148-FRA, Rev: A, Dated: July 2020, By: Integra Consulting.

No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development.

The measures shall be fully implemented prior to first occupation and evidence of which submitted to the Local Planning Authority (in consultation with the Lead Local Flood Authority) prior to first occupation.

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.

28. The drainage strategy shall be implemented in accordance with the details approved under 2023/0523 and adhered to at all times.

The sustainable drainage strategy shall be implemented in accordance with the approved details prior to first occupation.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site

29. The flood action plan approved under 2023/0523 shall be implemented in accordance with the approved details and adhered to at all times.

Reason: To provide details of access/egress and how users of the development would remain safe during a flood.

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

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

31. Prior to first use, 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.

32. Surface water and pollution prevention shall be managed in accordance with the details submitted under 2023/0492 and will be managed during each construction phase.

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.

33. Prior to the first opening, a regime to include, but not limited to, the management of litter picking, provision of waste bins in suitable locations close to pedestrian / cyclist access and egress points, and arrangements for emptying the bins on a regular basis, for that unit shall be submitted to and approved in writing by the Local Planning Authority. The approved regime shall be adhered to at all times whilst the unit is in operation.

Reason: In the interests of the character and appearance of the area.

**8. 2024/0264 - Entrance to Railway Tunnels, Newchurch Road, Waterfoot (ITEM B4)**

The Planning Officer introduced the application and brought members attention to the Further Second Update Report. Following further discussions with the applicant, it had been confirmed that the applicant intends to carry out further work to produce a more detailed design proposal for the mural prior to a decision being made. Officers now recommend that the item be deferred to enable this process to take place, along with further public consultation on the final design prior to the application being determined.

A proposal was moved and seconded to defer the application in line with the Officer's recommendation as detailed in the Further Second Update Report.

Moved: Councillor Procter  
Seconded: Councillor Kenyon

Voting took place on the proposal, the result of which was as follows:-

FOR	AGAINST	ABSTENTION
7	0	0

**Resolved:**

That the application be deferred.

**9. 2024/234 - 2 Chelston Drive, Helmshore, Lancashire, BB4 4LB (ITEM B5)**

The Planning Officer introduced the application as detailed in the report including the proposal, site details, representations and consultation responses received.

Ms Moden spoke against the application. Members asked questions for clarification purposes only.

Mr Black spoke in favour of the application. Members asked questions for clarification purposes

only.

In determining the application, the Committee discussed the following:

- Conditions about controlling construction hours
- Discussion on dimensions and permitted development rights
- Party Wall Act outside the planning process

A proposal was moved and seconded to approve the application in line with the Officer's recommendation as detailed in the report and add conditions in regards to 1) controlling construction hours to (Mon to Fri 8am-7pm, Sat 9am-1pm and no working on Sunday/Bank Holidays) and 2) Materials not to be delivered during school drop off and pick up times)

Moved: Councillor Procter

Seconded: Councillor Kenyon

Voting took place on the proposal, the result of which was as follows:-

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That planning permission be approved subject to the following conditions:

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

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

- 2) The development shall be carried out in accordance with the submitted planning application form and the following drawings and documentation unless otherwise required by the conditions below:

OS SITE PLAN (REC 31/5/24)

EXISTING & PROPOSED PLANS & ELEVATIONS 2024/04-01 (REV C ) (REC 13/08/2024)

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 roof of the proposed development other than those referred to on the approved plans / application form.

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

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the North and South facing side elevations of the building/extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of

privacy

- 5) No construction works shall take place outside of the hours of Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00. There shall be no working on Sundays or Bank or Public Holidays.

Reason: To protect neighbouring residents from loss of amenity.

- 6) Construction deliveries shall not take place during the hours of 08:00 to 09:00 and 15:00 to 16:00 Monday to Friday.

Reason: To avoid peak traffic on the surrounding highway network in the interests of highway safety.

**10. 2024/0174 - Lavender Hills Care Home, Stubbins Vale Road, Ramsbottom (ITEM B6)**

The Planning Officer introduced the application as detailed in the report including the proposal, site details, relevant planning history, representations and consultation responses received. The Planning Officer also brought members attention to the additional conditions for inclusion detailed in the Update Report (conditions 28-31).

Mr Woollard spoke in favour of the application. Members asked questions for clarification purposes only.

Councillor Proctor read out Councillor Holland’s statement on the application.

In determining the application, the Committee discussed the following:

- Car parking and accessibility for residents and visitors
- Environmental impact and sustainable measures forming part of the scheme
- Statutory Biodiversity Net Gain

A proposal was moved and seconded to grant planning permissions in line with the Officer’s recommendation as detailed in the report and Update Report.

Moved: Councillor Kenyon

Seconded: Councillor Ashworth

Voting took place on the proposal, the result of which was as follows:-

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

Members grant planning permission subject to the following conditions:

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

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

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

<b>Drawing Title/Document</b>	<b>Drawing No./Reference</b>	<b>Date</b>
Location Plan	00 Rev P4	18/04/2024
Proposed Site Plan	02 Rev P16	17/05/2024
Proposed Basement Plan	07 Rev P7	18/04/2024
Proposed Lower Ground Floor Plan	08 Rev P6	18/04/2024
Proposed Ground Floor Plan	09 Rev P5	18/04/2024
Proposed First Floor Plan	10 Rev P6	18/04/2024
Proposed Roof Plan	11 Rev P4	18/04/2024
Proposed Elevations	12 Rev P7	17/05/2024
Proposed Elevations 2	13 Rev P7	17/05/2024
Proposed Sections	14 Rev P4	18/04/2024
Proposed Site Plan External Works	15 Rev P2	17/05/2024
Proposed Cycle Store Plans & Elevations	16 Rev P1	18/04/2024
Landscape Strategy Plan	CSA/6832/104 Rev D	30/04/2024
Landscape Design Statement	CSA/6832/02	April 2024
Tree Survey, Arboricultural Implications Assessment & Method Statement	232036/A2/AIA/AMS Rev A	15/04/2024
Travel Plan prepared by Focus TP	J000359-TP01	February 2024
Drainage Strategy and Flood Risk Assessment	8749-ADS-XX-XX-RP-C-500 P1	January 2024
Phase 1 Preliminary Risk Assessment	23-8749	January 2024

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

3. Prior to the commencement of above ground construction, full details (including physical samples and supporting trade literature) of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Bradstone Square Dressed Buff colour reconstituted stone
- Contrasting stone to windows and door headers
- Windows and doors
- Metal Fascias
- Rainwater goods
- Roofing materials

The development shall thereafter be implemented in strict accordance with the approved details and they shall be retained as approved thereafter.

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

4. Prior to the commencement of development, using the principles contained within the Landscape Design Statement (ref. CSA/6832/02) and Landscape Strategy Plan as shown on drawing no. CSA/6832/104 Rev D, a full scheme of hard (including all external ground surfacing materials) and soft landscaping, including tree planting, grass seed/turf mix, plant numbers, locations, mix, etc., a specification for depth of soil and its cultivation and the setting out, planting, staking, protection and mulch of the ornamental stock, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include full details of any seating, outbuildings or other recreational amenities such as the children's play

area etc. The development shall proceed in strict accordance with the approved landscaping scheme.

Hard landscaping forming part of the approved scheme shall be completed prior to first occupation of the development. All soft landscaping and planting forming part of the approved scheme shall be undertaken in accordance with a timetable of implementation which shall be provided with the submitted details.

All trees lost as a result of the development shall be replaced with compensatory planting using native species at a ratio of at least 2:1 or higher where deemed necessary by the Local Planning Authority in consultation with their Landscape Consultant.

Any shrubs/trees removed, dying or becoming seriously damaged, or diseased within 10 years of planting shall be replaced by plants of a similar size or species.

Reason: Insufficient information has been submitted with the application in relation to landscaping, in the interests of visual amenity, neighbour amenity and biodiversity, and to ensure compliance with Policy SD4 and Policy ENV5 in regards to Green Belt compensation and Green Infrastructure respectively.

5. Prior to the commencement of development full details of all retaining structures, including their appearance, materials, planting and maintenance / management proposals, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details, and shall be managed / maintained thereafter as such.

For the lifetime of the development, any planting or foliage fitted within retaining structures (i.e. proposed Kriblok retaining wall) removed, dying or becoming seriously damaged, or diseased or failing to establish within the retaining wall shall be replaced by plants/foilage of a similar size or species. All soft landscaping and planting forming part of the approved scheme shall be undertaken in accordance with a timetable of implementation which shall be provided with the submitted details.

Reason: Insufficient information has been submitted with the application in relation to the appearance, materials and planting proposals for the retaining structures forming part of the development, and in the interests of visual amenity.

6. Prior to commencement of the development, full details of the alignment, height and appearance of all fences, walls, gates and other boundary treatments/means of enclosure to be erected (notwithstanding any such detail shown on the submitted plans) shall be submitted to and approved in writing by the Local Planning Authority.

All fences, walls, gates and other boundary treatments/means of enclosure shall be erected in accordance with the approved details prior to first occupation of the development hereby approved.

Reason: Insufficient information has been submitted with the application in relation to all boundary treatments forming part of the development, and in the interests of visual amenity.

7. Prior to commencement of the development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved

plan shall include details of how the nearby Biological Heritage Site named 'Lower Red Lees, Buckden Wood and Ox Hey' will be adequately protected during construction.

The development shall thereafter proceed in strict accordance with the approved Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the nearby Biological Heritage Site is adequately protected during construction.

8. No works to trees or shrubs shall occur or building works commence between the 1st March and 31st August in any year unless a nesting bird survey method statement by a suitably experienced ecologist has first been supplied to and agreed in writing by the Local Planning Authority.

Reason: To protect nesting birds.

9. Prior to any earthworks or vegetation clearance a reasonable avoidance measures method statement for mammals including badger and other wildlife shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter proceed in strict accordance with the approved statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect wildlife.

10. Prior to any earthworks or machinery being brought on site a statement detailing biosecurity protocols and control measures for Himalayan balsam shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter proceed in strict accordance with the approved statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To suitably control or eradicate Himalayan balsam.

11. Prior to first use or occupation of the development hereby approved full details of measures to mitigate for the loss of existing bird nesting habitat and bat roosting habitat shall be submitted to and approved in writing by the Local Planning Authority.

The approved mitigation measures shall be implemented prior to substantial completion of the development.

Reason: To mitigate for the loss of bird nesting and bat roosting habitat.

12. No development shall commence until a Landscape and Ecology Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall confirm the management and maintenance of any soft landscaping not covered by the statutory biodiversity condition.

The development shall thereafter proceed in strict accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure on-site habitats of low ecological value are appropriately managed and maintained in the long term.

13. 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 Phase 2 Site Investigation report shall 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 (including verification plan) 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 to ensure the site is suitable for the proposed end use.

14. Pursuant to condition 13; and prior to first use or occupation a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate risks associated with land contamination and to ensure the site is suitable for the proposed end use.

15. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing and street sweeping / cleaning facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Routing of delivery vehicles to/from site – taking into account the 14'3" or 4.3m height clearance under the railway bridge on Bolton Road North A676.

Reason: To mitigate the impact of the construction traffic on the highway

16. Prior to commencement of the development hereby approved the vegetation within the visibility splay at the site access junction Stubbins Vale Road measured X 2.4m by Y 43m in both directions along Stubbins Vale Road shown on drawing J000359/SK01 shall be reduced in height to a maximum of 1m above the carriageway of Stubbins Vale Road and maintained thereafter for as long as the development is occupied.



Reason: To ensure a safe access to the site.

17. Prior to first use of the development hereby permitted the parking and turning areas shall be laid out in accordance with the submitted plans. The parking and turning areas shall thereafter be retained for the lifetime of the development, and kept available for use as such.

Reason: To ensure adequate car parking and turning.

18. Prior to first use of the development hereby permitted the secure covered cycle store shall be provided and maintained thereafter for that purpose for the lifetime of the development.

Reason: To support sustainable travel.

19. 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 surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment (January 2024 / 8749-ADS-XX-XX-RP-C-500 P1 / ADS Structural) and indicative surface water sustainable drainage strategy (January 2024 / 8749-ADS-XX-XX-RP-C-500 P1 / ADS Structural) 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. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
- iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;

- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
  - iv. Drainage plan showing 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 building and connecting cover levels to confirm minimum 150 mm+ 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, protect groundwater and surface waters, and deliver 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 infiltration rates and groundwater levels in accordance with BRE 365.
- d) Evidence of an assessment of the existing on-site watercourse be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

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 Paragraphs 173 and 175 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

20. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved details for the duration of construction.

Reason: 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 surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 173 of the National Planning Policy Framework.

21. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual 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 in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water 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 sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 175 of the National Planning Policy Framework.

22. The occupation of the development shall not take place until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail

any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water 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 the requirements of Paragraphs 173 and 175 of the National Planning Policy Framework.

23. No development shall commence until all the retained trees within the site as shown on the Tree Protection Plan, have been protected. Such protection shall be installed in accordance with the specification described in the AIA and AMS document, in the positions as shown at Tree Protection Plan, and shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such fencing.

Reason: To protect existing trees.

24. No construction deliveries, external running of machinery, or construction works shall take places on the site other than between the following hours:

- Monday to Friday 07:300 to 18:00

Construction hours shall not be permitted on Saturdays, Sundays or Bank or Public Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours.

25. Prior to first use or occupation of the development hereby approved, full details of how the measures identified within sections 7.2 and 7.3 of the approved Travel Plan (ref. J000359-TP01) have been investigated and implemented (where appropriate) shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall be implemented in strict accordance with the details set out within the document.

Reason: To support sustainable travel.

26. Prior to first use or occupation of the development hereby approved, full details of how waste from the development will be stored and managed shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be implemented in strict accordance with the approved details and they shall be retained as approved thereafter.

Reason: To ensure waste from the development is appropriately stored and managed for the lifetime of the development.

27. The Biodiversity Gain Plan shall be prepared in accordance with the following:

- Biodiversity Net Gain Report V.5 dated 22.05.2024
- Landscape Strategy Plan no. CSA/6832/104 Rev D dated 30.04.2024

Reason: To ensure the Biodiversity Net Gain Plan is prepared in accordance with the submitted details listed above.

28. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
- a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the approved Biodiversity Gain Plan is delivered and to ensure the habitat created in line with the approved HMMP is appropriately managed and monitored for 30 years from the completion of the development hereby approved.

29. No part of the development hereby approved shall be occupied until:
- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
  - b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure the habitat creation and enhancement works set out in the approved HMMP are completed to the satisfaction of the local planning authority.

30. Monitoring reports shall be submitted to and approved in writing by the local planning authority in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy ENV4 of the Local Plan.

**The meeting concluded at 7.52pm**

**Signed:**  
**(Chair)**

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**Date:**

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