

Agenda

MUNICIPAL YEAR 2018-2019



HYNDBURN

The place to be
an excellent council

Planning Committee

Wednesday, 15 August 2018 at 2.00 pm,
Scaitcliffe House, Ormerod Street, Accrington

Membership

Chair: Councillor Eamonn Higgins
Vice-Chair: Councillor Loraine Cox

Councillors Judith Addison, Jean Battle, Stephen Button, Stewart Eaves, Melissa Fisher,
June Harrison, Marlene Haworth, Abdul Khan, Dave Parkins, Kath Pratt and Paddy Short

A G E N D A

1. Apologies for Absence, Substitutions, Declarations of Interest and Dispensations

2. Minutes of the Last Meeting (Pages 3 - 4)

To submit the minutes of the Planning Committee meeting held on the 18th July 2018 for approval as a correct record.

Recommended - That the minutes be received and approved as a correct record.

3. Town and Country Planning Act 1990- Planning Applications for Determination (Pages 5 - 22)

The attached report sets out recommended action on the following planning application(s):-



- 3A - 11/18/0206: Smithacres Back Lane, Baxenden, Accrington, BB5 2RE
Full: Erection of no. 2 agricultural buildings (No. 1 livestock and no.1 food store) Re-Submission of planning application 11/18/0054.
- 3B - 11/18/0225: Land at Rhoden Duckworth Hill Lane, Oswaldtwistle, BB5 3QL
Full: Erection of agricultural building

Recommended **-That the applications be determined as set out in the report.**

PLANNING COMMITTEE

Wednesday, 18th July 2018

Present: Councillor Loraine Cox (in the Chair); Councillors: Judith Addison, Jean Battle, Stephen Button, Clare Cleary, Stewart Eaves, Melissa Fisher, June Harrison, Marlene Haworth, Tim O'Kane, Dave Parkins, Kath Pratt and Paddy Short.

Apologies for Absence

Apologies for absence were submitted from Councillors Eamonn Higgins and Abdul Khan.

Substitutions

Councillor Tim O'Kane and Clare Cleary acted as substitute representatives for Councillors Higgins and Khan.

Declarations of Interest and Dispensations

There were no reported declarations of interest or dispensations.

Minutes of the Last Meeting

The minutes of the last Planning Committee held on the 20th June 2018, were submitted for approval as a correct record.

Resolved - That the Minutes be received and approved as a correct record.

Town and Country Planning Act 1990 Planning Applications for Determination

The Chief Planning and Transportation Officer submitted a report setting out recommended action on the following planning applications.

Resolved - (1) That the following planning application be approved subject to the prior signing of a Section 106 agreement for the planting of replacement trees and subject to the conditions as per the report with the addition of a condition withdrawing any permitted development rights to construct dormer extensions on the bungalows, and that delegated authority be granted to the Chief Planning and Transportation Officer to make any necessary amendments to the conditions:-

11/18/0160 Erection of six bungalows (C3)
Land off Fort Street, Clayton le Moors

Resolved - (2) That the following planning application be refused (contrary to Officer recommendation) on the grounds that it was an inappropriate use in such close proximity to the listed Market Hall due to its adverse impact on visual amenity in the Town Hall Square area of the Accrington Town centre Conservation area:-

11/18/0224 PALS Outdoor Café,
Front of Market Hall, Blackburn Road, Accrington

N.B. 1. Mr Noel Murtagh spoke at the Committee in objection of the above planning application and against the Officer's recommendation to approve planning permission.

The Chief Planning and Transportation Officer submitted a supplementary report published in the supplemental agenda setting out recommended action on the following planning application.

Resolved - (3) That the following planning application be approved subject to the conditions as per the report and the prior signing of Section 106 T&CPA 1990 /Section 111 LGA 1972 agreements requiring a contribution towards tree and woodland replacement and the re assessment and if appropriate implementation, of the affordable housing viability study:-

11/17/0566 Major: Erection of 57 No residential dwellings and associated infrastructure
Land bounded by Salisbury Street, Park Road and Balfour Street,
Great Harwood

N.B. 1. Mr Miles Parkinson spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to approve planning permission.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed.

REPORT TO: PLANNING COMMITTEE, 15th AUGUST 2018, 2.00PM

REPORT BY: CHIEF PLANNING & TRANSPORTATION OFFICER

APPLICATIONS SUBMITTED UNDER THE TOWN AND

COUNTRY PLANNING ACT 1990 FOR DETERMINATION

Purpose of Report: To present planning applications for determination as set out in the report

3A	11/18/0206	Smithacres Back Lane, Baxenden, Accrington, BB5 2RE Full: Erection of no. 2 agricultural buildings (No. 1 livestock and no.1 food store) Re-Submission of planning application 11/18/0054.
3B	11/18/0225	Land at Rhoden Duckworth Hill Lane, Oswaldtwistle, BB5 3QL Full: Erection of agricultural building

NOTE: The policies referred to under “Relevant Policies” are set out in the Hyndburn Borough Local Plan, Hyndburn Core Strategy and National Planning Policy Framework.

A list of the above documents and background papers relating to each planning report can also be inspected at Scaitcliffe House, Accrington, upon request or via the Hyndburn Borough Council website:

<http://planning.hyndburnbc.gov.uk/WAM/searchsubmit/performOption.do?action=search&appType=Planning>

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Application Ref: 11/18/0206

Application Address: Smithacres, Back Lane, Baxenden.

Date Registered: 23rd May 2018

Date for Decision: 15th August 2018

Date Report Written: 17th July 2018

Description of Development: Full: Erection of no. 2 agricultural buildings (no. 1 for livestock and no.1 food store). Resubmission of 11/18/0054

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.

Site and Proposal

The application site is a long strip of land comprising a large area of hard standing with fields either side of it. Access is via a track from Back Lane

The site is located at the end of a ribbon of development along Back Lane and extends eastwards away from Back Lane. The area is predominantly agricultural in nature situated between a number of poultry sheds and Baxenden Cricket Club to the north. The site is located in the Green Belt.

Planning permission is sought for two agricultural buildings, one for the storage of food stuff and farm machinery and the other predominantly to act as a winter shelter for his flock of sheep. The buildings measure some 10m by 20m with a height to the eaves of 4m and an overall height of 5.2m. The buildings will be constructed from blocks up to a height of 1.5m with tanalised vertical timber Yorkshire boarding for the remainder of the building.

Consultations

Site Notice:	Site notice affixed, no comments have been received.
LCC Highways:	No objection but recommends that an informative is attached to any planning permission that might be issued.
Environmental Health:	No objection subject to condition.

Agricultural Assessment (Reading Agricultural Consultants)

I have studied the Applicant's Agricultural Justification & Planning Statement and find that whilst much is made of the agricultural use of the site for the keeping of 44 sheep and the capacity of the site to generate 2 crops of haylage per year, there is no evidence to support the claim that the proposed use of the site is truly sustainable. For instance, whilst it may be the case that two crops of haylage could be taken from the six hectares, that would deprive the sheep of valuable grazing land, necessary to finish lambs for sale.

In terms of stocking rates, about one hectare (2.5 acres) is considered adequate for for 4 to 5 sheep on lowland pasture. In northern and upland areas, grass growth will be later than in the south, so it will support fewer sheep, possibly as few as one per hectare in areas with a cold wet climate. This level of stocking enables the farmer to rotate the grazing through the year, make hay to feed in the winter months, and allow a separate paddock for the ram, who can't be run with the ewes all the year round in order that lambing can be controlled.

Ideally, the should be divided into three or four paddocks, so the sheep can be moved onto fresh pasture, so helping to preserve the grazing, by preventing the ground being contaminated with droppings which puts the sheep at risk from intestinal parasites. There is no indication that the grassland on the site has been improved or partitioned to enable this relatively high stocking rate to be achieved. If the land is overstocked, it is unlikely that the enterprise will be sustainable.

...which word brings us back to the golden thread running through the NPPF.

No evidence has been produced to show that the proposed use of the site is financially sustainable, the site may be sustainably located and the use make a contribution to the viability of the site, but there is no evidence that the business itself is sustainable. This requires a business plan and budgets to be prepared demonstrating that the enterprise is self-supporting and capable of providing a return on capital employed. At this stage, where a dwelling (temporary or permanent) is not being asked for, there is no need to demonstrate that the enterprise based on the site can produce a minimum wage in addition to a return.

Whilst policy may support the growth and expansion of rural businesses, it does not support the establishment of new businesses that cannot demonstrate that they are sustainable, both in terms of stocking rates, agricultural husbandry and economics. In this case, I also believe that the purposes for which the buildings are designed could better be achieved, in terms of both cost and flexibility of use, by a single structure, which may well also fit in better with the neighbouring poultry sheds.

Relevant Planning History

18/0054. ERECTION OF 2 NO AGRICULTURAL BUILDINGS (1 NO LIVESTOCK AND 1 NO FOOD STORE). REFUSED 13.04.2018

Relevant policies

Hyndburn Core Strategy Policies

BD1 Balanced Development Strategy
Env3 Landscape character
Policy Env6 High Quality Design
Policy Env7 Environmental Amenity

Development Management DPD

DM26 Design Quality and Materials

National Planning Policy Framework

Section 3 Supporting a prosperous rural economy
Section 7 Requiring good design
Section 9 Protecting Green Belt land

Observations

There are a number of issues that should be taken into account when considering this planning application; they are matters concerning Green Belt, the agricultural justification for the buildings, their visual impact on the landscape, their design and access.

Green Belt

The site is in the Green Belt and the Core Strategy (Policy DB1) states that development within the rural area will be limited to that supporting farm diversification and promoting leisure and recreational facilities and that the overall character of the Green Belt will be maintained.

Para 28 of the National Planning Policy Framework advises that Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This should include promoting the development and diversification of agricultural and other land-based

rural businesses. However, NPPF maintains that local authorities should the construction of new buildings in the Green Belt as inappropriate unless they meet one of the exceptions listed. Buildings for agriculture or forestry are one of the listed exceptions and are therefore considered to be appropriate development in the Green Belt.

The application states that the buildings would be for agricultural storage purposes including hay for feeding sheep and accommodating animals in inclement weather. This being the case the proposed buildings are therefore acceptable in principle in Green Belt terms.

Visual impact

It is considered that Policies Env3 and Env6 of the Hyndburn Core Strategy are relevant in this case. Policy Env3 of the Hyndburn Core Strategy seek to ensure that the development is appropriate to the landscape character within which it is situated and Env6 seeks to protect and enhance the character and quality of Hyndburn's urban and rural environments through high quality design.

It is considered that the proposed siting of the buildings is acceptable and would not result in an encroachment into the openness of the Green Belt. The land is also at a lower level than the rest of the surrounding area which would in some part hide the buildings from view of surrounding properties. The buildings design would also help blend the buildings into the landscape

Given the siting of the buildings in what is a prominent part of the site, it is considered they would not have a detrimental impact on the openness of the Green Belt and therefore in accordance with Policies Env3 and Env6 of the Hyndburn Core Strategy.

Design

Policy Env6 of the Hyndburn Core Strategy also seek to ensure that the character and quality of Hyndburn's urban and rural environments will be conserved and enhanced through high quality design. Policy DM26 of the DM DPD also has similar aims.

In terms of the design and construction of the two buildings, they would be constructed from block work up to some 1.5m with the remainder of the walls being Yorkshire boarding. Access into the buildings would be through a steel roller shutter at one end and a doorway. Lighting would be provided from 14 roof lights and through the Yorkshire boarding. The use of Yorkshire boarding would also provide the livestock with vital ventilation essential for their well-being. The applicant has taken note of advice given in the previous application and has made the necessary changes. The proposal would not have a detrimental impact upon to character of the

rural environment and would be in accordance with Policy Env 6 of the Hyndburn Core Strategy and Policy DM 26 of the Development Management DPD.

Agricultural Justification

Although the Council sought the advice of reading Agricultural Consultants on the proposed development, a recent appeal decision¹ in the Borough has brought into question the extent to which the Council can require the applicant to justify or demonstrate a need for the development proposed, the Inspector stating:

“The Council state that there is insufficient evidence to demonstrate that the proposed building is reasonably necessary for agricultural purposes. However, neither the Framework nor any development plan policy requires evidence of the necessity for such a building. There is also no evidence before me that the building is intended to be used for a non-agricultural purpose.”

National Planning Policy Framework does not contain a requirement for the applicant to justify the proposal and the local plan policies are also silent on this. Although the advice of the agricultural consultant raises some queries about the sustainability of the business and also believes that the purposes for which the buildings are deigned could be “better achieved” through the development of a single structure, he does not suggest that the development of two buildings is not justified. Although the applicant has not submitted a business plan that would show how it would operate, at present there is not a policy framework that requires this.

Given the recent appeal decision for a similar development on the near-by site at Sough Lane, officers do not believe that there are sufficient grounds to refuse the planning application for this reason.

The applicant has had sheep on the land and there are also bales on haylage stored at the site. During a recent site visit there was also a goat and two horses present at the site, although sheep have also been seen on the site earlier this year.

Conclusion

The development of buildings for agriculture is considered acceptable in the Green Belt by the National Planning Policy Framework. The design of the buildings is also considered acceptable and although some concerns have been raised about whether the proposed development could be better served by one building rather than two, officers do not consider that this is sufficient policy justification to refuse planning permission.

¹ Appeal Ref:APP/R2330/W/18/3198749 Sough Lane, Oswaldtwistle, BB1 2LR

The proposed development is considered to be acceptable in terms of its impact on the Green Belt, its siting, design and impact on the surrounding area and its impact on amenity as such, the application is recommended for approval subject to conditions.

The applicant has addressed many of the issues raised in the previous planning application. The siting of the southernmost building has been relocated to a more ideal location and the design has also improved to incorporate Yorkshire boarding that would give the buildings a more agricultural look as well as providing the live-stock with more light and ventilation.

Recommendation

Approve with conditions.

Conditions

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following documents:

- (a) The planning application form and additional information dated 23rd May 2018.
- (b) Submitted Plans drawing no 2, 3 and 4 dated 23rd May 2018.

Reason: For the avoidance of doubt and to enable Hyndburn Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 & Env7 of the Hyndburn Core Strategy and Policies DM26 and DM27 of the DM DPD .

- 3) Construction work and deliveries to and from the site (during construction) shall be restricted to between 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs on Saturdays. Construction work and deliveries (during construction) shall not take place on Sundays and Public holidays. All works shall be undertaken in accordance with BS5228:2009.

Reason: To ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise and to comply with Policy Env7 of the Hyndburn Core Strategy and DM29 of the DM DPD.

- 4) The agricultural buildings hereby approved shall only be used for the housing of animals and storage of agricultural plant and machinery.

Reason: In order to ensure the buildings, located in the Green Belt, are used for agriculture in accordance with the National Planning Policy Framework.

Informatives

It should be noted that the grant of planning permission does not entitle a developer to obstruct a right of way. Should a stopping-up or diversion of the right of way be required, for example to allow construction, it must be the subject of an Order under the appropriate Act. In such a case the applicant must contact the County Council's public rights of way team prior to the commencement of works.

- 1) 13a
- 2) 14
- 3) 15
- 4) 16
- 5) 17
- 6) 18

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Application Ref: 11/18/0225

Application Address: Land at Rhoden Duckworth Hill Lane,
Oswaldtwistle, BB5 3QL

Date Registered: 29th May 2018

Date for Decision: 15th August 2018

Date Report Written: 18th July 2018

Description of Development: Full: Erection of Agricultural Building

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.

Site and Proposal

The application site consists of a 5.76 acre rectangular parcel of land located on Duckworth Hill Lane near Rhoden Farm within the defined Green Belt outside of Oswaldtwistle. The site is surrounded by Rhoden Farm, Rhoden cattery, open countryside, dwellings and a small road. The application site is empty and overgrown apart from a small chicken coup. An access onto the site exists at the north west corner.

Planning permission is sought for the erection of an agricultural building to shelter 120 sheep plus 40 hens. The building would measure 25.37m x 18.2m x 6.55m (L x W x H) and would be constructed of fair face block 2m high, Yorkshire Boarding above on the North and East elevations and plastic coated corrugated sheeting above and for the roof in olive green RAL 7002.

The original application located the proposal to be built on the North East elevation of the parcel of land closest to the main access road, Wham Brooke and the enclave of residential dwellings, Rhoden Farm and Rhoden Cattery. The applicant has subsequently agreed to relocate the proposal to the South West of the site. Additionally, the original application looked to clad the entire upper section of the

walls in plastic corrugated sheeting, however, the applicant has agreed to alter this so that the North and East elevations use Yorkshire Boarding.

Consultations

Site notice: 2 affixed 5 letters of objection received. The objection comments cover a variety of concerns which include:

- The design of the building being more industrial than agricultural
- Noise from the machinery and livestock
- The siting of the proposal being in close proximity to Whams Brooke
- The height and overall scale of the proposal
- Proximity to dwellings and main access road

LCC Highways:

Land at Rhoden (X6502) is privately maintained.

Duckworth Hill Lane (b6231) is a secondary distributor, rural, single 2 way road, with a 30 mph speed limit.

The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway safety grounds, subject to the following condition and note being applied to any formal planning approval.

Env Health: No objections subject to conditions surrounding hours of operation

Relevant Planning History

No relevant Planning History

Relevant Policies

Hyndburn Core Strategy Policies

BD1	Balanced Development Strategy
Env3	Landscape character
Policy Env6	High Quality Design
Policy Env7	Environmental Amenity

Development Management DPD

Policy DM26	Design Quality and Material
Policy DM29	Residential Amenity
Policy DM34	Development in Green Belt and Countryside Area

National Planning Policy Framework

Section 6	Supporting a prosperous rural economy
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Observations

The key issues to be considered in this application are the design of the agricultural building, its impact on the green belt and amenity and issues regarding highways.

Policy context

The site is in the Green Belt and the Core Strategy (Policy BD1) states that development within the rural area will be limited to that supporting farm diversification and promoting leisure and recreational facilities and that the overall character of the Green Belt will be maintained.

Para 28 of the National Planning Policy Framework advises that Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This should include promoting the development and diversification of agricultural and other land-based rural businesses. However, NPPF maintains that local authorities should the construction of new buildings in the Green Belt as inappropriate unless they meet one of the exceptions listed. Buildings for agriculture or forestry are one of the listed exceptions and are therefore considered to be appropriate development in the Green Belt.

The proposed use to shelter 120 sheep and 40 hens would constitute an agricultural use and as such, the principle of the development is acceptable.

Design

Policy Env 6 of the Hyndburn Core Strategy states that the character and quality of Hyndburn's urban and rural environments will be conserved and enhanced through high quality design. Policy DM 26 of the Development Management DPD has similar aims.

The original application looked to clad the entire upper section of the walls in plastic corrugated sheeting, however, it was considered that the use of this material would give the building a more industrial look instead of agricultural and would damage the character and quality of the rural area and was also highlighted in an objection comment. The Council considers a more appropriate construction would include blockwork to a height of some 2m and Yorkshire boarding on the upper portion in order to provide adequate ventilation and light for keeping of animals and the storage of feed, as well as giving the building a more sympathetic design to the rural setting.

The applicant has agreed to alter this so that the North and East elevations use Yorkshire Boarding. Although 2 elevations would still have elements of the

corrugated steel sheeting, it is considered that on balance the building would not have a detrimental impact as the 2 most viewable elevations would incorporate the Yorkshire Boarding and as such, the proposal is in line with Policy Env 6 of the Hyndburn Core Strategy and Policy DM 26 of the Development Management DPD.

Visual Impact and amenity

It is considered that Policies Env3 and Env6 of the Hyndburn Core Strategy are relevant in this case. Policy Env3 of the Hyndburn Core Strategy seek to ensure that the development is appropriate to the landscape character within which it is situated and Env6 seeks to protect and enhance the character and quality of Hyndburn's urban and rural environments through high quality design.

The original application proposed a building that would in effect be positioned in the north east corner of the parcel of land closest to the main access road, Wham Brook and the enclave of residential dwellings, Rhoden Farm and Rhoden Cattery and would relate poorly to the existing features or boundaries of the site. It was considered that siting the building towards the south west of the site would alleviate problems associated.

Policy Env 7 of the Hyndburn Core Strategy states that proposals for new development will be permitted only if it is demonstrated that the material impacts arising by reason of traffic, visual impact, noise, dust, emissions, pollution, odour, over-looking or loss of light, or other nuisances will not give rise to unacceptable adverse impacts or loss of local amenity.

An objection comment received cites that the presence of sheep and farming machinery on the site would increase the levels of noise to an unacceptable level. It is considered that this type of noise in a countryside location is not unacceptable. Other objection comments received cite the proximity to dwellings resulting in the agricultural building blocking light; and the waste from the animals causing contamination to the Brook. In regards to proximity to dwellings, the amended siting of the building at the south west of the parcel of land would result in most of the building being hidden from view of the dwellings by trees and the topography of the field and as such would lessen the impact to more acceptable levels. In regards to the waste contaminating the Brook, a condition should be attached to any permission which requires the waste to be properly controlled. As such, subject to conditions, the proposal is in line with Policy Env 7 of the Hyndburn Core Strategy.

LCC Highways

LCC Highways have been consulted and offer the following comments:

Land at Rhoden (X6502) is privately maintained.

Duckworth Hill Lane (b6231) is a secondary distributor, rural, single 2 way road, with a 30 mph speed limit.

The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway safety grounds, subject to the following condition and note being applied to any formal planning approval.

Condition:

Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the vehicles may be cleaned before leaving the site to avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

Agricultural Justification

A recent appeal decision¹ in the Borough has brought into question the extent to which the Council can require the applicant to justify or demonstrate a need for the development proposed, the Inspector stating:

“The Council state that there is insufficient evidence to demonstrate that the proposed building is reasonably necessary for agricultural purposes. However, neither the Framework nor any development plan policy requires evidence of the necessity for such a building. There is also no evidence before me that the building is intended to be used for a non-agricultural purpose.”

National Planning Policy Framework does not contain a requirement for the applicant to justify the proposal and the local plan policies are also silent on this.

Notwithstanding this, the applicant has submitted a supporting statement that sets out how the proposed building will be used. Although there is no reason to believe that the building will not be used for the purpose intended, a condition is recommended that seeks to ensure that it is only used for agricultural purposes.

Conclusion

The re-siting of the building and the change of materials of the development is considered to have alleviated many of the potential issues that may have arisen from the original proposal. It is therefore concluded that the proposal is acceptable in terms of its impact of the green belt, design and its impact upon amenity. There have also been no objections raised from LCC Highways or Environmental Health subject to conditions.

Recommendation

Approve with conditions

¹ Appeal Ref:APP/R2330/W/18/3198749 Sough Lane, Oswaldtwistle, BB1 2LR

Conditions

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following documents:
 - (a) The planning application forms and additional information received by Hyndburn Borough Council on 29th May 2018 and 3rd August 2018.
 - (b) Submitted drawings received on 26th July 2018.

Reason: for the avoidance of doubt and to enable Hyndburn Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 & Env7 of the Hyndburn Core Strategy.

- 3) All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning authority.

Reason: To ensure that the development will be of a satisfactory appearance and to accord with Policies Env 6 and Env 7 of the Hyndburn Core Strategy.

- 4) Before the use of the site hereby permitted is brought into operation, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway (Duckworth Hill Lane) being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

- 5) During construction, deliveries to and from the site and works should be restricted to between 0800 and 1800hrs Monday to Friday and 0800 to 1300 hours on Saturdays. Deliveries and works should not take place on Sundays and Bank Holidays. All works should be undertaken in accordance with BS5228:2009

Reason: to ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise and in order to comply with Policy Env 7 of the Hyndburn Core Strategy.

- 6) Measures should be in place to prevent nuisance being caused to residents from noise, dust, fumes and or vibration arising from the building works. There should no burning off on site of construction waste.

Reason: To protect the amenities of existing occupiers at nearby premises nuisance sources associated with the building site and to comply with Policy Env 7 of the Hyndburn Core Strategy.

- 7) Within three months of the date of this permission hereby granted, the development shall not be brought into use until a scheme for the containment and storage of manure has been submitted to and approved in writing by the Local Planning Authority and the approved scheme implemented on site and retained thereafter. Applicants should refer to the Environment Agency Local Planning Guidance for Lancashire, and they must not be sited where they will cause a nuisance to houses and public rights of way.

Reason: To ensure that the proposed development will not cause pollution of ground and surface waters both on and off the site and to accord with Policy Env 7 of the Hyndburn Core Strategy.

- 8) The agricultural building hereby approved shall only be used for the housing of animals and storage of agricultural plant, agricultural machinery and other items associated with undertaking agriculture at this site.

Reason: The proposed building is in the Green Belt and should be used for agriculture in accordance with the National Planning Policy Framework.

Informative notes:

- 1) 13b
- 2) 14
- 3) 15
- 4) 16
- 5) 17
- 6) 18

7) It should be noted that the grant of planning permission does not entitle a developer to obstruct a right of way. Should a stopping-up or diversion of the right of way be required, for example to allow construction, it must be the subject of an Order under the appropriate Act. In such a case the applicant must contact the County Council's public rights of way team prior to the commencement of works.

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