

UPDATE REPORT

**FOR DEVELOPMENT CONTROL COMMITTEE
MEETING OF 16 NOVEMBER 2021**

Item B1. 2019/0335 Holcombe Road, Helmshore

Conditions

Following publication of the committee report, minor amendments have been made to the planning conditions. For completeness, and to avoid confusion, a full list of amended conditions is attached to this update.

An additional condition has been added (no. 35) which requires the submission of a statement demonstrating how the development is designed to be adaptable to climate change, and how it incorporates energy efficiency principles. This is to ensure that the development contributes towards the Council's climate change emergency and accords with Policy ENV1 of the emerging Local Plan.

Notification responses

Following publication of the committee report, a letter from Grane Residents Association has been received, calculating the number of objections submitted to the Council to be 548 and not 260 as reported. The Council's database identifies that the number of written objections now stands at 331.

Officers note that the online petition on the website change.org contains 3,202 signatures at the time of writing this update report.

Some of the objections relate to previous iterations of the proposed development. Where they relate to the lack of affordable housing, members should note that the scheme now proposes 39 affordable houses, which is a policy-compliant level, and therefore this matter has been addressed.

Points to clarify within the committee report

With reference to page 2 of the report, and in light of recent neighbour objections and social media posts, it is important to clarify that the site is not Green Belt. It is not a designated wildlife site but adjoins an Important Wildlife Site.

With reference to page 4, as part of the highway improvements, a build-out / pedestrian crossing will be provided on Grane Road. Again on page 4, although the application was originally submitted with a Financial Viability Appraisal, this no longer forms part of the application, as the final offer of affordable housing is compliant with planning policy.

With regards to housing land supply on pages 7 and 18 of the report, it is important to clarify that the reference to 8.2 years of supply (equating to 2,288 houses) is heavily reliant on the emerging Local Plan allocations (they make up just over half the supply). Crucial to this is the Council vote on adoption of the Local Plan next month, and subsequently its delivery in line with the latest trajectory. The trajectory shows this site to be delivered in 5 years, and with the first 30 houses being delivered by March 2022. If the allocations are taken out of the supply, it reduces to just 3.5 years. Therefore, the Council can only demonstrate a 5-year housing land supply if this scheme is approved and the Local Plan is adopted next month.

Furthermore, and as explained on page 8, due to persistent under delivery of housing, the Council is required to continue to apply the “tilted balance” in favour of approving new housing developments.

Ecology

The Landscape and Ecological Management Plan is being updated to reflect the latest layout and the changes will have minimal impact on the content and recommendations. Upon receipt, the Council’s ecological advisor will be re-consulted. It is envisaged that condition 8 will be amended to a compliance condition by such time that the decision notice is issued.

Highways

Queries have been raised as to why the development does not include the provision of a mini-roundabout at the Holcombe Road / Grane Road junction.

The modelling work that was undertaken by the applicant’s highway consultant demonstrated that the junction could accommodate the development traffic in its current form therefore Lancashire County Council Highways has no grounds to request an alternative junction arrangement.

When the site was first looked at, several years ago, the Grane Road Residents Association wanted a mini-roundabout at the junction primarily as they were concerned about high vehicle speeds and there had been a fatality. Subsequently average speed cameras were introduced on Grane Road which has made a significant reduction in vehicles speeds on Grane Road at the Holcombe Road junction and improved safety.

Recommendation

The recommendation is updated to include reference to the Vice Chair and to rectify the error relating to the financial contribution for biodiversity net gain off-site, which should read £65,180.50 and not £64,334 as stated in the report.

Mike Atherton
Head of Planning

15/11/2021

Updated planning conditions for Item B1 2019/0335

1. The proposed development must be begun not later than three years from the date of this permission.

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

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

Drawing / document	Reference
Location Plan	1036-LP-01 rev B
Planning Streetscenes	1036-SS-01 rev A
Landscape Masterplan	469C-16 rev R
Landscape Proposal (West)	469C-17 rev N
Landscape Proposal (East)	469C-18 rev O
Off-Site Highways Works Grane Road	0165-05C
Mini Roundabout with Traffic Calming	0165-06D
Drainage Schematic Layout Sheet 1	19432 C2001 P04
Drainage Schematic Layout Sheet 2	19432 C2002 P04
Adopted Highway Plan	1036-HW-01 rev E
Play Area Plan	469C-19 rev B
Planning Layout	1036-PL-01 rev J
Boundary Treatment Plan	1036-MB01 Rev E
Boundary Treatment Details	1036-MB02 Rev B
Materials Plan	1036-MB03 Rev B
House Type Pack	1036-HT-01 Rev C
Electric Vehicle Charging Plan	1036-EV-01 Rev E
SSSI Assessment	Feb 2020
Landscape and Ecological Management Plan	May 2020
Revised Flood Risk Assessment and Drainage Management Strategy	November 2019
Air Quality Assessment	AQ106754R2
Ecological Assessment Report	2019
Archaeology and Heritage Impact Assessment	August 2019
Lighting Strategy – S38 Lighting	HLS 735 Draft 1
Lighting Report	July 2019
Noise Impact Assessment	August 2019
Arboricultural Impact Assessment	August 2019
Croft Transport Assessment	July 2019
Additional Transport Note	January 2020
SSSI Information Board	10.06.20

Planning Statement	August 2019
Ground Investigation Report	August 2018 ref 15TAY024/G
Services and Utility Strategy	70050554-UTL-001

Reason: To ensure the development complies with the approved plans and submitted details.

3. The development shall be carried out in strict accordance with the Materials Plan which requires the use of natural stone and natural slate to 26 plots.

Prior to the commencement of development, samples of the natural stone, natural slate, artificial stone, roof tile (which shall comprise a good quality slate effect tile), render (which shall be a textured style) any other roof materials (including any dormers and porches) of the dwellinghouses shall be provided by means of the erection on site of a one metre square sample panel including proposed mortar mix and joint detail, for the written approval of the Local Planning Authority. The panel so approved shall be retained on the site and shall not be removed until such time as the external walls of all of the dwellings hereby approved are complete.

The development thereafter shall be constructed utilising the approved materials.

Reason: To ensure that the development is appropriate in terms of visual amenity and to ensure that it responds to the local context of the site.

4. Notwithstanding the submitted details, details of all external hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority, prior to their installation. The development shall be carried out in accordance with the approved details and they shall be retained or replaced as approved thereafter.

Reason: To ensure that the development is appropriate in terms of visual amenity and to minimise surface water run-off.

5. All boundary treatments shall be carried out in accordance with the approved Boundary Treatment Plan and Boundary Treatment Details ref 1036-MB01 Rev E and 1036-MB02 Rev B. This includes a dry stone wall to the Holcombe Road frontage, and a natural stone wall to the Grane Road frontage. Sample panels of both stone walls shall be constructed on site for formal approval by the Local Planning Authority prior to their construction. The development shall be carried out in strict accordance with the approved details.

No dwelling shall be occupied until all fences / walls shown on the approved plans to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been

erected in conformity with the approved details prior to substantial completion of the development.

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

6. All trees and hedgerows to be retained must be protected by a scheme in accordance with BS 5837 (2012) and as detailed in the Arboricultural Impact Assessment and must be implemented on site before any other works are undertaken. All tree work must be undertaken in accordance with BS 3998 (2010).

Reason: In the interests of visual amenity and biodiversity.

7. The Landscape Proposals shall be implemented fully in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier. Any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of the appearance of the locality.

8. No development shall commence until an updated Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall be updated to reflect the amended site boundary. The development shall be carried out in accordance with the measures contained therein.

Reason: To ensure the long-term management and maintenance of the landscaping and open space associated with the development.

9. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a phased programme of archaeological investigation, recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Class F) or any subsequent re-enactment thereof no hardsurfacing shall be constructed over the front gardens shown on the approved landscaping plan without express planning permission first being obtained.

Reason: To protect the visual amenities of the development.

11. No development shall commence until full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) and a drawing to show full details of any retaining walls (heights, locations, materials) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

12. The garage(s) hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.

Flood risk and drainage

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 sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy 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 and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep. The drainage scheme should demonstrate that the surface water runoff and volume shall not exceed the pre-development runoff rate (yet to be agreed). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;

- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. 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 plot to confirm minimum 150mm+ 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, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

15. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that 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 and subsequently maintained pursuant to the requirements of Paragraph 168 of the National Planning Policy Framework.

16. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Contamination of ground and water

17. Notwithstanding any information submitted with the application, no development shall take place (except for demolition and enabling works as agreed with the LPA) 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) 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

ii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy 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 mitigating any hazards posed by contaminated land, and in the interests of reducing pollution.

18. Pursuant to condition 17; and prior to first use or occupation a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

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

19. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority who shall respond within 21 days from receipt. The development shall be undertaken in accordance with the agreed mitigation scheme.

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

20. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. Additional or supplementary site investigation, based on previously submitted information including the Ground Investigation Report by Betts Geo Consulting Engineers (referenced 15TAY024/GI; dated August 2018) and Supplementary Geo Environmental Appraisal of land at Grane Road, Haslingden (southern site area) by Sirius Geotechnical Ltd (reference C8226; dated February 2020), to provide information for a detailed

assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

21. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

22. No infiltration of surface water drainage into the ground where adversely elevated concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

23. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Highways

24. The new estate road/access between the site and Holcombe Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

25. The existing redundant access points into the land from Grane Road and Holcombe Road shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

Reason: To limit the number of access points to, and to maintain the proper construction of the highway.

26. 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 (subject to detailed design) has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

None of the dwellings shall be occupied until the works have been completed in accordance with the approved details.

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

27. No part of the development hereby approved shall commence until a scheme for the retaining structure adjacent to the highway has been submitted to, and approved by, the Local Planning consultation with the Highway Authority.

The development shall be carried out in accordance with the approved details.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the retaining structure are acceptable before work commences on site.

28. Prior to occupation of any of the dwellings, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Travel Plan shall be implemented within the timescale

set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

Reason: To promote and provide access to sustainable transport.

29. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

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

30. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the Local Planning Authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of the safe operation of the adopted highway during the demolition and construction phases, and residential amenity.

31. Prior to first occupation, the pedestrian and cycle links and EV charging points shown on the approved plans shall be provided. They shall be retained as approved thereafter.

Reason: In the interests of improving accessibility to the site for pedestrians and cyclists and to support the move to electric cars to improve air quality.

32. The mitigation measures contained within the Noise Assessment and Air Quality Assessment and as shown on the approved plans shall be carried out in full prior to occupation of any dwelling and shall be retained as approved (or replaced to match) for the lifetime of the development.

Reason: In the interests of residential amenity and air quality.

33. Notwithstanding submitted details, no dwelling shall be occupied until a refuse strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: the originally submitted strategy was not acceptable to the Council and amendments are required.

34. Details of the phasing of the construction of the development shall be submitted to the Local Planning Authority, in addition to a timetable for the construction of the areas of open space and LEAP, which shall be approved in writing prior to development commencing. The open space and LEAP shall be constructed in accordance with the agreed timetable.

Reason: To ensure that the on-site open space and LEAP are delivered prior to completion of the development.

35. No development shall commence until a statement demonstrating how the development is designed to be adaptable to climate change, how it incorporates energy efficiency principles and adopts principles of sustainable construction including Sustainable Drainage Systems, has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved statement.

Reason: The Council has declared a climate emergency, therefore to ensure that the development incorporates such principles.