

<b>Application Number:</b>	2016/0563	<b>Application Type:</b>	Outline
<b>Proposal:</b>	Outline application for demolition of all existing buildings and structures and erection of up to 100no. dwellings (Use Class C3) with all matters reserved except for access (Amended Scheme)	<b>Location:</b>	Rossendale Football Club, Dark Lane, Newchurch, Rossendale
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	26 <sup>th</sup> February 2019
<b>Applicant:</b>	Culzean Developments	<b>Determination Expiry Date:</b>	13/03/2017 (Extension of Time until 01/04/19)
<b>Agent:</b>	Culzean Developments		

<b>Contact Officer:</b>	Ian Lunn	<b>Telephone:</b>	01706-238637
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	✓
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	✓
<b>Other (please state):</b>	

## 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 the Planning Committee be minded to grant Outline Planning Permission subject to the conditions set out in Section 10 and a Section 106 Obligation and Memorandum of Understanding to secure the associated planning obligations.

### **2. SITE**

The description of the site is outlined in the previous Committee Report which is attached as Appendix 1.

### **3. PROPOSAL**

This application originally sought outline approval to erect up to 100 dwellings on this site with all matters reserved except for access (see Appendix 1). It was last reported to Planning Committee on 28<sup>th</sup> February 2017 where Members resolved to approve it subject:-

- a) to the conditions set out in Section 10 of the attached report,
- b) to the applicants first entering into a Section 106 Agreement to secure specified planning obligations, and
- c) to the Council and Sport England agreeing a Memorandum of Understanding regarding the replacement pitch at Marl Pitts.

The Section 106 Obligation sought to secure a degree of 'affordable housing' as part of the development; the provision of 'on-site' equipped play space'; contributions towards the provision of a replacement pitch at Marl Pitts and the improvement of footpath links with public footpath nos. 203 and 205; the submission of an ecological enhancement plan for Staghills Wood; and agreement to investigate the potential of improving the informal footpath link between the site and public footpath no. 169.

The Memorandum of Understanding was to be prepared between Sport England and the Council to identify timescales for the delivery of the replacement pitch, the schedule of works involved and any alternative provision that may be required.

The Obligation has never been signed so the application remains undetermined. Furthermore, the scheme has now been amended with the main differences between the previous and revised schemes being:-

- a) that the application site boundary has now been slightly enlarged on its eastern side where it adjoins Staghills Road,

- b) that the layout of the proposed access to the development, whilst still proposed from Staghills Road, has now been changed,
- c) that the layout of the proposed development, albeit only illustrative at this stage, has also changed, and
- d) that it is understood that the proposal is now to provide 100% 'affordable housing'.

The application is therefore being brought back to Committee for further consideration in its amended form. It otherwise continues to seek approval for outline planning permission to erect up to 100 dwellings on this site with all matters reserved except for access.

A revised indicative site plan has been submitted with the application which demonstrates how the site could accommodate a residential scheme of this nature. It shows a mix of 95 mainly semi-detached and terraced two and three bedroom dwellings with dedicated car parking to the sides and front.

#### **4. PLANNING HISTORY**

2012/0341 - Outline application for residential development. Withdrawn December 2012. This application related to the north-eastern part of the site.

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

##### **National**

The National Planning Policy Framework has been revised since the proposals were last considered.. The relevant Sections against which the application now needs to be considered are as follows:-

##### **National Planning Policy Framework (Revised July 2018)**

- Section 2 Achieving Sustainable Development
- Section 5 Delivering a Sufficient Supply of Homes
- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective use of Land
- Section 12 Achieving Well Designed Places
- Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment

##### **Development Plan Policies**

##### **Rossendale Core Strategy DPD (2011)**

- AVP 3 Strategy for Waterfoot, Cowpe, Lumb and Water
- Policy 1 General Development Locations and Principles

Policy 2	Meeting Rossendale's Housing Requirement
Policy 3	Distribution of Additional Housing
Policy 4	Affordable & Supported Housing
Policy 8	Transport
Policy 9	Accessibility
Policy 10	Provision for Employment
Policy 16	Preserving and Enhancing Rossendale's Built Environment
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity and Landscape Conservation
Policy 19	Climate Change and Low & Zero Carbon Sources of Energy
Policy 22	Planning Contributions
Policy 23	Promoting High Quality Design & Spaces
Policy 24	Planning Application Requirements

### **Other Material Planning Considerations**

LCC Planning Obligations in Lancashire (2008)

RBC Open Space & Play Equipment Contributions SPD (2008)

National Planning Practice Guidance

Sport England 'A Sporting Future for the Playing Fields of England'

The Pennine Lancashire Playing Pitch Strategy (2016)

RBC Strategic Housing Land Availability Assessment (SHLAA) (2017)

RBC Alterations and Extensions to Residential Properties SPD

RBC Emerging Local Plan

## **6. CONSULTATION RESPONSES**

<b>Consultee</b>	<b>Response</b>	<b>Conditions recommended?</b>
RBC (Forward Planning)	No response received	No
Sport England	No objection	No however a Memorandum of Understanding and Section 106 Agreement are required
Contaminated Land Officer	No objection	Yes

LCC (Highways)	No objections to either the original or revised schemes subject to conditions.	Yes and Section 38/278 Agreement
Ecology Consultant	No objection	Yes
LCC (Planning Contributions)	No objection	No
United Utilities	No objection	Yes
Lancashire County Council (Lead Local Flood Authority)	No objection	Yes
Natural England	No comments to make	No
Lancashire Fire and Rescue	No objection	No - comments relate to Building Regulations as opposed to Planning
Police Architectural Liaison Officer	No objection	Informatives
Environment Agency	No objection	Yes

## 7. **NOTIFICATION RESPONSES**

Eight letters of objection were received in respect of the proposals in their original form. The key areas of concern are outlined below.

- 100 dwellings is too much for the site.
- Access and traffic concerns.
- Concerns over the safety and visibility at the access into the site and onto Staghills Road.
- There should be more open space within the site.
- Loss of recreation area.
- Would the new pitch at Marl Pits be free to use?
- Will the new pitch be open before the Dark Lane site is made unavailable?
- Will the trees to be lost be replaced?
- Is there any affordable housing proposed on the site?
- Concerns over capacity at local schools.
- Concerns over boundary treatment at the rear of the dwellings which back on to the site.
- Concerns over ground levels on the site compared to the existing levels at existing properties which lie opposite.
- Concerns over loss of wildlife.

The application has since been re-advertised giving local residents a further 21 days to comment. This exercise was carried out by posting a further site notice next to the site, by  
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inserting another advertisement in a local newspaper and by individual letters sent to surrounding properties. The revised publicity period expired on 22<sup>nd</sup> February 2019 and seven additional responses have since been received from local residents (including two from the same person). Five of these raise objections to the scheme and the other two make points both supporting and objecting to the proposals. The objections are as follows:-

- a) that the proposed development would be out of keeping with its surroundings,
- b) that the proposals are likely to lead to an increase in traffic in the locality and exacerbate existing 'on-street' parking problems. The revised access proposals are also considered unacceptable as they now show access off Dark Lane rather than Staghills Road as originally proposed with no footpath along the former. An approval of the proposal in this form would not therefore be in the best interests of the safety of other vehicular or pedestrian users of the surrounding road network (including the safety of schoolchildren attending the adjoining school).
- c) that the dwellings will be too close to existing properties,
- d) that access to public transport is poor in this area,
- e) that an approval of these proposals will lead to an unacceptable increase in noise and pollution in the area,
- f) that the schools and infrastructure in the locality do not have the capacity to accommodate the additional people likely to be generated by the additional houses,
- g) that the proposal to re-develop the football ground is disrespectful to the memory of a person who previously played for the club.

In support some residents have also commented:-

- a) that the development will improve the appearance of an unsightly site,
- b) that re-developing the site should help to reduce current incidences of anti-social activity which are being experienced by local residents. It will also improve safety as the undeveloped site is hazardous to children who use it as a playground.
- c) that there are surplus school places available in the locality.

## **8. ASSESSMENT**

### Principle

The key issues for consideration in determining whether the proposal is acceptable in principle remain: 1) impact on a playing field and 2) proposed residential development.

### *Impact on the loss of a playing field*

An assessment of this issue is set out within Appendix 1. The situation remains unchanged, despite more recent revisions to the NPPF, and Officers remain satisfied that the applicants have demonstrated compliance with Paragraph 97 of the NPPF, Policy 17 of the Core Strategy, and with Sport England's policy to protect playing fields 'A Sporting Future for the Playing Fields of England'.

## *Proposed residential development*

An assessment of this issue is also set out within Appendix 1. The situation remains unchanged, despite more recent revisions to the NPPF, and Officers remain satisfied that the proposals are, on balance, compliant with the adopted development plan.

For members information, whilst the emerging local plan is still going through the adoption process and currently carries limited weight, this proposes that the land be specifically allocated for housing development (Site allocation H59).

## **Other considerations**

### Contamination

An assessment of this issue is set out within the attached report. Despite the lapse of two years since the application was previously considered Officers remain satisfied that issues of potential contamination can still reasonably be addressed, as before, by planning conditions requiring the submission for approval of a full site investigation report and details of remediation works. Conditions to this end are therefore recommended.

### Flood risk and drainage

An assessment of this issue is set out within Appendix 1. The site is still within Flood Zone 1 and Officers remain satisfied that its development for residential purposes will not therefore give rise to any significant flood risk or drainage concerns. This is however subject to the proviso that conditions are imposed requiring the submission of a surface water drainage scheme, and full details of SUDS and SUDS management. Conditions to this end are therefore recommended.

### Transport and access

A full assessment of the highway safety implications of the proposals in their original form has already been made and this is set out in Appendix 1. It concluded that the development was essentially acceptable in highway safety terms subject to the imposition of conditions. The revised proposals are similar but the layout of the proposed access has since been altered as described above and formal approval of this is now sought as part of the amended application. County Highways have been re-consulted for their views and are satisfied that the revised scheme will be acceptable provided that suitable conditions are imposed as before. In view of this, subject to the imposition of such conditions, Officers remain satisfied that the revised proposals will not give rise to any highway safety concerns.

Some local residents have raised concerns about highway safety and these are set out in the 'Notification Responses' Section above. In response to these Officers wish to comment as follows:-

- a) the application in its revised form does not propose any additional dwellings, it remains an outline scheme for up to 100 units as before. Consequently, the amended proposals

should not lead to any increase in traffic over and above any that may have been generated by the original scheme.

- b) vehicular access to the development is to be from Staghills Road as it was before albeit the proposed access point will be different. All other details of the highway and dwelling layout are illustrative at this stage. This aside the stretch of Dark Lane between Staghills Road and the school is now shown as being left untouched whereas previously some of it was included as part of the access serving the development. This is considered to represent an improvement in pedestrian safety terms. Part of Dark Lane that is located further into the site, and that does not form part of the main access to the school, is likely to be used to allow vehicular access to some of the dwellings. However this was also previously the case and provided that the new road is suitably designed and laid out (something that can reasonably be controlled as part of any subsequent Reserved Matters application and under Highways own legislation) it is not envisaged that this will give rise to any undue highway safety concerns.

### Layout and design

The layout of the proposed development has been altered since the application was last considered but this continues to be for illustrative purposes only. Officers remain satisfied, despite some concern to the contrary, that both this, and the previous layout, reasonably demonstrate that up to 100 dwellings can be satisfactorily accommodated on the site without harming the character and appearance of the surrounding area or the amenities of neighbouring occupants.

### Housing mix and quantum

The illustrative layout shows a development with an overall density of between 35 and 36 dwellings per hectare. This meets the requirements of Policy 2 of the Core Strategy which requires 30 dwellings per hectare to be achieved as a minimum.

The development comprises a mix of 2 and 3 bedroom dwellings in the form of terraced and semi-detached properties. Although this is only indicative at this stage and will only be formally secured once a reserved matters application has been submitted, a housing mix of this nature is considered to be appropriate in principle for this locality.

### Landscaping and Ecology

An assessment of these issues has previously been made and this is set out within Appendix 1. It concluded that the proposals would be acceptable in tree loss and ecological terms subject to conditions and provisions within the Section 106 Obligation designed to secure the provision of replacement tree planting both 'on' and 'off' site (the latter to form part of an ecological enhancement plan for Staghills Wood), the removal of invasive plant species from the land, and to safeguard bats, badgers and nesting birds. Officers consider that this conclusion remains valid and that, subject to the imposition of the same conditions and Section 106 requirements, the scheme remains acceptable in this regard. In coming to this view consideration has been given to the fact that the revised layout remains illustrative and



that the formal layout can reasonably be controlled as part of any subsequently submitted reserved matters application.

### Other Issues

The concerns raised by local residents in respect of the proposed development have been fully assessed as part of the consideration of this application. However they are not considered to represent justifiable reasons for refusing the development largely for reasons given earlier in this, and the previous, report. In addition whilst it is accepted that a development of up to 100 dwellings would be likely to cause some noise and disruption during its construction, it is not envisaged that it would significantly do so once occupied and certainly not to the extent that a refusal could reasonably be justified on such grounds.

### Statement of Community Involvement

The applicants originally submitted a Statement of Community Involvement which set out the consultations undertaken with Council Officers, members of the public and local Councillors prior to the submission of this application. Further details of this are set out in Appendix 1. Officers accepted that this reasonably demonstrated that an appropriate level of community consultation had been undertaken prior to the submission of the application.

The revisions proposed by the amended scheme are not very extensive. In view of this, and as local residents and relevant consultees have since been re-consulted on them by the Local Planning Authority, Officers do not consider it necessary to require the applicants to carry out any further direct consultation with local residents in this instance.

### Planning Contributions

Policy 22 of the Core Strategy relates to planning obligations and states that where developments will create additional need for improvements/provision of services or facilities, contributions will be sought to ensure that the appropriate improvements are made. Policy 4 of the Core Strategy requires a minimum of 30% affordable housing to be provided on greenfield sites where over 8 dwellings are proposed.

In its original form the scheme was deemed to satisfy the requirements of both of these with the applicants agreeing, in principle, to provide the following as part of a Section 106 Obligation:-

- a) 30% of 'affordable housing',
- b) the provision of 'on-site' equipped play space,
- c) a contribution towards the provision of a replacement pitch at Marl Pitts,
- d) a contribution towards the improvement of footpath links with public footpath nos. 203 and 205,
- e) the submission of an ecological enhancement plan for Staghills Wood, and
- f) agreement to investigate the potential of improving the informal footpath link between the site and public footpath no. 169.

Whilst the scheme has been revised it is not considered necessary to alter any of these requirements and provided that they are retained as such the development will continue to satisfy the requirements of Policies 4 and 22 of the Core Strategy in this regard whether it subsequently comprises 100% 'affordable housing' or not.

## 9. **RECOMMENDATION**

That outline planning permission be granted subject to:

- a) A Section 106 Obligation to secure payment of contributions towards a replacement pitch and footpath improvements, the provision of 'on-site' public open space; the submission of an ecological enhancement plan; the provision of affordable housing and agreement to investigate the potential of improving the informal footpath link between the site and public footpath no. 169
- b) A Memorandum of Understanding; and
- c) The Conditions set out below.

It is recommended that delegated authority is given to the Planning Manager to refuse planning permission in the event that the S106 Obligation is not subsequently signed.

## 10. **CONDITIONS**

1. An application for approval of the reserved matters (namely the landscaping, layout, scale, and appearance) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of the Town and Country Planning (General Development Procedure) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted for up to 100 residential units shall be carried out in accordance with the following approved plans unless otherwise required by the conditions below:

<b>Drawing Title</b>	<b>Drawing Number</b>	<b>Received</b>
Site Location Plan		7 <sup>th</sup> January 2019
Indicative Site Plan Proposed in so far as it relates to access only	2361.45.010J	14 <sup>th</sup> January 2019

Reason: To accord with the permission sought and granted.

3. As part of the first reserved matters application full details of the central Local Equipped Area of Play (LEAP) and areas of amenity open space within the site, including details of

proposed arrangements for their future management and maintenance shall be provided. The open space areas shall thereafter be provided in accordance with the approved plans prior to the completion of the development and maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason: To ensure that the communal areas serving the development and landscaped areas are maintained to an acceptable standard in the interest of residential / highway safety.

4. Prior to the marketing of the site full details of the marketing documentation/ publications as far as it relates to the status of the central Local Equipped Area of Play (LEAP) shall be submitted to and approved in writing by the Local Planning Authority. This part of the marketing information shall include full details of the approved LEAP including an annotated plan detailing the approved siting. Prior to the occupation of the dwellings sited within 25 metres of the LEAP the future occupants shall be provided with a copy of marketing documentation detailing the approved siting and specification of the LEAP and evidence from the vendor shall be submitted to and approved in writing by the Local Planning Authority that the purchasers for each property within 25 metres of the LEAP are aware of the play space provision. Thereafter the LEAP shall be constructed and completed in accordance with the approved plans prior to the completion of the development.

Reason: To ensure the provision of equipped play space to benefit the future occupiers of the site

5. Any applications for approval of reserved matters shall be accompanied by a Materials Plan detailing all proposed materials to be used on the site (dwelling elevations, roofing materials, windows, heads, sills, doors, garage doors, rainwater goods, downspouts, and all external hard surfaces). The development thereafter shall be carried out in accordance with the approved materials

Reason: The application is in outline only and is not accompanied by detailed plans, and to ensure that the development is appropriate with regard to visual amenity.

6. Any applications for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels for the area covered by that application, the details shall include any changes in ground levels, earthworks and excavations (all relative to ground levels adjoining the site). The details shall include cross sections which show the relationship between the proposed dwellings and existing dwellings on Dark Lane and Queensway. The development shall only be carried out in conformity with the approved details.

Reason: The application is in outline only, and in the interests of visual and neighbour amenity.

7. The first reserved matters application shall be accompanied by a Site Investigation report. 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 and the wider environment. Where unacceptable risks

are identified details of proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development. Prior to first occupation a Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: To safeguard the health of future occupants of the land in the interests of public health and to safeguard watercourses.

8. The first reserved matters application shall be accompanied by a method statement detailing protection measures for Staghills Wood and for the trees along the boundary with Dark Lane from accidental incursions by machinery, pollution, dust and debris. The development shall then be undertaken in accordance with the approved measures for the duration of the construction period.

Reason: To conserve and enhance biodiversity and to ensure that any bats are protected.

9. Prior to the felling of Tree T3 an inspection of the cavities of the tree shall be undertaken by a licensed bat ecologist immediately. The results shall be submitted to the Local Planning Authority and T3 shall not be felled until such time that written approval from the Local Planning Authority is given. Felling shall only take place under the supervision of the licensed ecologist.

Reason: To conserve and enhance biodiversity and to ensure that any bats are protected.

10. Prior to the demolition of the buildings/structures a further survey for the presence of bats shall be undertaken and the results of this (together with proposals for mitigation/compensation, if required) shall be submitted to, and approved in writing by, the Local Planning Authority. Any approved measures for the protection of bats shall be implemented in full.

Reason: To conserve and enhance biodiversity and to ensure that any bats are protected.

11. The first reserved matters application shall be accompanied by an updated badger survey of the site and within 30 metres of the southern and eastern boundaries. This shall be undertaken by an experienced ecological consultant and the report shall include full details of the findings and any necessary compensation or mitigation measures. The necessary compensation or mitigation measures shall thereafter be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity and to ensure that any badger setts are protected.

12. No removal of or works to any vegetation or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or

that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority for approval.

Reason: To conserve and enhance biodiversity and to protect breeding birds.

13. The first reserved matters application shall be accompanied by a method statement detailing the eradication and/or control and/or avoidance measures for rhododendron and cotoneaster. The approved method statement shall be adhered to and implemented in full.

Reason: To conserve and enhance biodiversity.

14. The landscaping of the site shall be designed to incorporate the recommendations for biodiversity opportunities provided within the submitted Ecological Assessment dated January 2017 (points 5.9 to 5.13).

Reason: To conserve and enhance biodiversity.

15. As part of any reserved matters application or prior to the commencement of any development the following details shall be submitted to, and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

A Surface water drainage scheme which as a minimum shall include:

a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice ‘Flood risk assessments: climate change allowances’), discharge rates; and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

b) The drainage scheme should demonstrate that the surface water run-off will not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

d) Flood water exceedance routes, both on and off site;

e) A timetable for implementation, including phasing where applicable;

f) Details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development, elsewhere and to future users. To ensure that water quality is not detrimentally impacted by the development proposal.

16. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

17. No development hereby permitted shall be occupied until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company.

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

i. on-going inspections relating to performance and asset condition assessments,

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development. To reduce the flood risk to the development as a result of inadequate maintenance. To identify the responsible organization / body / company/undertaker for the sustainable drainage system.

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

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

19. Either with any reserved matters application or prior to the commencement of the development a Construction Method Statement shall be submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- the parking of vehicles of site operatives and visitors
- hours of operation (including deliveries) during construction. These shall prevent HGV movements to and from the site between the hours of 8am and 9am and 2.30pm and 3.30pm Monday to Friday during term time to avoid school start and finish times
- the loading and unloading of plant and materials
- the storage of plant and materials used in constructing the development
- the siting of cabins
- the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of highway safety and to protect the amenities of the nearby residents.

20. Either with any reserved matters application or prior to the commencement of the development full details of the alignment, height and appearance of all fences and walls and gates to be erected on the site, including to the site boundaries along with a timetable for their erection shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Non-curtilage boundary treatments shall be completed in accordance with both the approved details and the approved timetable.

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

21. Either as part of the first reserved matters application or prior to the commencement of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential/highway safety.

22. Either with the first reserved matters application or prior to the commencement of the development full engineering, drainage, street lighting and constructional details of the

streets proposed for adoption shall be submitted to and approved in writing by the Local Planning Authority. These shall include footways on both sides of Dark Lane, traffic calming measures and a pedestrian link from the estate road to the rear of properties in Queensway. The streets shall be constructed in accordance with the approved details before any of the dwellings are first occupied and shall thereafter be satisfactorily retained at all times.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

23. Either with the first reserved matters application or prior to the commencement of the development full details of the proposed site accesses and off-site highway works shall be submitted to, and approved in writing by, the Local Planning Authority. These shall include for upgrades of the nearest bus stops on Staghills Road to Quality Bus Stop Standard. The approved measures shall be completed before the dwellings hereby approved are first occupied and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of highway safety.

24. Either with the first reserved matters application or prior to the commencement of the development, details showing a secure cycle store and an electric vehicle charging point provided in conjunction with each of the dwellings, and a vehicle charging point provided in conjunction with every 10 spaces of communal parking area, shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle stores and charging points shall be constructed in the approved positions and in accordance with the approved details before the dwelling/communal parking area to which they relate is first occupied/brought into use and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of securing sustainable development.

25. Either with the first reserved matters application or prior to the commencement of the development, details of the proposed means of surfacing, sealing and draining of the parking areas for the dwellings shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall show the parking areas constructed of a bound porous material. The approved parking spaces shall be constructed in accordance with the approved details, and in the approved positions, before the dwelling to which they relate is first occupied and shall thereafter be retained at all times solely for the parking of vehicles in conjunction with those dwellings.

Reason: In the interests of visual amenity and highway safety.

26. Either with the first reserved matters application or prior to the commencement of the development, a Residential Travel Plan shall be submitted to and approved in writing by, the local planning authority. The approved measures in the agreed Travel Plan shall thereafter be complied with in full.



Reason: In the interests of securing sustainable development.

## **INFORMATIVES**

1. The grant of planning permission will require the applicants to enter into a Section 38/278 Agreement, with Lancashire 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 Lancashire County Council, Highway Development Control email – [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk) in the first instance to ascertain the details of such an agreement and the information to be provided.
2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
3. Whilst the buildings/structures to be demolished have been assessed as low risk for bats, the applicants are reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).
4. Your attention is drawn to the attached comments from the Lancashire Fire and Rescue Service and the Police Architectural Liaison Officer.