

Application Number:	2023/0553	Application Type:	Full
Proposal:	Change of use and conversion of commercial unit to 14no. apartments - previously approved application 2019/0101.	Location:	Glen Top Works Newchurch Road Stacksteads Bacup Lancashire
Report of:	Head of Planning and Building Control	Status:	For Publication
Report to:	Development Control Committee	Date:	12.11.2024
Applicant:	Glen Top Developments Ltd	Determination Expiry Date:	21.05.2024 EoT agreed to 15.11.2024
Agent:	James Campbell Associates Ltd		

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

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Members resolve that they would be minded to grant planning permission (subject to the conditions contained in this report and that the determination of the application hereafter be delegated to the Head of Planning as follows:

- (1) To complete a suitable Section 106 Agreement to secure:
 - A financial contribution of £33,796.00 towards public open space / playing pitch provision (final location of spending to be agreed).
 - A financial contribution of £5,000 to compensate for Green Belt release / development.
- (2) To carry out drafting amendments to, or delete, any planning condition, insert any other required planning conditions, and to carry out any further amendments, variations or alterations to the S.106 Agreement as required.
- (3) To have discretion to refuse planning permission in the circumstance that the Section 106 Agreement is not completed within six months of the resolution to grant planning permission.
- (4) That upon satisfactory completion of the above legal agreement that planning permission be granted subject to the conditions contained within this report or as amended by (2) above.

APPLICATION DETAILS

2. SITE

The application relates to a substantial two-storey commercial building of natural stone construction (with an attached lower two-storey element of artificial stone construction), which is accessed directly off Newchurch Road. The main part of the building has a slate roof, whereas the roof of the lower part is constructed of corrugated sheeting.

It is understood that most of the building itself has unused for several years.

To the east of the site are residential properties of various scale and construction, some are fronting the main road directly, and some are set back in their own grounds. To the south across Newchurch Road there is a car sales and repair business with a substantial forecourt.

To the west of the site is The Glen, a scenic cutting through which Newchurch Road passes, which also hosts a series of railway tunnels which have undergone renovation to form a cycleway. To the north of the site is open countryside.

The site lies entirely within an area of land designated as Green Belt.

3. RELEVANT PLANNING APPLICATION HISTORY

1975/0547 - Extension to warehouse and offices. (Approved)

X/1992/490 - Change of use to footwear manufacturing & wholesale & retail.
(Refused)

2011/0381 - Change of Use of the car park within the grounds of Village Pine to a car washing facility (retrospective). (Refused)

2011/0385 - Provision of Advertisement Signs (Retrospective). (Refused)

2012/0073 - Change of use of car park within the grounds of Village Pine to be used as a car washing facility (retrospective). Resubmission of 2011/0381. (Approved)

2013/0309 - Erection of canopy/undercover work area for use with car wash and valeting business (Withdrawn)

2013/0412 - Erection of canopy/undercover work area for use with car wash and valeting business (Approved)

2019/0101 - Change of use and conversion of Commercial Unit to 14 no. Apartments, with associated works. (Approved)

2022/0009 - Non-material amendment pursuant to planning permission 2019/0101 to enable minor reconfiguration of entrance to new extension, minor changes to fenestration to rear elevation and the addition of 3no. additional parking spaces. (Approved)

2023/0046 - Approval of Details Reserved by Conditions 9 (site access and the off-site works of highway improvement), 12 (surface water drainage scheme), 14 (investigation and risk assessment), and 16 (samples of all new facing materials) pursuant to Planning Approval 2019/0101. (Approved)

4. PROPOSAL

Planning permission is sought for the conversion of the existing buildings on site into a 14 no. new one-bedroom apartments, as approved in the previous application in 2019.

The proposed scheme would involve the reconfiguration of the internal layout of the buildings, the demolition of the existing storage extension on the western side of the buildings, and alterations to the external appearance of the buildings including changes to fenestration and the construction of balconies on the front and rear elevations.

The existing taller two storey building would retain its natural coursed stone finish, with repairs where necessary using matching stone and slate.

The lower part of the building would have its artificial stone walls replaced with reclaimed natural coursed stone walls to its lower half, and the upper half would be clad with grey slate. A new standing seam zinc roof (with a shallow mono-pitch sloping from front to back) would be installed over the lower part of the building. The proposed balconies would have frameless glass balustrades on stainless steel supports.

New timber window and door units would be installed throughout the building.

A site plan has been submitted which shows dedicated car parking spaces provided at the front of the development, on the existing forecourt and in the space cleared by the demolition of the storage building.

The application is accompanied by a full landscaping and boundary treatment layout plan, which shows that there will be a number of areas of new planting (shrubs and turf) on the site. The plan also shows that a natural stone flag (Scout Moor stone) walkway will be formed around the perimeter of the building.

On the boundary fronting the highway, the existing stone wall will be repaired where necessary and would be topped by 300mm galvanized steel railings. The wall would incorporate a pedestrian gate towards the eastern end of the site, beyond which the footway would be widened.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 4 Decision Making
Section 5 Delivering a sufficient supply of homes
Section 9 Promoting Sustainable Transport
Section 11 Making Effective Use of Land
Section 12 Achieving Well Designed Places
Section 13 Protecting Green Belt Land

Development Plan

Local Plan Policies

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
Policy SD2: Urban Boundary and Green Belt
Policy SD3: Planning Obligations
Policy SD4: Green Belt Compensation
Policy HS3: Affordable Housing
Policy HS5: Housing Standards
Policy HS6: Open Space Requirements in New Housing Developments
Policy HS7: Playing Pitch Requirements in New Housing Developments
Policy HS8: Private Outdoor amenity space
Policy HS12: Conversion and Re-Use of Rural Buildings in the Countryside
Policy EMP3: Employment Site and Premises
Policy ENV1: High Quality Development in the Borough
Policy TR4 Parking

Other material considerations

National Planning Practice Guidance.
Climate Change SPD.
Conversion and re-use of buildings in the countryside SPD.
Open Space and play equipment contributions SPD.
Re-use and re-development of employment land SPD.
Compensation Measures for Green Belt Release document.

6. CONSULTATION RESPONSES

Consultee	Response
LCC Highways	No objection subject to conditions and informatives
RBC Environmental Health	No comments
RBC Operations	No objections
Ecus (Trees)	No objection subject to conditions
LLFA	No objection subject to conditions and informatives
LCC Education	No contribution required
United Utilities	No objection subject to conditions
GMEU (Ecology)	No objection subject to conditions and informatives

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 27.02.2024 and neighbour letters were posted out on 20.02.2024. A notice also appeared in the Rossendale Free Press on 08.03.2024

There was 1 representation made as follows:

I have previously objected to a loss of privacy as the proposed balcony of apartment 6 in the existing building overlooks an en-suite bathroom in our home. This was addressed via the proposed installation of a 2m opaque glazed panel on the side of the affected balcony.

By reviewing the latest plans, we have realised that the balcony of apartment 5 of the extension building will also overlook the same en-suite bathroom. This is due to the new part of the building not being in line with the existing building. We have only just noticed this issue due to the removal of trees by the developers on the site last year which originally obscured the view but which, in removing the trees, now further exposes our home to being overlooked.

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Neighbour Amenity;
- 4) Access, Parking and Highway Safety
- 5) Planning Contributions
- 6) Ecology
- 7) Trees

Principle

Loss of Employment Land

It is understood that the building in question has not been used for any significant commercial activity associated with the former furniture manufacturing business for several years.

Policy EMP3 includes a number of criteria which applications for loss of employment land must be assessed against.

The principle of the loss of employment land has already been established through the granting of planning permission (2019/0101) for change of use and conversion of a commercial unit to 14 no. apartments, with associated works.

There is very little difference between the scheme previously approved and this application.

Residential

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

Paragraph 11 of the Framework makes clear that for decision taking this means:

- “c) Approve development proposals that accord with an up to date development plan without delay; or*
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

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

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

Paragraph 11(d)(ii) is engaged i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

An assessment in relation to the above will be made at the end of this report.

The site is located outside of the urban boundary in Green Belt.

Sustainable Development and Benefits of the Proposed Scheme

The Framework contains a presumption in favour of sustainable development, and as such a key consideration in this case is whether the proposed scheme represents sustainable development or not.

The site is located around 700m from the nearest local shops and services in Waterfoot, and is located on a main bus route which carries several frequent services to town centres within and outside of the Borough. There are bus stops in either direction on Newchurch Road located around 170m from the site.

Given the location of the site on a quality bus route, and relatively close to Waterfoot centre it is considered that the development would be sustainably located, in line with paragraph 11 of the Framework. The proposed development would deliver a significant number of new residential units on a brownfield site in a sustainable location - a benefit to which appropriate weight must be afforded in the planning balance, as it will help to address a recognised borough-wide housing need.

Green Belt Policy

The site is located in an area of countryside designated as Green Belt.

The Framework states that *inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

It advises that when considering any planning application, local planning authorities should ensure that *substantial weight is given to any harm to the Green Belt.*

The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a limited number of exceptions as set out in the Framework.

Given that the proposed scheme would not strictly involve any new buildings or any significant extension of existing buildings, and that the existing building is of permanent and substantial construction, it is not considered that the scheme would conflict with Section 13 of the Framework in respect of development within the Green Belt.

Visual Amenity

Policy ENV1 of the Local Plan seeks to promote high quality design in the Borough, and includes a varied set of criteria with which development proposals need to comply.

Paragraph 135 of the Framework states that planning decisions should ensure that developments:

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

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

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

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

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

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

The proposed scheme includes several alterations to the existing building, and the demolition of the single storey storage extension on the western end of the building.

The scheme would retain the taller part of the building (constructed of natural coursed stone) as it currently stands, albeit including changes to fenestration and repair works.

The lower part of the building would have its artificial stone walls replaced with reclaimed natural coursed stone walls to its lower half, and the upper half would be clad with grey slate. A new standing seam zinc roof (with a shallow mono-pitch sloping from front to back) would be installed over the lower part of the building.

The proposed alterations to the building are considered to be acceptable, and it is considered that the proposed changes to the lower portion would constitute a significant improvement in terms of appearance over that of the existing structure.

The new proposed windows on the ground floor of the lower building will have stone heads and sills to match those on the main building, whereas the windows at first floor level will not (they will be set within the proposed slate cladding). Such contrast is in this case considered acceptable, as it responds appropriately to the marked difference in style between the proposed traditional stone ground floor and the more contemporary first floor level. Similarly, the use of contemporary frameless glass balustrades at first floor level on the front elevation is appropriate having regard to the design of that part of the building.

The proposed scheme of landscaping and boundary treatment is appropriate, and it is considered necessary to include a condition to ensure that all planting / landscaping is carried out prior to first occupation of any of the proposed apartments.

This is acceptable in terms of visual amenity. The proposal is in accordance with the NPPF and Policy ENV1 of the Rossendale Local Plan in respect of visual amenity.

Neighbour Amenity

One of the key objectives of the Framework is “*a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by*

fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being”

The Rossendale Local Plan advises that *“The NPPF identifies as one of its core planning principles, that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”* Access to outdoor amenity space, particularly green space, is important for quality of life, health, biodiversity and provide play space for children and young people. It is therefore important that all residential development, including all new homes, residential care homes and other residential institutions provide outdoor amenity space for residents.

Policy HS8 of the Local Plan states:

“All new residential development should provide adequate private outdoor amenity space. This should be in the form of gardens unless the applicant can demonstrate why this is not achievable and proposes a suitable alternative. “

Policy ENV1 (c) requires development to be *sympathetic to surrounding land uses, avoiding demonstrable harm to the amenities of a local area*; and (d) states that *the scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive, overlooking, or resulting in an unacceptable loss of light;-nor should it be adversely affected by neighbouring uses and vice versa*;

Given the siting and orientation of the existing building in relation to neighbouring properties to the east, it is unlikely that the proposed scheme would result in any significant loss of light or outlook for neighbours.

However, there are several proposed windows on the east side elevation of the main building which would serve habitable rooms in the proposed apartments. These windows would allow direct overlooking of the neighbouring house and garden to the east of the site.

It is noted however that the plans state that acid-etched (obscure glazed) non-opening windows will be used in all windows on the elevation in question. Subject to a condition requiring the use of such glazing, it is not considered that the windows in question will cause an undue loss of privacy for neighbouring residents. All affected rooms have an additional window either to the front or rear elevation and as such Officers are satisfied that the use of obscure glazing to the windows on the side elevation will not create an unacceptable loss of outlook from the habitable rooms to the proposed occupiers.

A comment was received from a neighbouring resident, who raised concern over a loss of privacy due to the balconies proposed at first floor level on the rear elevation of the building.

In response to the above, the case officer has liaised with the applicant's agent, resulting in submission of an amended plan showing that the balconies in question will be fitted with a 2m high obscure-glazed privacy screens. It is considered that the proposed screens will adequately mitigate any impact on the privacy of neighbouring residents.

In terms of private outdoor amenity space, there are areas within the site that are landscaped and can be used as outdoor amenity space for the development. Given the existing layout of the site, it is not considered that any further private outdoor amenity space can be achieved.

Policy HS5 relates to Housing Standards and requires 20% of dwellings on developments of 5 or more dwellings to meet Optional Standards M4 (2) of the Building Regulations. It is expected that 3 dwellings would be provided to meet M4(2) standards. This can be secured by condition.

In view of the above it is considered that the proposals as amended will safeguard the residential amenities currently enjoyed by the occupiers in the immediate vicinity and provides a suitable amenity for future occupiers. It is therefore considered that the proposal satisfies the requirements of Policies HS8, ENV1, and ENV6 of the Rossendale Local Plan in neighbour amenity terms.

Access, Planning and Highway Safety

The Local Highway Authority has raised no objection to the scheme subject to conditions including:

- *Surfacing / marking out of car park prior to first occupation.*
- *Cycling facilities to be provided prior to first occupation.*
- *No development to commence until a scheme of off-site highway works and site access has been submitted and approved.*
- *No occupation of the development until the above scheme has been implemented.*

The above conditions are considered appropriate, and are necessary to make the development acceptable in terms of access, parking and highway safety. The proposed development is in accordance with the Rossendale Local Plan and the NPPF in terms of highway access, safety and parking.

Planning Contributions

In accordance with the requirements of Policy SD3 of the Rossendale Local Plan and the Open Space and Play Equipment Contributions SPD, the applicant has agreed to meet the following contribution:

- Open space and play equipment contribution of £2,414 per apartment (totalling £33,796).

The above contribution is necessary to make the development acceptable (in accordance with Policy SD2, HS6 and HS7 of the Rossendale Local Plan.

It is therefore considered appropriate to require the signing of a Section 106 Agreement prior to planning permission being granted, in order to secure the contributions.

No contribution has been requested by Lancashire County Council to supplement education provision.

In relation to affordable housing, the proposed development is eligible for Vacant Building Credits. The below calculations below identify how many Affordable Units should be provided on-site:

Difference between proposed and existing: $833\text{sqm} - 1270\text{sqm} = -437\text{sqm}$

Divided by proposed floorspace: $-437\text{sqm} / 833\text{sqm} = -0.52$

Multiplied by affordable housing requirement: $-0.52 * 30\% = -15.6\%$

Once the Vacant Building Credits have been applied this results in an Affordable Housing requirement of -15.6%, a negative result means that no contribution will be sought.

Policy SD4: Green Belt Compensatory Measures in the Rossendale Local Plan 2019 to 2036 states that “where land is to be released for development, compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land will be required”.

Planning Practice Guidance (PPG) on Green Belt states “compensatory improvements may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and may include:

- a) new or enhanced green infrastructure¹;
- b) woodland planting;
- c) landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);
- d) improvements to biodiversity, habitat connectivity and natural capital; e) new or enhanced walking and cycle routes; and f) improved access to new, enhanced or existing recreational and playing field provision.

It should be noted that there are specific measures that will be necessary in order to make developments acceptable, and these will not be considered for Green Belt compensation. These Green Belt compensatory measures relate to making improvements to the remaining Green Belt.”

Developers need to show clearly how they are proposing to address Green Belt compensation, and explain how this is additional to the other measures that they will be proposing in order to meet Biodiversity Net Gain, and other requirements.

Whilst this site is not an allocated site, Policy SD4 still applies. Compensation Measures in the form of a contribution of £5,000 have been requested from the developer for habitat enhancement at the land opposite the application site which is also in the Green Belt, with public access.

The specific enhancements will relate to:

- Ash die-back was identified within the woodland and should be managed to limit further spread and improve overall tree health.
- Introduce woodland understorey planting such as hazel, blackthorn, and hawthorn, and focus on creating vertical structure and increasing species diversity.
- Vertical Structure Area currently comprises single storey woodland. Introduce understorey planting such as hazel, hawthorn and elder to create more vertical structure. In addition, implement a coppicing regime on appropriate species such as sycamore and larch.

- Installation of deadwood throughout the ground layer to provide ecological niches.

Subject to the above contribution the proposed development would comply with Policy SD4 in relation to compensatory Green Belt release measures.

Ecology

This application was submitted prior to Biodiversity Net Gain being required. However there is a requirement in Policy ENV4 to ensure there is an overall net gain in biodiversity on a site.

The Council's ecology consultant has commented as follows:

As you are aware the information submitted with the application includes a Bat Presence/Absence Survey and Biodiversity Enhancement Report as well as a Biodiversity Net Gain Matrix [sic] report.

Bats

The survey has been undertaken by a licensed and experienced ecological consultant, whose work is known to the Ecology Unit. This survey found no evidence of roosting bats in the building to be converted at the time of survey but did find high levels of bat activity nearby. As the building supports a number of features that could be used as temporary roosts, a number of precautionary measures have been recommended. To ensure these recommendations are implemented, we would advise that the following condition be attached to any permission, should it be granted:

All works shall be carried out in accordance with the details contained in section 9.1 of the Bat Presence/Absence Survey and Biodiversity Enhancement Report by Verity Webster Ltd dated July 2023 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Species Enhancements

The ecology report also makes a number of recommendations for biodiversity enhancement measures for species. As these recommends do not appear to have been included in the submitted plans, we would advise that the following condition be attached to any permission:

A scheme for the Biodiversity Enhancement Measures, as set out in section 9.2 of the Bat Presence/Absence Survey and Biodiversity Enhancement Report by Verity Webster Ltd dated July 2023, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Therefore subject to the inclusion of the required conditions, there is no impact on protected species and the proposal includes biodiversity enhancement and is in accordance with Policy ENV4 of the Rossendale Local Plan.

Trees

Policy ENV10 seeks to avoid the loss of trees. Where trees are to be lost they should be replaced at a ratio of 2:1.

A tree survey and Arboricultural Impact Assessment (AIA) have been submitted in support of the above application.

The tree consultant has commented as follows:

They have found that 2no trees (T2 & T3) are to be removed for good arboricultural reasons. They are both badly fire damaged and should be replaced at a ratio of 1:2 with a native species tree. G1 is to be removed due to the shallow rooting near to the building.

There has been a draft Arboricultural Method Statement (AMS) submitted however, a full and detailed AMS will be conditioned as part of the application to suitable detail how the retained trees across the site are to be correctly protected.

Therefore subject to the inclusion of the required conditions, there is no impact on trees on the site and is in accordance with Policy ENV10 of the Rossendale Local Plan.

Planning Balance

The benefits of the proposed scheme include a valuable contribution towards local housing needs on a brownfield site in a relatively sustainable location, and the visually appropriate renovation of a disused and run-down building in a prominent roadside position. Substantial weight is afforded to this benefit.

It is recognised that the scheme will result in the loss of the existing employment use of the building in question, The building is not of particularly modern construction; however there is no reason to assume that it is not physically suited to the needs of modern businesses (particularly if it was adapted). It has however been vacant for a very considerable period of time.

The principle of the loss of employment land has already been established through the granting of planning permission 2019/0101. Accordingly, limited weight is given to the loss of employment use.

On balance, having regard to the benefits of the scheme in terms of housing delivery and the renovation of a currently unsightly building in a prominent position, it is not considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme in this case.

9. CONCLUSION

There is no detrimental impact on visual amenity, neighbour amenity, highway safety, trees or ecology from the proposed development. The development is considered acceptable and in accordance with the Rossendale Local Plan and the NPPF.

10. 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 application form received following plans and documents unless otherwise required by the conditions below:

Site Location Plan received 27.02.2024

Drawing No: 18.06D - Landscaping Plan received 18.12.2023

Drawing No: 22.3016.1 - Proposed Site Plan received 27.02.2024

Drawing No: 22.3016.2 - Existing Elevations received 27.02.2024

Drawing No: 22.3016.8 - Existing Site Plan received 27.02.2024

Drawing No: 160932-001 - Swept Path Analysis received 02.07.2024

Drawing No: 22.3016.5C - Proposed Elevations received 23.10.2024

Drawing No: 22.3016.6C - Proposed Floor Plans received 23.10.2024

Drawing No: 22.3016.7A - Existing Floor Plans received 02.07.2024

Bat Survey and Biodiversity Enhancement received 06.12.2023

Design and Access Statement received 27.02.2024

External Materials Schedule received 06.12.2023

Phase 1 Desk Study Report 2432 1 received 06.12.2023

Phase 1 Desk Study Appendix 3A received 18.12.2023

Phase 1 Desk Study Appendix 3B received 18.12.2023

Drainage Scheme 2433-2 received 05.04.2024

Tree Survey Report received 18.09.2024

Tree Constraints Plan received 18.09.2024

Tree Survey & AIA Report received 18.09.2024

Reason: For the avoidance of doubt.

3. Prior to first occupation of any of the apartments hereby approved, or upon substantial completion of the development (whichever is the sooner), all boundary treatments and hard landscaping works shall be implemented in full in accordance with the details shown on the approved scheme of proposed landscaping and boundary treatment (Drawing No: 18.06D). All planting shall take place in the planting season immediately following substantial completion of the development, or first occupation of the apartments hereby approved (whichever is the sooner). Any plants that are removed, die or become diseased within ten years from the date of planting shall be replaced by plants of the same size and species in the following planting season.

Reason: In the interests of visual amenity.

4. All windows in the east elevation of the building 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 non-opening windows 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.

5. The apartment located in the north eastern corner of the building at first floor level (as numbered '13' on drawing number 22.3016.6C) and the apartment located in the north eastern corner of the lower building (as numbered '9' on drawing number 22.3016.6C) shall not be occupied until 2m high obscure glazed privacy screens have been installed on the eastern side of their balconies. The obscure glazed privacy screens shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy.

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

6. Prior to first occupation of any of the apartments hereby approved, the car park and manoeuvring areas shall be surfaced or paved, and marked out, in accordance with the details shown on approved Drawing No: 18.06D. The car park and manoeuvring areas shall be retained and maintained as such thereafter.

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

7. Prior to first occupation of any of the apartments hereby approved, the secure covered cycle storage facilities shown on Drawing No: 18.06D (3 no. Covered Fortis Cycle Shelters with Cycle Racks, each with capacity for 10 no. cycles) shall be provided in full. The cycle storage facilities shall be retained thereafter for the use of residents of the apartments.

Reason: To ensure adequate provision of cycle storage facilities, and to promote sustainable modes of transportation.

8. Prior to first occupation of any apartment, an electric vehicle charging point shall be installed and made available for use within the car park. The charging point shall be retained and maintained thereafter.

Reason: In the interests of promoting more sustainable forms of transport.

9. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. No part of the development shall be occupied until the works have been carried out in accordance with the approved details.

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

10. The following measures shall be carried out on site for the duration of development works:

- A toolbox talk shall be delivered to site operatives by a suitably qualified ecologist or bat worker prior to the start of works on site to ensure they are informed of the risk of bats within the roof structure. Any operatives (including subcontractors) working on site in a manner which could affect bats shall be provided with such a toolbox talk.
- Any roof slates or other parts of the building fabric requiring repair or removal from the building must be dismantled by hand, with care, ensuring they are

checked for bats and signs of the presence of bats (droppings). If any bats, or additional signs of the presence of bats (droppings) is found during the works, all works shall stop in the vicinity and a qualified ecologist shall be contacted for advice. Development shall thereafter proceed in accordance with the ecologist's advice.

- Any lighting during the construction and operational phase shall be directed to avoid the adjacent green space (field to the north and west and boundary vegetation).
- Baffles shall be used to avoid spillage of light into the sky and into areas toward the vegetated boundary.
- Lighting installed during the operational phase shall be High or Low Pressure Sodium or LED type lighting.

Reason: In the interests of protecting any bats on site during development works, and in accordance with the recommendations of the submitted Bat Presence / Absence Survey and Biodiversity Enhancement Report (July 2023).

11. Prior to first occupation of any of the apartments hereby approved, the following biodiversity enhancement measures shall be implemented:

- Four 1FQ Schwegler bat boxes (or similar) are installed on the north, east and west elevations of the building. These boxes are durable, do not require cleaning and are suitable for individual bats or maternity colonies. It is highly likely that they will be quickly adopted by pipistrelle bats that are known to be present in the area.
- Alternatively, boxes could be integrated into the walls of the newly clad building, for example the 1FE Schwegler Access Panel or Ibstock Enclosed Bat Box Panel 'C'.

Reason: In the interests of enhancing the ability of the site to provide roosting habitat for bats, and in accordance with the recommendations of the submitted Bat Presence / Absence Survey and Biodiversity Enhancement Report (July 2023).

12. Within 6 months of commencement of development a Biodiversity Enhancement Scheme to reflect the recommendations in Section 9.2 of the Bat Presence/Absence Survey and Biodiversity Enhancement Report by Verity Webster Ltd dated July 2023, shall be submitted to the Local Planning Authority for its approval. The approved scheme shall be implemented prior to first occupation of any of the apartments.

Reason: In the interests of enhancing the ability of the site in accordance with the recommendations of the submitted Bat Presence / Absence Survey and Biodiversity Enhancement Report (July 2023).

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

The detailed surface water sustainable drainage strategy shall be based upon the indicative surface water sustainable drainage strategy (2433-1, January 2023, Martin Environmental Solutions Ltd) 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
- 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;
 - 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 delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the existing on-site culverted watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- d) 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

The sustainable drainage strategy shall be implemented, retained, managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 173 and 175 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. The occupation of the development shall not be permitted 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.

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

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

16. 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) An updated Preliminary Risk Assessment report (phase 1), including a conceptual model and a site walk over survey;
- ii) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and
- iii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy prior to commencement of development.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting future occupants of the development from hazards associated with land contamination, and in the interests of preventing pollution.

17. Pursuant to condition 16 and prior to first occupation of any of the apartments, 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 protecting future occupants of the development from hazards associated with land contamination, and in the interests of preventing pollution.

18. No development shall take place until samples of all new facing materials (including reclaimed natural coursed stone, grey slate, standing seam zinc, and window and door frames) to be used on the development have been provided by means of the erection on site of a one metre square sample panel for the written approval of the Local Planning Authority. The panel shall be retained on site and shall

not be removed until the external walls are complete. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the final details of proposed facing materials are appropriate prior to work commencing, and in the interests of securing a high quality appearance for the development.

19. No development shall take place until a full and comprehensive Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Arboricultural Method Statement shall be implemented in full at all times thereafter.

Reason: To protect the trees in the site, in the interests of visual amenity and the conservation of biodiversity.

INFORMATIVES

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

2. 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. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Environment Directorate, Cuerden Mill Depot, Cuerden Way, Cuerden, PR5 6BJ or email lhscustomerservice@lancashire.gov.uk

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

4. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

5. Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

- Consent must be obtained before starting any works on site. It cannot be issued retrospectively.
- Sites may be inspected prior to, during and after the issuing of consent.
- Unconsented works within the highway or sustainable drainage system may prevent the adoption of highway and sewer assets.
- Applications to culvert an existing open ordinary watercourse will generally be refused.
- Enforcement action may be taken against unconsented work.

For the avoidance of doubt, once planning permission has been obtained it does not mean that Ordinary Watercourse Consent will be given. It is strongly advised that you obtain any required consent before or concurrently as you apply for planning permission to avoid delays.

You should contact the Lead Local Flood Authority to obtain Ordinary Watercourse Consent. Information on the application process and relevant forms can be found here: <https://www.lancashire.gov.uk/flooding/ordinary-watercourse-regulation/>

proposed elevations at 1:100

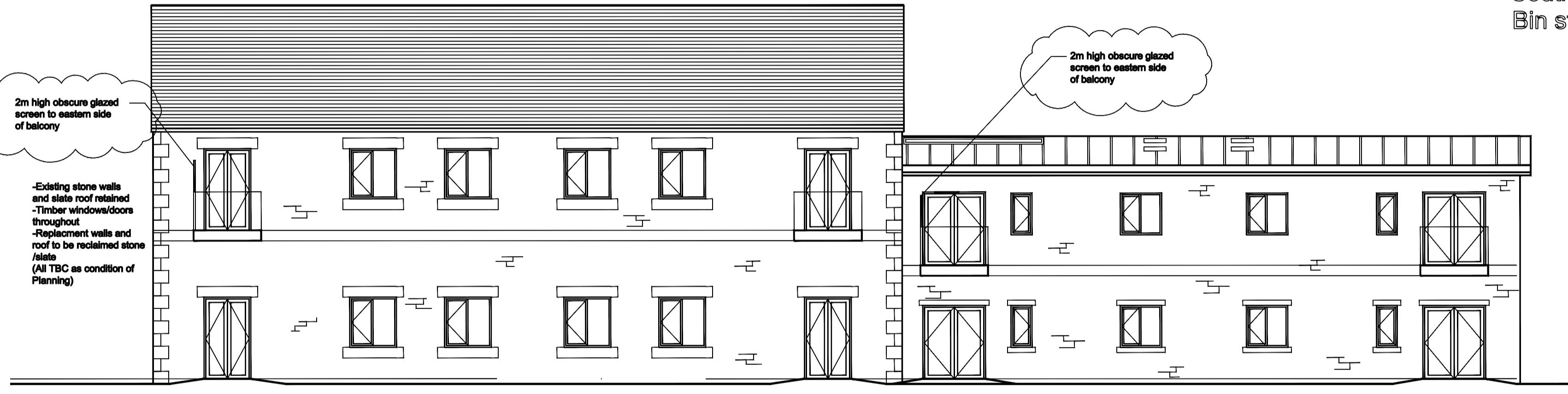
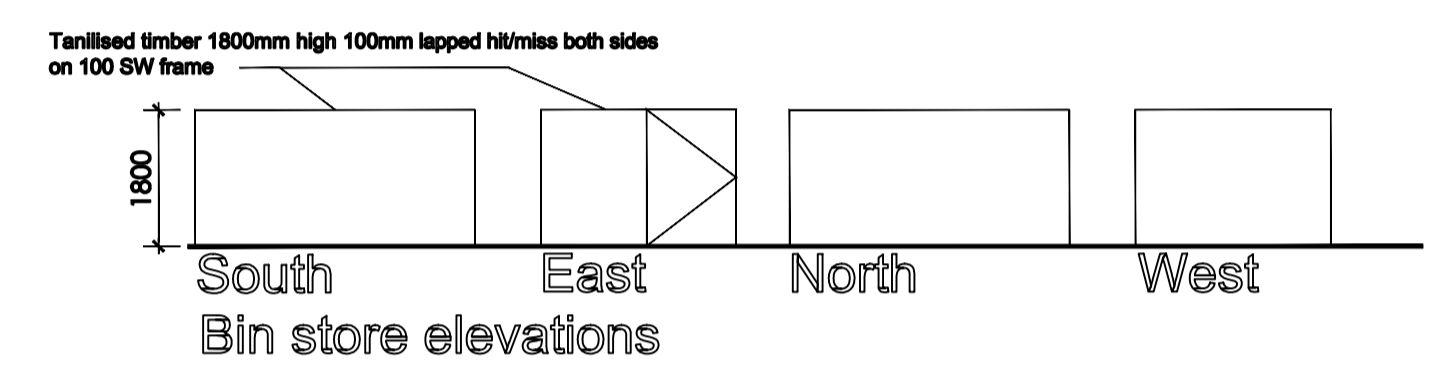


Proposed Front Elevation

-Lower section new-build reclaimed stone walls
-Timber windows/doors throughout
-Upper section to be 600 x 300 stepped Lonsdale
Grey honed slate cladding or similar approved
-Roof to be standing seam Zinc or similar approved
- Juliet and fill balconies frames glass on stainless steel supports/anchors (All TBC as condition of Planning)

2m high obscure glazed screen to eastern side of balcony

-Existing stone walls and slate roof retained
-Timber windows/doors throughout
-Replacement walls and roof to be reclaimed stone /slate (All TBC as condition of Planning)

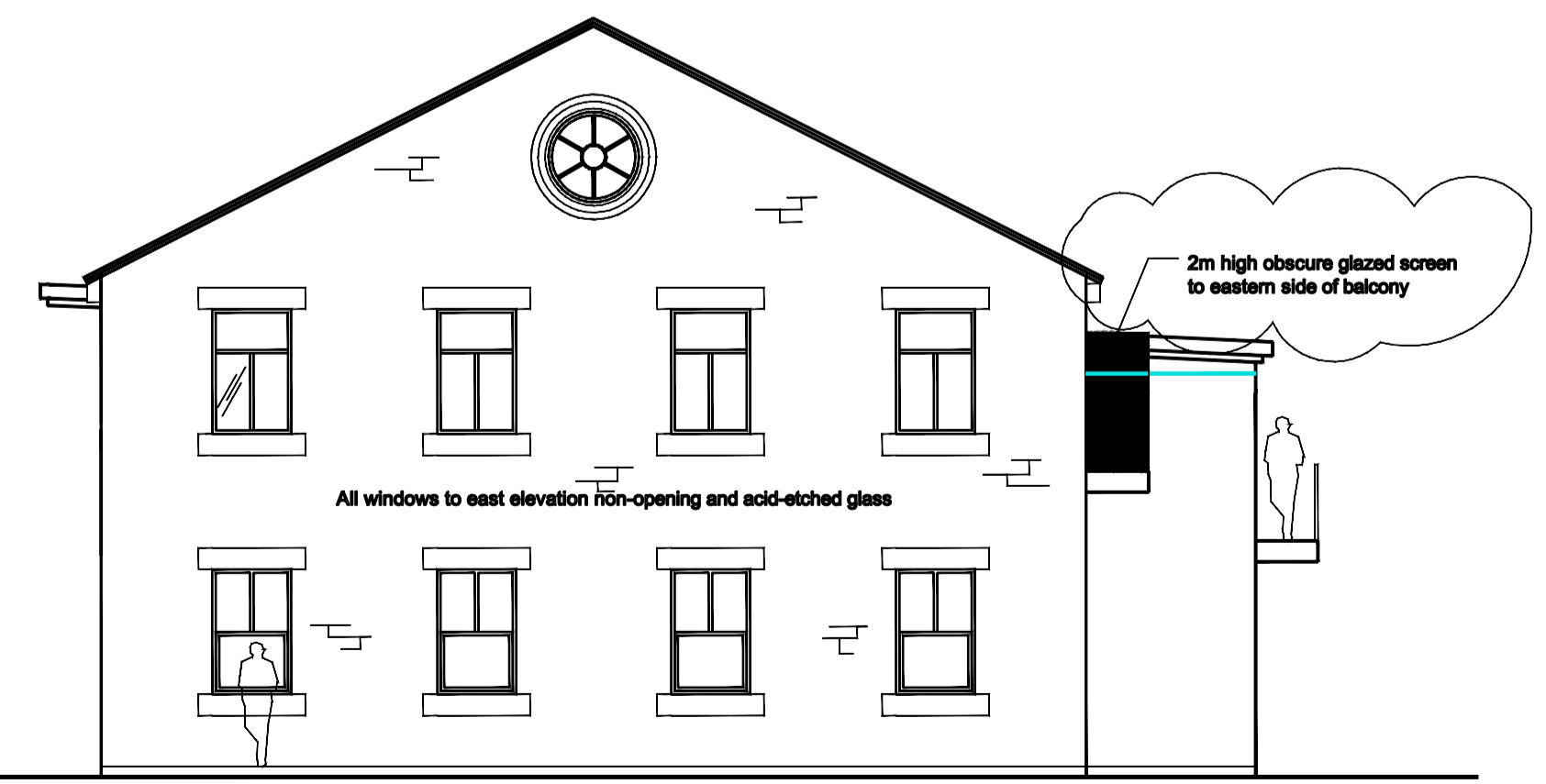


Proposed Rear Elevation

2m high obscure glazed screen to eastern side of balcony

2m high obscure glazed screen to eastern side of balcony

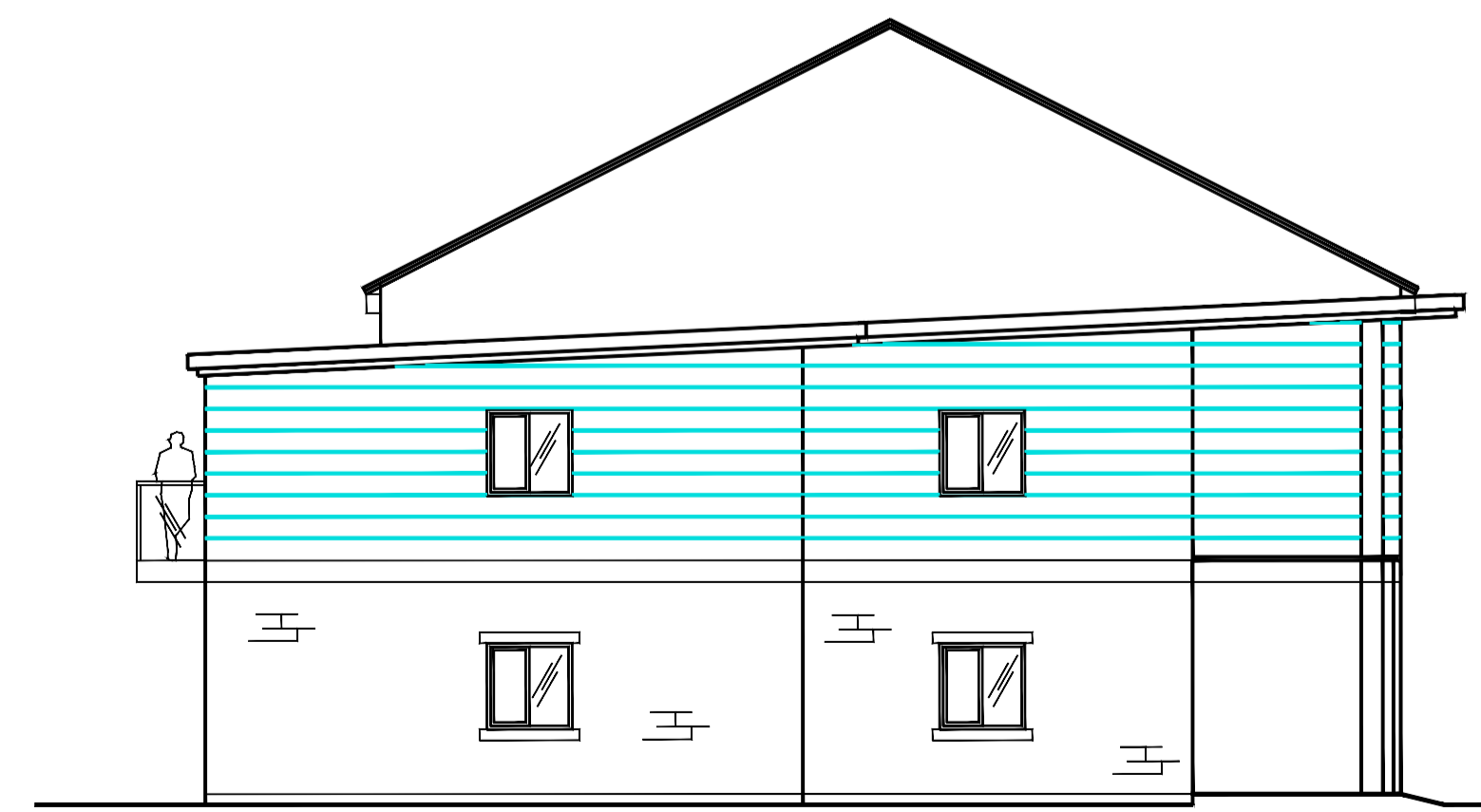
-Existing stone walls and slate roof retained
-Timber windows/doors throughout
-Replacement walls and roof to be reclaimed stone /slate (All TBC as condition of Planning)



Proposed Side Elevation

All windows to east elevation non-opening and acid-etched glass

2m high obscure glazed screen to eastern side of balcony



Proposed Side Elevation

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Any discrepancies discovered or items found that were not visible at the time of the initial survey should be reported to James Campbell Associates Ltd for consultation with our client.

CONSTRUCTION NOTES:-

DRAWING TITLE
PROPOSED ELEVATIONS

JCA JAMES CAMPBELL ASSOCIATES LTD
CHARTERED ARCHITECTURAL SERVICES
CIBO CIAT

Campbell House
173 Rochdale Road
Firgrove
Rochdale
OL16 3BN

Tel: 01706 354888
Mob: 07817 623183
Email: admin@jamescampbellassociates.co.uk
Web: www.jamescampbellassociates.co.uk

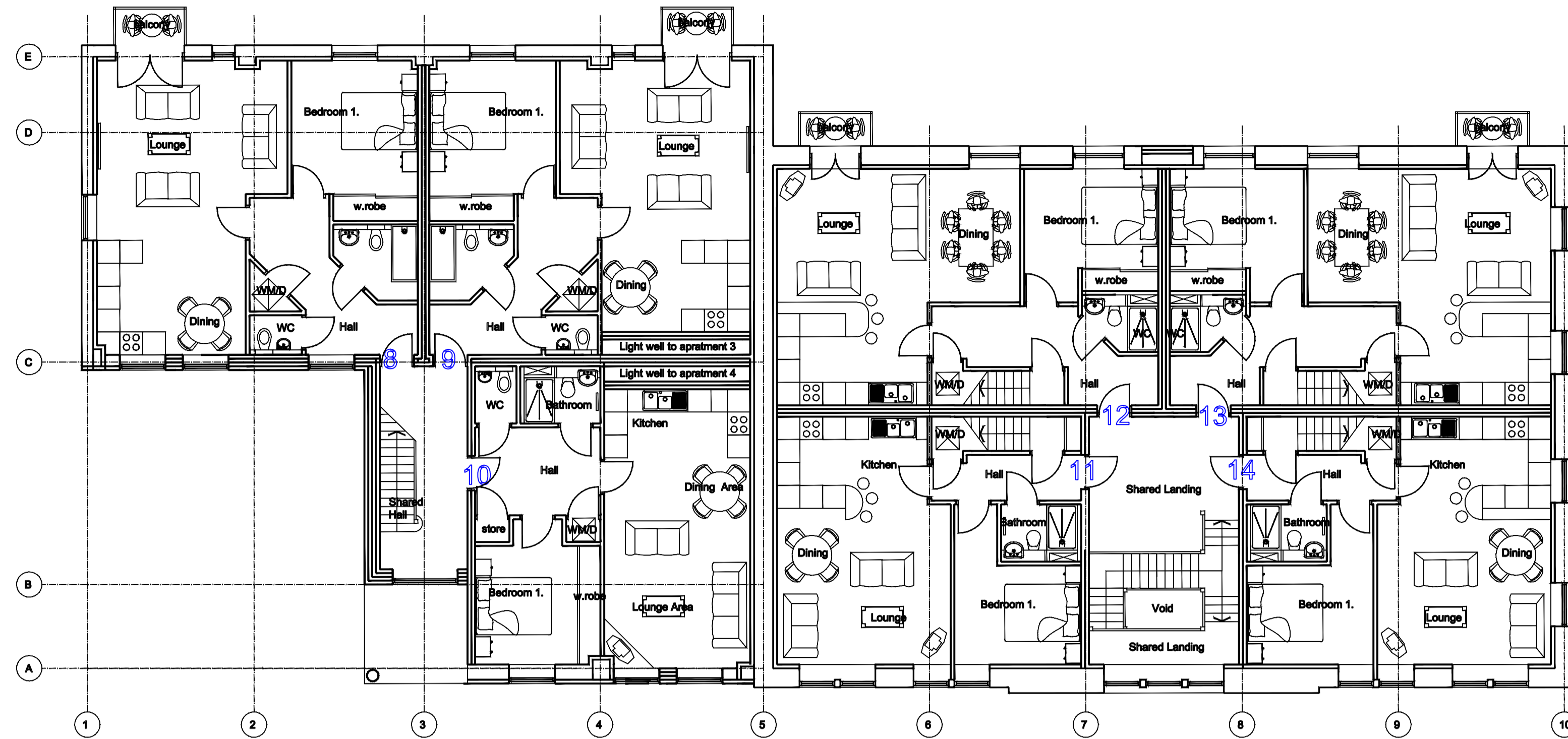
PROJECT
14No APARTMENTS

LOCATION
**Village Pine
Glen Top Works
Newchurch Road
Waterfoot**

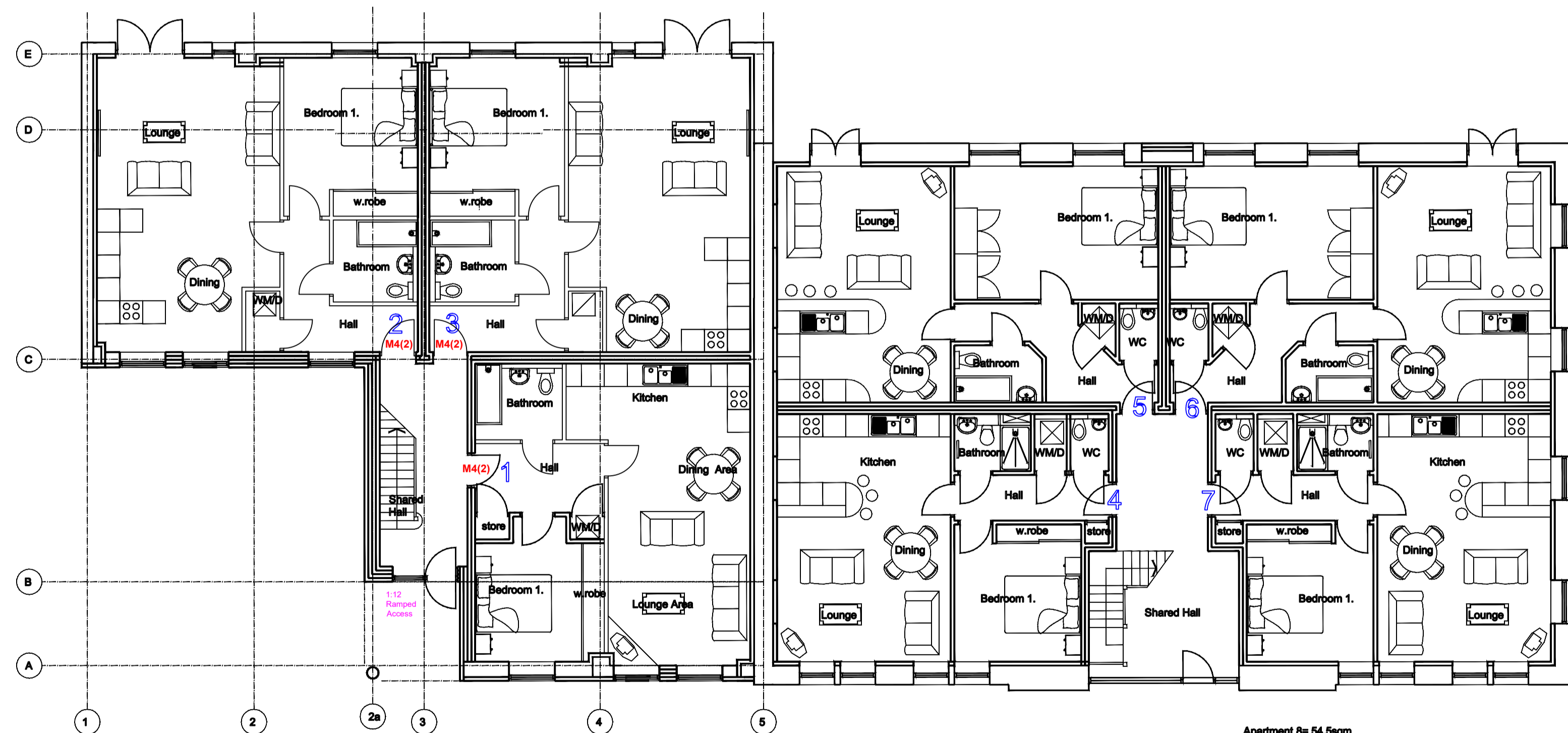
DRAWN:- Frank James Smith
DATE:- December 2023
SCALE:- 1:100 @ A1
ISSUE:- C

DRAWING NUMBER:-
22.3016.5C

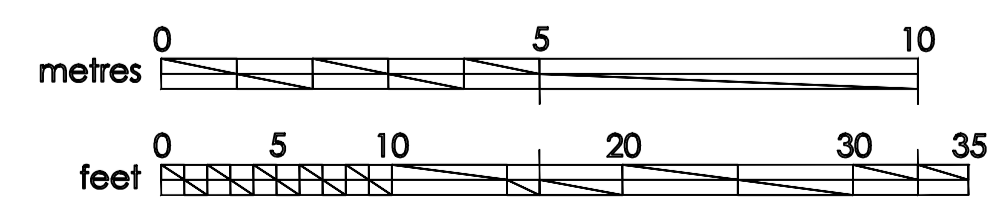
proposed plans at 1:100



Proposed First Floor Plan



Proposed Ground Floor Plan



Schedule of Areas

GROUND FLOOR

- Apartment 1: 1 Bedroom 56sqm
- Apartment 2: 1 Bedroom 66.5sqm
- Apartment 3: 1 Bedroom 66sqm
- Apartment 4: 1 Bedroom 52sqm

- Apartment 5: 1 Bedroom 62sqm
- Apartment 6: 6 1 Bedroom 62sqm
- Apartment 7: 1 Bedroom 52sqm
- Apartment 8: 1 Bedroom 66.5sqm

FIRST FLOORS

- Apartment 9: 1 Bedroom 66sqm
- Apartment 10: 1 Bedroom 56sqm
- Apartment 11: 1 Bedroom 52sqm
- Apartment 12: 1 Bedroom 62sqm

- Apartment 13: 1 Bedroom 62sqm
- Apartment 14: 1 Bedroom 52sqm

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CONSTRUCTION NOTES:-

DRAWING TITLE

PROPOSED FLOOR PLANS



Campbell House
 173 Rochdale Road
 Firgrove
 Rochdale
 OLL6 3BN
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 Mob: 07817 623183
 Email: admin@jamescampbellassociates.co.uk
 Web: www.jamescampbellassociates.co.uk

PROJECT

14No APARTMENTS

LOCATION

**Village Pine
 Glen Top Works
 Newchurch Road
 Waterfoot**

DRAWN:- Frank James Smith DRAWING NUMBER:-

DATE:- December 2023

SCALE:- 1:100 @ A1 **22.3016.6C**

ISSUE:- C



VILLAGE PINE

1868