

Application Number:	2025/0456	Application Type:	S.73 (Variation of Conditions)
Proposal:	S.73 Application: variation of conditions 2 (list of approved plans), 13 (surface water drainage strategy), 26 (Arboricultural Impact Assessment) pursuant to planning appeal approval APP/B2355/W/25/3361545 (2023/0462).	Location:	Land South Of Hardman Avenue, Rawtenstall, Rossendale.
Report of:	Head of Planning and Building Control	Status:	For Publication
Report to:	Development Control Committee	Date:	20/01/2026
Applicant:	MCI Developments Ltd	Determination Expiry Date:	19/02/2026
Agent:	Olivia Pemberton (Eden Planning and Development Ltd)		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	Yes – major residential application (S.73).
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

Grant planning permission, subject to the conditions set out in this report and subject to the terms of the existing S.106 Agreement (under 2023/0462).

APPLICATION DETAILS

2. SITE

The application relates to an irregularly shaped plot of land, of approximately 1.72 hectares in area, which lies to the immediate south of Hardman Avenue and east of Lomas Lane.

The land is largely open comprising open fields but there are a number of mature trees and a pond adjoining, and along, the eastern site boundary. The land slopes gradually downwards from the southern to the northern boundaries. The site is bound mainly by timber post and rail fencing, and there is a horse riding arena and some hardstanding and garden areas at the northern end of the site close to Carr Barn Cottage.

Carr Farm (a Grade II Listed Building) lies immediately adjacent to the site at its northern end. The Site is also approximately 70m from the Grade II listed gravestone in the grounds of Carr House to the west.

Public Footpath No. 259 crosses the site from west to east, and No. 260 runs along part of the site's eastern boundary.

The site is accessed through the yard of Carr Barn Cottage, with a single width concrete-surfaced track leading off Hardman Avenue into the site. Carr Barn Cottage itself is a substantial two and a half storey dwelling of stone and render construction, attached to a stone barn.

The site is approximately 900 meters from Rawtenstall Town Centre. The site forms part of a wider allocation (ref: H15) in the adopted Local Plan for residential development. Site specific policy H15 within the Local Plan contains detailed requirements for development proposals on the site.

Planning permission was granted for the development of 44 dwellings on the site at appeal – ref: APP/B2355/W/25/3361545 (2023/0462).

3. RELEVANT PLANNING HISTORY

X/1990/246 – Change of use of barn to dwelling (Carr Farm Barn) – Approved 22/06/90

X/1993/435 – Proposed temporary siting (12 months) of two static caravans linked together to form one dwelling – Refused 19/11/93. The proposal was considered to represent inappropriate development within this Countryside Area. It was also contended that the proposal would set an unwelcome precedent that would make it difficult to resist other similar forms of development in the future.

X/2006/487 - Erection of 2 no. detached houses and one pair of semi-detached dwellings and manège (Carr Farm) – Approved 16/11/06

2009/0126 - Erection of 2 no. detached dwellings, restoration and re-profiling of land, provision of car parking area to be used by Ballden CP School, creation of a passing place along Lomas Lane (Land adjacent Carr Farm) – Approved 30/11/09

2023/0462 - Full: Demolition of existing buildings and the erection of 44 dwellings, creation of a new vehicular access off Hardman Avenue, along with landscaping, public open space, drainage and all other associated works – Approved at appeal (APP/B2355/W/25/3361545)

4. PROPOSAL

The application seeks to vary Conditions 2 (Approved Plans), 13 (Surface Water Drainage), and 26 (Arboricultural Impact Assessment) attached to planning permission 2023/0462, which was allowed at appeal on 21 July 2025 (APP/B2355/W/25/3361545).

The original permission granted the demolition of existing buildings and erection of 44 dwellings, creation of a new vehicular access off Hardman Avenue, together with landscaping, public open space, drainage, and associated works.

The applicant states that the proposed variations are required to enable amendments to the approved plans and associated documents. These changes primarily arise from the applicant's intention to achieve full compliance with the Nationally Described Space Standards (NDSS) for 41 of the 44 dwellings, following discussions with prospective Registered Providers of affordable housing.

The approved scheme achieved around 85% NDSS compliance (per dwelling); however, 100% compliance per dwelling is now required to secure grant funding and deliver the scheme as 100% affordable housing.

To achieve 100% NDSS compliance and accommodate the larger building footprints which are necessary, the application proposes a series of consequential amendments, including:

- **House Types:** Substitution of all approved house types (except plots 19–22) with new ones that fully comply with NDSS and M4(2) accessibility standards.
- **Housing Mix:** Minor adjustment to the mix, changing from 4 one-bedroom, 16 two-bedroom, and 24 three-bedroom dwellings to 4 one-bedroom, 17 two-bedroom, and 23 three-bedroom dwellings.
- **Plot Repositioning:** Repositioning of plots 1–10 and 19–38 to accommodate the amended house types, while maintaining policy-compliant separation distances.
- **Private Amenity Space:** Adjustments to garden layouts for plots 19–24, 32–39, 41, and 44.
- **Parking Arrangements:** Relocation of parking spaces within curtilages and minor layout changes, resulting in a net reduction of one space over the scheme as a whole.
- **Public Open Space:** A 10% reduction in POS, affecting an area on the western edge of the site that was previously inaccessible, with overall usability maintained.
- **Public Right of Way (PROW):** Realignment of PROW FP1404260 to its definitive route within the site boundary, as agreed during the appeal hearing on 2023/0462.
- **Drainage and Trees:** Updated drainage layout and arboricultural documentation to reflect the revised site layout; conclusions remain unchanged.

Supporting documents include updated plan references, a Biodiversity Net Gain Metric Calculation, a Biodiversity Enhancement Management Plan, and revised Arboricultural Impact Assessment and Method Statement.

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 6 Building a Strong, Competitive Economy
- 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 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan

Most Relevant Local Plan Policies (although Local Plan should be read as a whole)

- SS: Spatial Strategy
- SD1: Presumption in Favour of Sustainable Development
- SD2: Urban Boundary and Green Belt
- SD3: Planning Obligations
- H15: Carr Barn and Carr Farm
- HS1: Meeting Rossendale's Housing Requirement
- HS2: Housing Site Allocations
- HS3: Affordable Housing
- HS4: Housing Density
- HS5: Housing Standards
- HS6: Open Space Requirements in New Housing Developments
- HS7: Playing Pitch Requirements in New Housing Developments
- HS8: Private Outdoor amenity space
- ENV1: High Quality Development in the Borough
- ENV2: Historic Environment
- ENV3: Landscape Character and Quality
- ENV4: Biodiversity, Geodiversity and Ecological Networks
- ENV5: Green Infrastructure networks
- ENV6: Environmental Protection
- ENV8: Other forms of energy generation
- ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality
- ENV10: Trees and Hedgerows
- TR1: Strategic Transport
- TR2: Footpaths, Cycleways and Bridleways
- TR3: Road Schemes and Development Access
- TR4: Parking

Other Material Considerations

- National Planning Practice Guidance
- National Design Guide

Alterations and Extensions to Residential Properties SPD
 Open Space and Play Equipment Contributions SPD
 Climate Change SPD
 Planning (Listed Buildings and Conservation Areas) Act 1990
 LCC Planning Obligations in Lancashire (2008)

6. CONSULTATION RESPONSES

Consultee	Objection	Conditions
Conservation Consultant (Growth Lancs)	N	N
LCC Lead Local Flood Authority (LLFA)	N	Y
LCC Highways & PRoW	N	N
RBC Forward Planning	N	N
Tree Consultant	N	N
United Utilities	No Comments	N

7. REPRESENTATIONS

To accord with the General Development Procedure Order, site notices were posted and neighbour letters were sent out. A notice was also published in the Rossendale Free Press.

No representations have been received.

8. ASSESSMENT

Planning permission has already been granted on the site for the development of 44 dwellings, on appeal. That permission remains live. As such, the acceptability in principle of this development is already established.

Paragraph 11 of the Framework contains a presumption in favour of sustainable development. For decision-taking this means:

- c) approving 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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

The Council cannot currently demonstrate a five-year supply of deliverable housing land within the Borough. Therefore, the weight to be afforded to the Council's Local Plan policies important to the determination of any planning application is a matter for the decision maker. The need for an

assessment / balancing exercise in the context of paragraph 11(d) of the Framework is therefore triggered at the time of writing.

Assessment of this application must relate only to consideration of the aspects which the applicant seeks to vary from the scheme previously approved.

Visual Amenity and Landscape Impact

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.*

Other relevant policies of the Local Plan such as SD2 and ENV1 also require developments of this kind to be of the highest possible quality.

Site-specific Policy HS15 requires that a landscape buffer zone using native planting is created along the eastern and southern boundaries of the development, and landscaping of an appropriate density and height is also implemented throughout the site to soften the overall impact of the development. The revised plans maintain such a buffer zone and appropriate landscaping throughout the site.

The dwellings themselves, whilst each slightly larger in dimensions than those previously approved, would retain a very similar appearance, faced in artificial stone as before. It is not considered that the proposed amendments to the house types would cause any significantly increased level of harm to visual amenity or landscape impact.

The layout of the development would remain largely similar to that previously approved, with a slight reduction in the amount of open space. It is not considered that the changes to the scheme would cause significant visual or landscape harm in this respect.

Heritage Impact

The Council's heritage consultants (Growth Lancashire) have commented as follows:

Growth Lancashire has reviewed the amended plans and confirmed that the proposed variations, including changes to house types, plot positions, landscaping, drainage layout, and the alignment of the public right of way, will have no adverse impact on the setting of nearby designated heritage assets. From a conservation perspective, the submitted details are acceptable, and no further comments are raised in relation to conditions 2 and 26.

Residential Amenity and Open Space

Owing to the siting, design and orientation of the proposed dwellings and their associated curtilages, along with proposed boundary treatments, it is not considered that the revisions to the approved scheme would cause any unacceptable impact on the daylight, privacy or outlook enjoyed by the occupants of any existing residential properties, over and above the impact of the already-approved scheme.

To accommodate the revised house types, dwellings within plots 1–10 and 19–38 have been repositioned. The relationship between plots 1–10 and existing dwellings on Hardman Avenue remains largely unaffected, with a minimum separation of 20.7m retained.

The dwelling on plot 15 will be 19.8m from 4 Carr Farm Close (previously 21.5m), but as the facing elevation is a side elevation (featuring only WC and bathroom windows) rather than a rear elevation, the 13m interface distance required by the Council's Alterations and Extensions to Residential Properties SPD is still exceeded. A condition is also proposed which would require the WC and bathroom windows in question to be obscure-glazed.

Overall, the revised layout maintains policy-compliant separation distances between new and existing properties.

The amended scheme would deliver 100% NDSS compliance for 41 of the 44 dwellings – which represents a significant improvement over the previously-approved scheme. This would secure a far more acceptable standard of living space for residents of the development.

Whilst there would be a small reduction in the amount of open space on the development, it is considered that this reduction is acceptable in the context of the development providing a significantly improved amount of living space for residents. The Council's Forward Planning team raise no objection in this respect. In addition, the S.106 Agreement already includes contributions for off-site public open space improvement in any case.

Access, Public Rights of Way, Parking and Highway Safety

The Local Highway Authority has no objection to the proposed variations. The amendments include changes to house types, plot positions, parking arrangements, retaining walls, and the realignment of the public right of way to its definitive route. Updated drainage and arboricultural reports have been reviewed and remain acceptable. The developer must follow the appropriate diversion processes for the public footpath before works commence (separate to this application).

Affordable Housing

Policy HS3 of the Local Plan contains a requirement for 30% affordable housing to be provided on larger developments of ten or more dwellings.

The proposed development would include 100% affordable housing on site, which is a significantly greater number of affordable houses than Policy HS3 requires.

As such, the proposed scheme significantly exceeds the requirements of Policy HS3 and is acceptable in terms of affordable housing provision. The revisions to the scheme now proposed are likely to make the development more deliverable for a Registered Provider, and as such are considered more likely to come forward.

Developer Contributions

Planning contributions are already secured for the development, via the S.106 Agreement attached to the previous appeal approval. These would be attached to the revised proposals if they are approved, as the S.106 Agreement contained adequate flexibility for the contributions to apply to any future variations of the development.

Trees, Ecology and Biodiversity

The statutory 10% biodiversity net gain requirement does not apply to a Section 73 application if the original planning permission was applied for or granted before 12 February 2024 (which is the case here).

The Council's ecology consultant (Greater Manchester Ecology Unit) had no objection to the previously approved proposals, subject to the inclusion of conditions. The conditions would be carried forward to this amended scheme if approved.

The Council's tree consultant has no objection to the proposed variation of Condition 26.

Flood Risk and Drainage

The Lead Local Flood Authority raises no objection to the proposed variation of condition 13 relating to the surface water drainage strategy.

Conclusion

The in-principle acceptability of the scheme on this allocated housing site has already been established at appeal recently.

The proposed amendments to the scheme (and consequential variations of the wording of conditions) are considered acceptable, and would not significantly alter the impacts of the development as a whole.

The amendments would enable the scheme to achieve NDSS compliance (for 41 out of the 44 dwellings), representing a significant improvement over the previously-approved scheme. The amendments are likely to increase the deliverability of affordable housing on the site by a Registered Provider.

As such, it is recommended that planning permission is granted.

9. SUMMARY REASON FOR APPROVAL

The acceptability in principle of the scheme has already been established at appeal. The proposed amendments would not significantly alter the impacts of the development, which remains acceptable in the context of the Local Plan and the National Planning Policy Framework.

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the 21st July 2025 (the date of appeal decision APP/B2355/W/25/3361545).

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

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

- Location Plan (MCI-096-DR-A-509-D)
- Site Layout (MCI-096-DR-A-500-AF)
- General Arrangement Plan (UG_1980_LAN_GA_DRW_101 P19)
- Hard Landscape Plan (UG_1980_LAN_HL_DRW_201 P17)
- Soft Landscape Plan (Full Site) (UG_1980_LAN_SL_DRW_301 P18)
- Soft Landscape Plan (1) (UG_1980_LAN_SL_DRW_302 P15)
- Soft Landscape Plan (2) (UG_1980_LAN_SL_DRW_303 P15)
- Soft Landscape Plan (3) (UG_1980_LAN_SL_DRW_304 P16)
- Retaining Wall Proposals
- Boundary Treatment Plan (MCI-096-DR-A-501-O)
- Hard Surface Plan (MCI-096-DR-A-503-H)
- Drainage Appraisal (20-01 Drainage Layout-20-01B)
- The Leadmill Working Drawing Pack (22CORE-KMH_LEADMILL_END_AS_DR-A-1320)
- Farley Drawing Pack (22CORE-KMH-FARLEY_DET_AS-DR-A-5140)
- Holgate Drawing Pack (22CORE-KMH-HOLGATE_END_AS-DR-A-5050)
- Seacourt Drawing Pack (22CORE-KMH-SEACOURT_END_AS-DR-A-5250)
- Ashburn Drawing Pack (22CORE-KMH-ASHBURN_END_AS-DR-A-5230)
- Walkham Drawing Pack (22CORE-KMH-WALKHAM_END_AS-DR-A-5110)
- Welfare Plan (MCI-096-DR-A-506-E)
- Longitudinal Sections (20-03 Longitudinal Sections-20-03B)
- EV Charging Plan (MCI-096-DR-A-505-H)
- Materials Distribution Plan (MCI-096-DR-A-508-L)
- Parking Provision Plan (MCI-096-DR-A-510-E)
- Site Section A-A (MCI-096-DR-A-511-B)
- Site Section B-B (MCI-096-DR-A-511-E)
- Interface Plan (MCI-096-DR-A-512-E)
- M4(2) House Types (MCI-096-DR-A-513-E)
- PROW Plan (MCI-096-DR-A-514-D)
- PV Plan (MCI-096-DR-A-515-E)
- Renusol Dachhaken Eco Basic (019755 REV. 1)
- Renusol solar PV certification details (06)
- Renusol Eco hook mount details and solar PV mounting rail details
- Variosole installation details and manual

- Demolition Plan (MCI-096-DR-A-517-B)
- Refuse Plan (MCI-096-DR-A-520-F)
- Fire Appliance Plan (MCI-096-DR-A-526-E)
- Biodiversity Net Gain Design Stage Assessment (October 2025 Rev 01)
- Arboricultural Impact Assessment (UG-1980_ARB_AIA_01_REV_07_FINAL)
- Arboricultural Method Statement (UG_ARB_AMS_01_REV_02_FINAL)
- Precautionary Method of Works (UG_1980_ECO_PMoW_01, April 2024)
- Pond Access Works (MCI-096-DR-A-521)
- Loading Out Plan (MCI-096-DR-A-522-A)
- Application form

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. No development shall take place until a detailed habitat enhancement, management and monitoring plan (covering the entire site and any related watercourses) has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be implemented in accordance with the approved details, and all agreed management and monitoring measures shall be implemented for the lifetime of the development.

Reason: In the interests of protecting and enhancing biodiversity.

4. No development shall take place until a further precautionary check of the site for badger setts has been carried out by a qualified ecologist, and the results submitted to and approved in writing by the Local Planning Authority. Should evidence of badgers be found, appropriate mitigation measures shall be agreed in writing by the Council and the development implemented in accordance with the approved details.

Reason: In the interests of protecting badgers.

5. Prior to any above ground works taking place, an external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- Identify retained features on site that are potentially sensitive to lighting for bats;
- Identify proposed features for bats and;
- Through appropriate isolux plans, demonstrate clearly that any impacts on bats is negligible.

Any external lighting shall thereafter be installed in accordance with the agreed details.

Reason: In the interests of protecting and enhancing biodiversity.

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

Reason: In the interests of protecting and enhancing biodiversity.

7. The development shall be implemented in strict accordance with the Reasonable Avoidance Measures Method Statement for Amphibians and Mammals contained in the approved Precautionary Method of Works (ref: UG_1980_ECO_PMoW_01).

Reason: In the interests of protecting and enhancing biodiversity.

8. Prior to any earthworks taking place, a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Rhododendron shall be submitted to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.

Reason: To prevent the spread of invasive plant species.

9. Prior to any demolition works taking place, a further survey of the building(s) to be demolished for bats and bat roosting potential shall be carried out by a qualified ecologist. The results of the survey (along with any proposed mitigation measures if necessary) shall be submitted to and approved in writing by the Local Planning Authority, and any necessary mitigation measures implemented before demolition takes place.

Reason: In the interests of protecting and enhancing biodiversity.

10. Notwithstanding any information submitted with the application, no development (other than demolition) shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. Where potential risks are identified, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority, prior to development (other than demolition) taking place.

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. Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy (including verification plan). The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: To mitigate risks associated with land contamination and prevent pollution.

11. Pursuant to condition 10 and prior to first occupation of any part of the development, a verification report, which validates that all remedial work undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate risks associated with land contamination and prevent pollution.

12. 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, 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.

Reason: To mitigate risks associated with land contamination and prevent pollution.

13. No development shall commence 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 surface water sustainable drainage strategy shall be based upon the submitted site-specific flood risk assessment (HYD836_CARR.FARM_FRA&DMS, Rev 4.0, February 2024, Betts Hydro) and indicative surface water sustainable drainage strategy (Drawing 20-01 Drainage Layout-20-01B, Mono Civil Design Consultants), and the 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 site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
- d) Evidence of an assessment of the existing 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.
- e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- f) Phasing plan for the construction of the surface water sustainable drainage system.

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 National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority. The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

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

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

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with the National Planning Policy Framework.

15. The occupation of the development shall not be permitted until a site specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The details of the manual to be submitted for approval shall include, as a minimum:

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

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

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and

ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

16. The occupation of each phase of the development shall not be permitted until a site-specific verification report for that phase, 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 National Planning Policy Framework.

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

- i. The parking of vehicles of site operatives and visitors,
- ii. The loading and unloading of plant and materials,
- iii. The storage of plant and materials used in constructing the development,
- iv. The erection and maintenance of security hoarding,
- v. Wheel washing facilities,
- vi. Measures to control the emission of dust and dirt during construction,
- vii. A scheme for recycling/disposing of waste resulting from demolition and construction works,
- viii. Routing of delivery vehicles to/from site.

Reason: In the interests of highway safety.

18. Construction-related deliveries to the approved development shall only be accepted between the hours of 9.30am and 3.00pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interests of highway safety.

19. Construction works shall not take place outside the following hours:

- Monday to Friday: 08:00 to 18:00
- Saturday: 08:00 to 13:00

Construction works shall not take place on Sundays or Bank or Public Holidays.

Reason: In the interests of residential amenity.

20. Prior to commencement of any development, but excluding demolition works, a scheme for the site access and off-site highway works shall be submitted to an approved by the Local Planning

Authority. The works shall include the following and shall be implemented prior to the first occupation of any dwelling:

- i. New site access with parking restrictions for junction protection,
- ii. Dropped kerb crossing points with tactile paving,
- iii. Street lighting and surface water drainage alterations where necessary.

Reason: In the interests of highway safety.

21. Prior to commencement of any development, but excluding demolition works and site surface clearance works, 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: In the interests of highway safety and proper maintenance of the development.

22. Prior to commencement of any development, but excluding demolition works, full engineering, drainage, street lighting and constructional details to adoptable standards (LCC specification) of the internal estate roads shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and proper maintenance of the development.

23. The internal estate roads shall be constructed in accordance with the approved engineering details (pursuant to condition 22) and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and proper maintenance of the development.

24. Prior to the occupation of each dwelling, the materials to be used in the construction of the driveways and parking areas associated with the dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The driveways and parking areas shall be constructed in accordance with the approved details, and shall thereafter be maintained and retained for the parking of vehicles for as long as the development is occupied.

Reason: In the interests of highway safety and to ensure adequate parking arrangements.

25. Prior to first occupation each dwelling shall have a secure cycle store provided, which provides 1 cycle space per bedroom, in accordance with details previously agreed in writing by the Local Planning Authority.

Reason: To promote sustainable and active travel.

26. The development hereby approved shall be carried out in accordance with the approved Arboricultural Impact Assessment (UG-1980_ARB_AIA_01_REV_07_FINAL) and Arboricultural Method Statement (UG_ARB_AMS_01_REV_02_FINAL).

No development shall commence until all the trees to be retained within the site have been protected in accordance with the specification described in the approved AIA and AMS, in the positions as shown within those documents, and shall remain in place until all development is completed. No work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such fencing.

Reason: To ensure that retained trees are properly protected.

27. The Lock and Load retaining walls to be constructed as part of the development shall be faced in 'charcoal' colour stone as shown on submitted drawing MCI-096-DR-A-RW (Retaining Wall Colour Options).

Reason: In the interests of visual amenity.

28. No development shall take place until physical samples and trade literature of all materials proposed to be used in the construction of the elevations and roofs of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

29. The approved scheme of landscaping and planting for each phase of the development shall be carried out in full in the first planting and seeding season following the first occupation of any dwelling within that phase, in accordance with the approved details. Any trees or plants which within a period of 15 years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species.

Reason: In the interests of visual amenity and biodiversity.

30. The development shall be carried out in accordance with the approved programme of building recording, analysis and reporting work as set out in the submitted Historic Building Recording Project Design document (SLR Consulting Ltd Ref: VN0105 Rev. 02).

The programme of works shall comprise the creation of a Level 3 archaeological record of the buildings to be demolished. The Level 3 record should be as set out in "Understanding Historic Buildings: A guide to good recording practice" (Historic England 2016).

The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record, prior to the occupation of any of the new dwellings.

Reason: To secure an appropriate programme of building recording, analysis and reporting.

31. The windows on the west side elevation of plot 15 (serving a WC and a bathroom) shall be obscure glazed to level 3 on the Pilkington Levels of Privacy scale, or to an equivalent level as may be agreed in writing by the Local Planning Authority. The obscure glazing shall be installed before the dwelling on that plot is first occupied, and shall thereafter be satisfactorily retained as such at all times thereafter.

Reason: To safeguard the privacy of the occupiers of the neighbouring property in accordance with the requirements of Policies HS9 and ENV1 of the adopted Rossendale Local Plan 2019 to 2036 and Section 12 of the National Planning Policy

11. INFORMATIVES

1. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions. Prior to carrying out any works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.
2. The applicant's attention is drawn to the comments received from the Coal Authority on application 2023/0462 in relation to their standing advice for developers.
3. The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.
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.

The applicant and their consultants are advised of the following which should be followed where applicable otherwise the LPA may not be able to discharge the planning conditions.

- Testing and validation of soils for re-use should as a minimum be undertaken fully in accordance with the YALPAG guidance and guidance listed within. Analysis must include asbestos. Movement and use of materials must comply with waste management regulations and associated guidance.
- Additional checks are likely to be required of materials (including natural materials) they will ultimately form part of the gardens. This is likely to include materials exposed during site regrading.
- All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.
- The developer should have due regard to The Definition of Waste Code of Practice where materials are to be re-used on site or re-used elsewhere. A management plan will help demonstrate that materials have been utilised correctly and in accordance with proposals. Failure to comply may result in materials being considered waste.
- Copies of waste documentation should be included within the verification report.
- A water supply pipe risk assessment may be needed if unexpected contamination is found.

- According to BS10175, typical densities of sampling grids can vary from 25m to 50m centres for exploratory investigations, and 10m to 25m centres for detailed investigations. A greater density of sampling grid (for example 10m centres or less) should be considered where:
 - a) heterogeneous contamination is indicated, for example, on a former gasworks site;
 - b) contaminant concentrations identified during an earlier investigation are close to the critical levels of interest, recognizing the uncertainties of measurement in the concentration values;
 - c) a high level of confidence is required for the outcome of a risk assessment (for example, for a housing development);
 - d) delineation is required along the edges of known areas of contamination;
 - e) the “averaging area” is small

5. The applicant's attention is drawn to the advice contained within comments on this application and application 2023/0462 from consultees. Their advice contains important information and guidance which must be adhered to, as it has implications for the discharge of planning conditions.
6. The developer should ensure that mitigation is in place for any badgers that may enter the site during construction. This should include no trenches being left open overnight. Any open trenches should have a means of escape for any animal. No uncovered poured concrete at night, boards in place to stop animals entering trenches. No fires should take place on site and no chemicals should be stored unbunded. All staff on site should be briefed about the possibility of encountering badgers. If a badger does become trapped or stuck, expert advice to be sought.
7. 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/>

8. The proposed outfall may require a legal agreement with a third party to access and construct the outfall in addition to any permission(s) from flood risk management

authorities. Evidence of an in-principle agreement(s) should be submitted to the Local Planning Authority.

9. The grant of planning permission will require the applicant to enter into a S278 Agreement, with the County Council as Highway Authority. The Highway Authority 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 for further information by emailing the Highway Development Control Section at developeras@lancashire.gov.uk

Planning Sheet Notes:

Type and style of roof tiles and facing materials including external features such as canopies, cills, heads, fascia, windows, PV and doors as site specification and to Local Authority Approval and are SHOWN INDICATIVE ONLY ON THIS PLAN

PV zone illustrated to multiple roof faces to indicate a possible final location, for the purposes of planning only. May vary by plot (dependant on optimum orientation / roof facing) and not be consistent for each plot & housetype

- Final orientation / roof facing (nb – this may be on one, or multiple roof faces) of PV panels to be confirmed following plot specific SAP assessment.
- Final layout & number of panels to be as per PV installer's design ensuring that minimum kWp (as established by SAP assessment) is achieved.

Position of any EV charge point is indicative only, final position to suit parking configuration

Area Schedule - Sales

Name	Area	Area Sq Ft
Ground Floor GIA	39.21 m ²	422.04 SF
First Floor GIA	39.21 m ²	422.04 SF
	78.42 m ²	844.08 SF

Area Schedule - Build

Name	Area	Area Sq Ft
Ground Floor Build	39.86 m ²	429.06 SF
First Floor Build	39.86 m ²	429.06 SF
	79.72 m ²	858.12 SF

Part O - This housetype will pass the simplified method if the site and elevations meets all of **CONDITIONS** shown on **Sheet 210**

i.e., site location, no noise and pollution issues, number and size of windows and doors, number and size of opening lights, area of glazing, GIA floor area, presence of ground floor bedrooms, presence of flat roofs and roofs with a pitch of less than 30° (including bays and canopies) within 2m vertically of first floor bedrooms



Front Elevation.

1 : 100



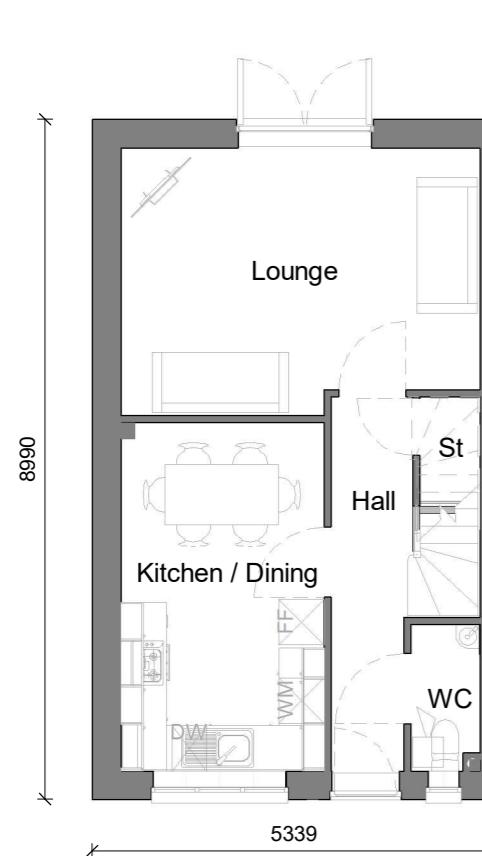
Left Elevation.

1 : 100



Rear Elevation.

1 : 100



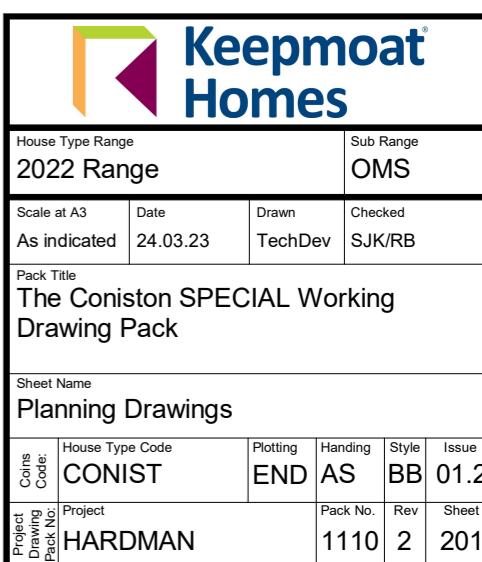
Ground Floor.

1 : 100



First Floor.

1 : 100



Planning Sheet Notes:

Type and style of roof tiles and facing materials including external features such as canopies, cills, heads, fascia, windows, PV and doors as site specification and to Local Authority Approval and are SHOWN INDICATIVE ONLY ON THIS PLAN

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Position of any EV charge point is indicative only, final position to suit parking configuration

Area Schedule - Sales

Name	Area	Area Sq Ft
Ground Floor GIA	37.87 m ²	407.59 SF
First Floor GIA	37.87 m ²	407.59 SF
	75.73 m ²	815.18 SF

Area Schedule - Build

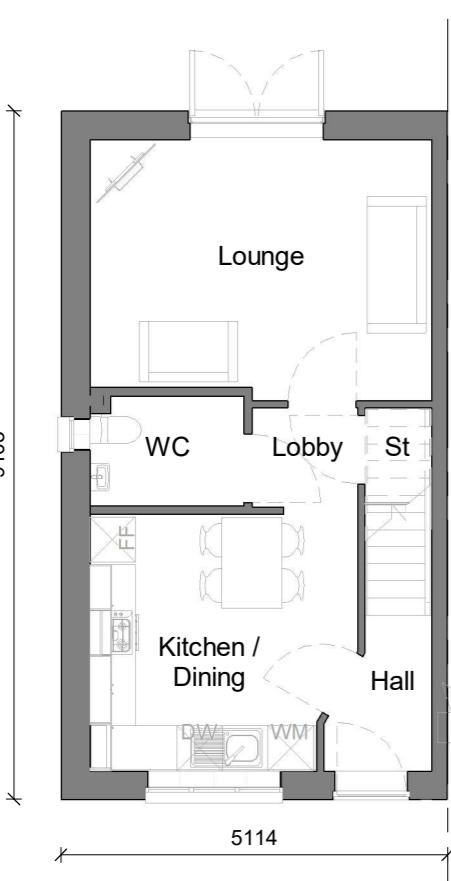
Name	Area	Area Sq Ft
Ground Floor Build	38.51 m ²	414.55 SF
First Floor Build	38.51 m ²	414.55 SF
	77.03 m ²	829.1 SF

Part O - This housetype will pass the simplified method if the site and elevations meets all of **CONDITIONS** shown on Sheet 210

i.e., site location, no noise and pollution issues, number and size of windows and doors, number and size of opening lights, area of glazing, GIA floor area, presence of ground floor bedrooms, presence of flat roofs and roofs with a pitch of less than 30° (including bays and canopies) within 2m vertically of first floor bedrooms



Front Elevation.



Ground Floor.



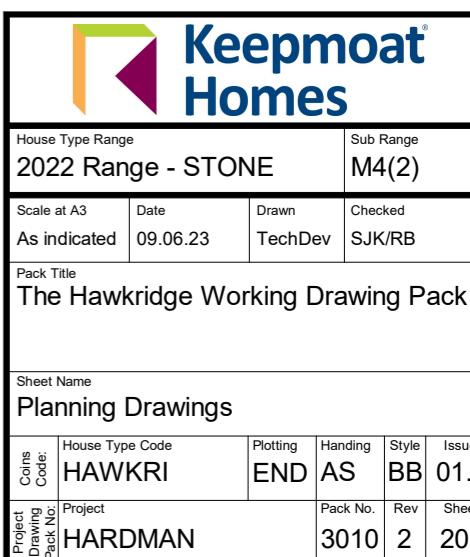
Left Elevation.



Rear Elevation.



First Floor.



Planning Sheet Notes:

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Position of any EV charge point is indicative only, final position to suit parking configuration

Area Schedule - Sales

Name	Area	Area Sq Ft
Ground Floor GIA	35.31 m ²	380.12 SF
First Floor GIA	35.31 m ²	380.12 SF
	70.63 m ²	760.25 SF

Area Schedule - Build

Name	Area	Area Sq Ft
Ground Floor Build	35.93 m ²	386.78 SF
First Floor Build	35.93 m ²	386.78 SF
	71.87 m ²	773.56 SF

Part O - This housetype will pass the simplified method if the site and elevations meets all of **CONDITIONS shown on Sheet 210**

i.e., site location, no noise and pollution issues, number and size of windows and doors, number and size of opening lights, area of glazing, GIA floor area, presence of ground floor bedrooms, presence of flat roofs and roofs with a pitch of less than 30° (including bays and canopies) within 2m vertically of first floor bedrooms



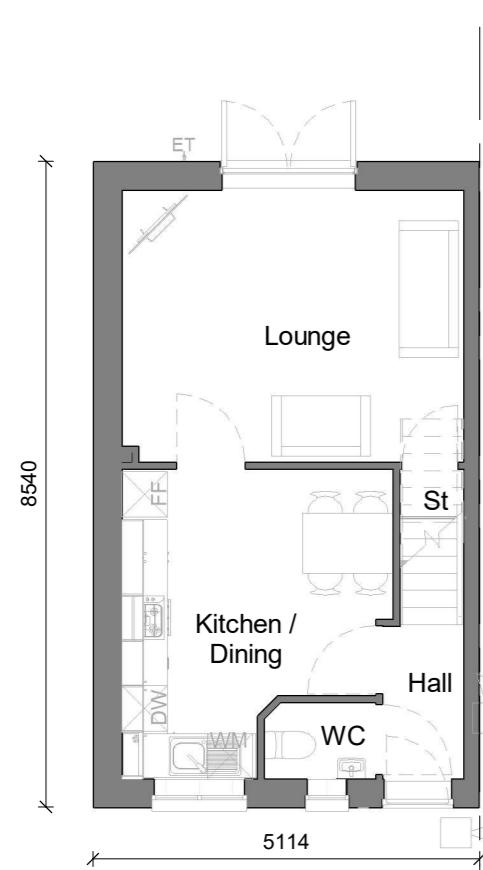
Front Elevation.

1 : 100



Left Elevation.

1 : 100



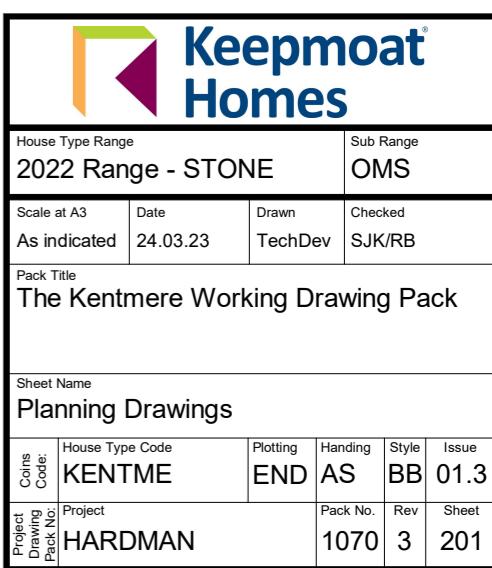
Ground Floor.

1 : 100



First Floor.

1 : 100



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Position of any EV charge point is indicative only, final position to suit parking configuration

Area Schedule - Sales

Name	Area	Area Sq Ft
GF Apt. GIA	43.38 m ²	466.96 SF
FF Apt. GIA	44.59 m ²	479.94 SF
FF Apt. Hall GIA	2.38 m ²	25.61 SF
	90.35 m ²	972.51 SF

Area Schedule - Build

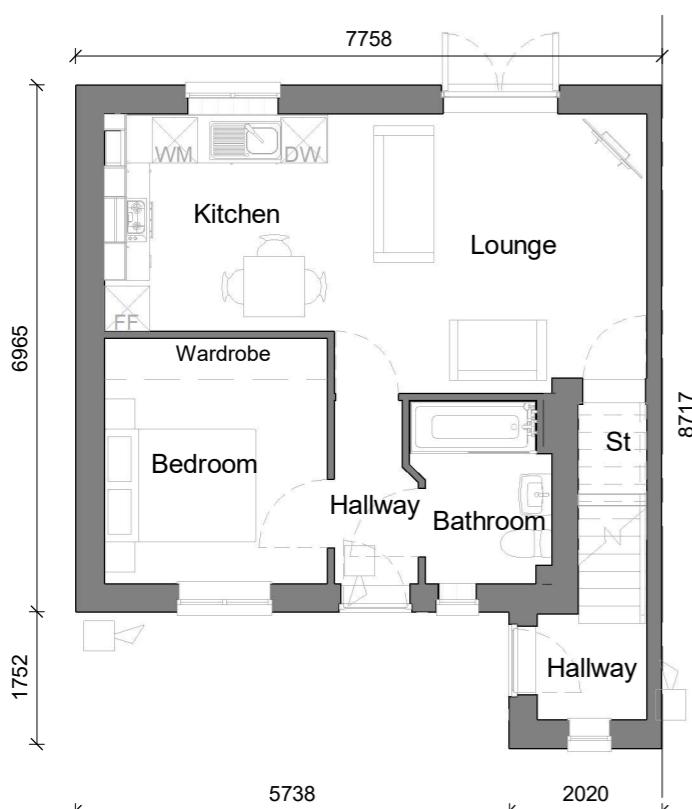
Name	Area	Area Sq Ft
GF Apt. Build	45.26 m ²	487.17 SF
FF Apt. Build	45.26 m ²	487.17 SF
FF Apt. Hall Build	2.50 m ²	26.87 SF
	93.02 m ²	1001.21 SF

Part O - This housetype requires a **dynamic assessment** (TM59) as the amount of free ventilation area is lower than that allowable following a simplified assessment.

Other site conditions may also apply - see Sheet 210 for further details.



Front Elevation.



Ground Floor.



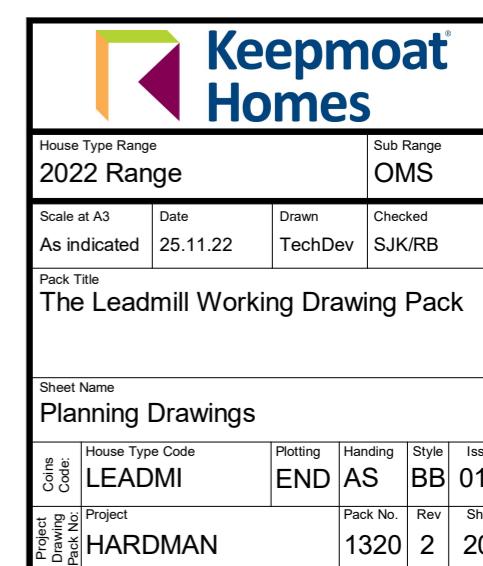
Left Elevation.



First Floor.



Rear Elevation.



Planning Sheet Notes:

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- Final layout & number of panels to be as per PV installer's design ensuring that minimum kWp (as established by SAP assessment) is achieved.

Position of any EV charge point is indicative only, final position to suit parking configuration

Area Schedule - Sales

Name	Area	Area Sq Ft
Ground Floor GIA	34.11 m ²	367.16 SF
First Floor GIA	34.11 m ²	367.16 SF
	68.22 m ²	734.31 SF

Area Schedule - Build

Name	Area	Area Sq Ft
Ground Floor Build	34.73 m ²	373.88 SF
First Floor Build	34.73 m ²	373.88 SF
	69.47 m ²	747.75 SF

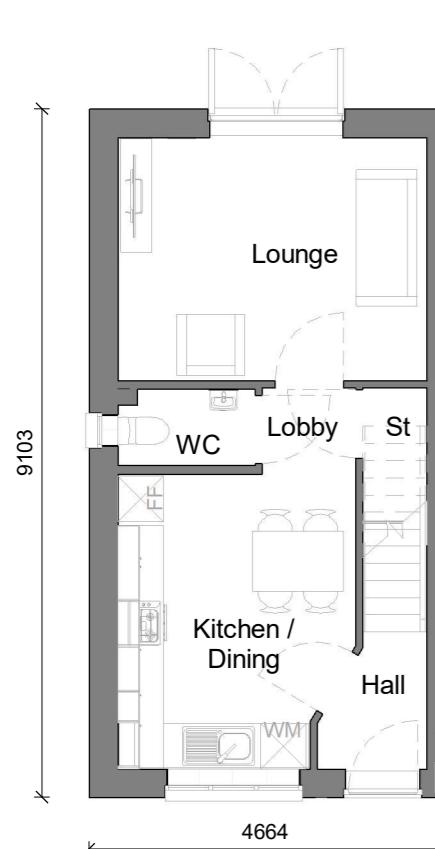
Part O - This housetype will pass the simplified method if the site and elevations meets all of **CONDITIONS** shown on Sheet 210

i.e., site location, no noise and pollution issues, number and size of windows and doors, number and size of opening lights, area of glazing, GIA floor area, presence of ground floor bedrooms, presence of flat roofs and roofs with a pitch of less than 30° (including bays and canopies) within 2m vertically of first floor bedrooms



Front Elevation.

1 : 100



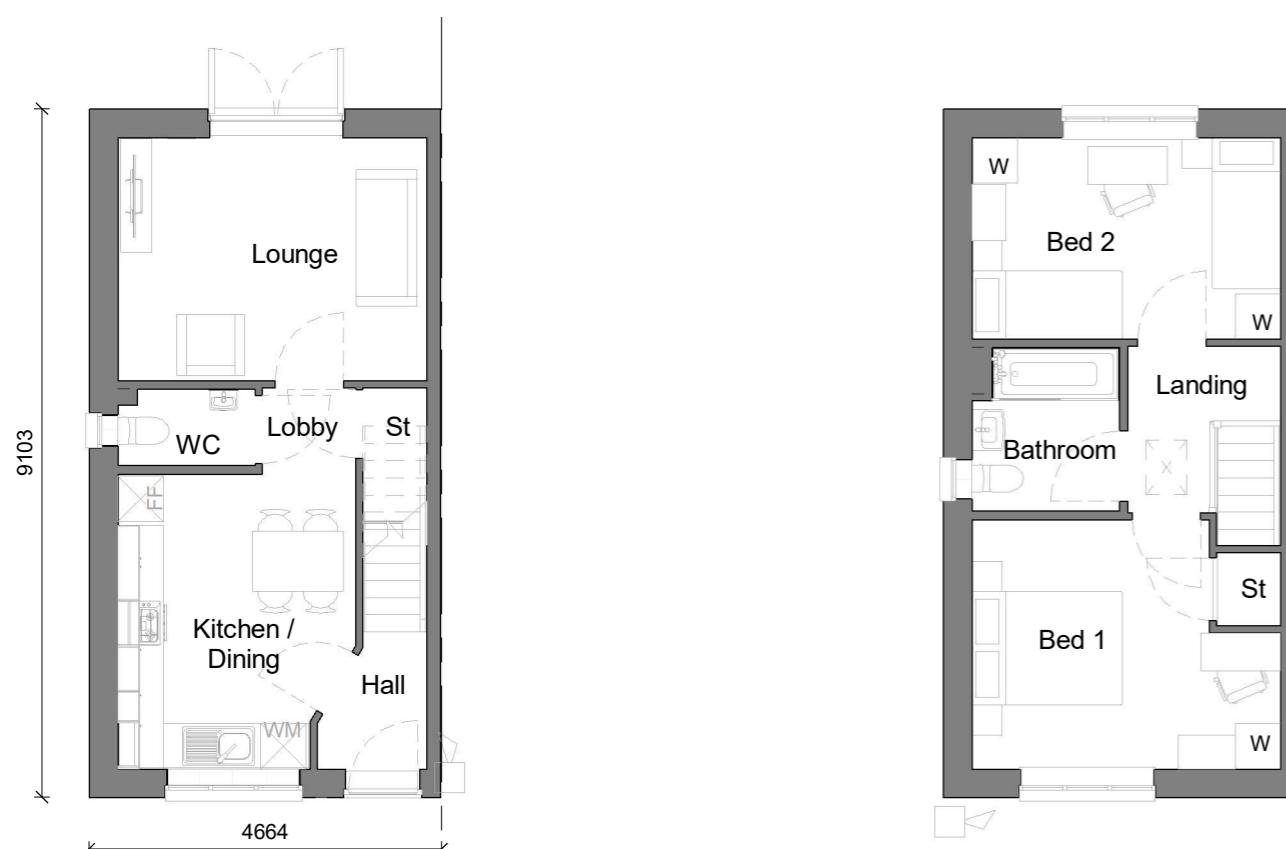
Ground Floor.

1 : 100



Left Elevation.

1 : 100



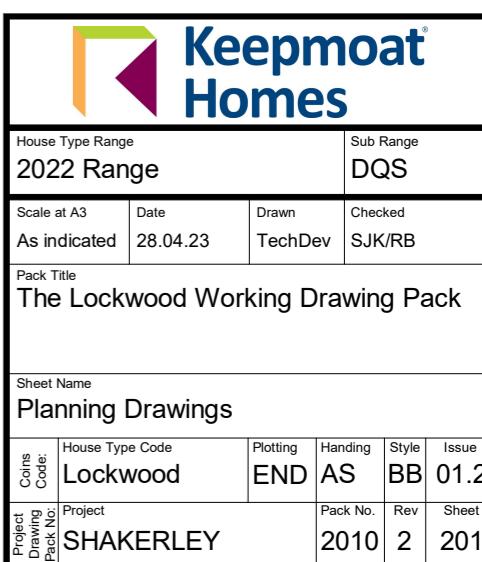
First Floor.

1 : 100



Rear Elevation.

1 : 100





Front Elevation.

1 : 100



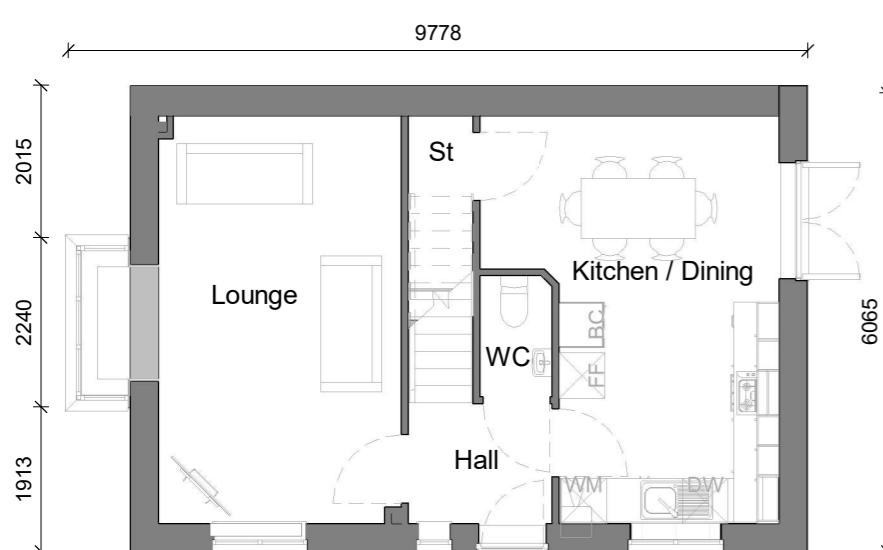
Left Elevation.

1 : 100



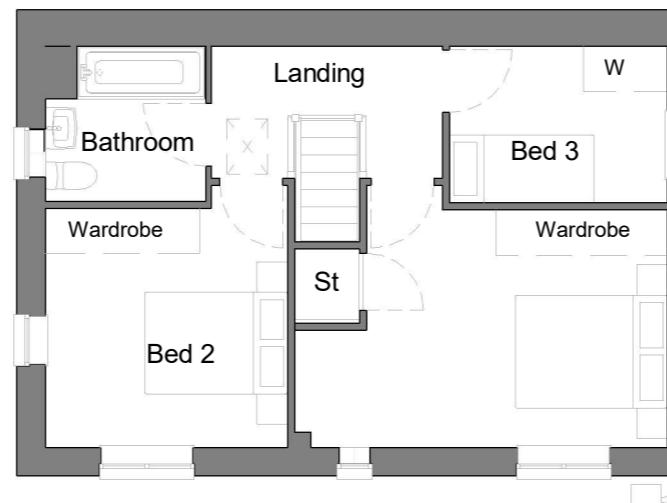
Right Elevation.

1 : 100



Ground Floor.

1 : 100



First Floor.

1 : 100

Planning Sheet Notes:

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- Final layout & number of panels to be as per PV installer's design ensuring that minimum kWp (as established by SAP assessment) is achieved.

Position of any EV charge point is indicative only, final position to suit parking configuration

Part O - This housetype requires a dynamic assessment (TM59) as it has one or more bedroom windows that are easily accessible (i.e., either on the ground floor, or within 2m vertically of a pitched roof (with a pitch of less than 30°), or a flat roof (including bays and door canopies) that is within 3.5m of the ground).

Other site conditions may also apply - see Sheet 210 for further details.

Area Schedule - Sales		
Name	Area	Area Sq Ft
Ground Floor GIA	45.56 m ²	490.36 SF
First Floor GIA	43.60 m ²	469.25 SF
	89.15 m ²	959.61 SF

Area Schedule - Build		
Name	Area	Area Sq Ft
Ground Floor Build	46.21 m ²	497.41 SF
First Floor Build	44.27 m ²	476.56 SF
	90.48 m ²	973.97 SF

Keepmoat Homes		Sub Range OMS
2022 Range - STONE		
Scale at A3	Date 10.03.23	Drawn TechDev
As indicated		Checked SJK/RB
Pack Title The Saltburn Sp Working Drawing Pack		
Sheet Name Planning Drawings		
Cons Code: SALTB	House Type Code DET	Plotting AS Handling BB Style 01.3 Issue
Project Drawing No: HARDMAN	Project	Pack No. 1400 Rev 3 Sheet 201



