

# Agenda

MUNICIPAL YEAR 2025-2026



**HYNDBURN**  
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## Planning Committee

**Wednesday, 3 September 2025 at 3.00 pm,**  
Scaitcliffe House, Ormerod Street, Accrington

### Membership

Chair: Councillor Dave Parkins

Vice-Chair: Councillor Bernard Dawson MBE

Councillors Mike Booth, Joyce Plummer, Loraine Cox, Clare Pritchard, Ethan Rawcliffe, Kath Pratt, Judith Addison, Scott Brerton, Stephen Button, Noordad Aziz, Stewart Eaves and Josh Allen

### **AGENDA**

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

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

The Minutes of the last Planning Committee held on the 20<sup>th</sup> of August 2025 were submitted 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**

The Chief Planning and Transportation Officer submitted a series of reports setting out the recommended action on the planning applications below.

a 11/25/0299 - 450 Manchester Road, Accrington, Lancashire BB5 2QG (Pages 5 - 10)

Certificate of Lawful Use Proposed: Change of Use of Property from single



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Published on Tuesday, 26 August 2025

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dwelling (Class C3) to small House (with 3 bedrooms) in Multiple Occupation (Class C4)

b 11/25/0303 - 21 Union Street, Accrington, Lancashire BB5 1PL (*Pages 11 - 16*)  
Prior Approval: Partial Change of use of 21 Union St, Accrington BB5 1PL (Class E) to 8no, flats (Class C3)

**4. Update Sheet (*Pages 17 - 22*)**

Update Sheet provided with Late Information for both the 11/25/0299 and 11/25/0303 and Comments from Lancashire County Council.

## PLANNING COMMITTEE

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**Wednesday, 20th August, 2025**

**Present:** Councillor Dave Parkins (in the Chair), Councillors Bernard Dawson MBE (Vice Chair), Loraine Cox, Kath Pratt, Judith Addison, Scott Brerton, Stephen Button, Noordad Aziz, Stewart Eaves, Josh Allen, Heather Anderson and Munsif Dad BEM JP

**Apologies:** Councillors Mike Booth, Joyce Plummer and Clare Pritchard

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**132 Apologies for Absence, Substitutions, Declarations of Interest and Dispensations**

Apologies for Absence were submitted by Councillors Joyce Plummer, Clare Pritchard and Mike Booth.

Substitutions were made for Councillors Pritchard and Booth by Councillors Heather Anderson and Munsif Dad BEM JP

**133 Minutes of the Last Meeting**

The Minutes of the last Planning Committee held on the 9<sup>th</sup> of July 2025 were submitted for approval as a correct record.

**Resolved – That the minutes be received and approved as a correct record.**

**134 Town and Country Planning Act 1990- Planning Applications for Determination**

**135 11/25/0114 - Great Harwood Showground, Land off Harwood Lane, Great Harwood, BB6 7TD**

Mr Adam Birkett, Chief Planning and Transportation Officer, presented the report to the committee. Noting that this item was brought to the previous committee on the 9<sup>th</sup> of July but had been deferred to the following committee meeting due to additional information being provided by the applicant.

Mr Birkett noted that the application has been amended and would be presented as a new item.

Mr Birkett detailed the application, informing members that the application proposed the creation of a new access road and hardstanding on agricultural land at Great Harwood Showground, off Harwood Lane, Great Harwood.

The track will be formed of a 150mm sub-base, 50mm of 25mm gravel which will be topped with 25mm of soil and seed. The track will be 4m wide and 520m long.

The application also proposed two hardstanding areas in a central location of the showground either side of an existing track. The southern area would measure 60 x 10m and the northern area would measure 60 x 35m.

No Objections to the application were received but some conditions were suggested from the Hyndburn Borough Council Ecology Department and Lancashire County Council Highways.

Mr Birkett highlighted that the application site sits within the Green Belt and while the planning department does not consider the proposed application to cause significant harm to this there will be some harm to the site as a result of the application. In this instance the off way the harm generated.

The application was recommended for Approval subject to Conditions noted in the report.

Members of the committee discussed the application, making reference to the success of the Great Harwood Show and its long standing history of bad weather.

Members shared experiences where the weather caused difficulties with vehicles accessing the site and noted that the shared entrance for vehicles and pedestrians caused some concern.

Members also agreed that the show provided much value to the area and was a looked forward to event which brought people not only from Hyndburn but surrounding areas also.

**Resolved – Members voted by unanimous decision to follow officer recommendations and accept the application subject to the conditions noted in the report (or alternative conditions amended to the satisfaction of the Chief Planning and Transportation Officer).**

### **136 Planning Enforcement Update**

Mr Joshua Parkinson, Planning Manager (Development Manager), presented the Enforcement Update to the committee.

Mr Parkinson gave an update on the figures presented in the report. Highlighting that over the last two years one of the key priorities has been to work on the review and clearance of historic enforcement cases. The cases that remain are typically more technical and complex in nature, requiring additional time and resources to address appropriately.

Mr Parkinson informed the committee that there are 458 live cases on hand, including the historic cases that require further action and that priority is being given to cases which cause the most significant harm to public amenity and or the environment.

Paragraph 5.4 of the report highlighted a table which showcased a list of enforcement cases that are currently within the appeal or legal system. Members asked several questions surrounding the legal procedure and queried if funds for officer time were claimed back as part of this procedure. Mr Daniel Hoyle, Solicitor, confirmed that we often ask the courts for costs, but they are not always granted.

**Resolved – Members noted the report for informational purposes.**

Chair of the meeting  
At which the minutes were confirmed

HYNDBURN BOROUGH COUNCIL - REPORT TO PLANNING COMMITTEE	
APPLICATION REF:	11/25/0299
APPLICATION ADDRESS:	450 Manchester Road, Accrington, Lancashire BB5 2QG
DEVELOPMENT DESCRIPTION:	Certificate of Lawful Use Proposed: Change of Use of Property from single dwelling (Class C3) to small House (with 3 bedrooms) in Multiple Occupation (Class C4)
DATE REPORT WRITTEN:	20 <sup>th</sup> August 2025

**The application is brought before the Committee at the request of Councillor Pritchard and Councillor Heap.**

### Procedural

Section 192 of the Town and Country Planning Act 1990 entitles any person wishing to ascertain whether any proposed use of buildings or other land would be lawful or any operations proposed to be carried out in, on, over or under land would be lawful.

This is known as a Certificate of Lawfulness of Proposed Use or Development.

A Certificate of Lawfulness (or Lawful Development Certificate) is a legal document from a local planning authority that confirms a proposed or existing use or development is lawful for planning purposes and does not require planning permission.

If the local planning authority is satisfied that the appropriate legal tests have been met, it must grant a lawful development certificate.

Of the decision-making process, the Government's Planning Practice Guidance (PPG) says:

*“A local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular application or appeal process.*

*In determining an application for a prospective development under section 192, a local planning authority needs to ask “if this proposed change of use had occurred, or if this proposed operation had commenced, on the application date, would it have been lawful for planning purposes?”*

## **Description of the Site and the Proposed Development**

The application relates to a two-storey end-of-terrace dwellinghouse. The proposed development is a change of use from a dwellinghouse to a small house in multiple occupation (HMO).

Briefly, the house would be laid out as 3 bedsitting rooms with self-contained shower rooms/wc; with kitchen and other facilities shared. No external alterations are proposed. The application seeks certification that the change would be 'permitted development'.

## **Consultation Responses/Representations**

There is no requirement to take specific steps to publicise an application for a Certificate of Lawfulness of a proposed development.

The PPG says:

*"There is no statutory requirement to consult third parties including parish councils or neighbours. It may, however, be reasonable for a local planning authority to seek evidence from these sources, if there is good reason to believe they may possess relevant information about the content of a specific application. Views expressed by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are irrelevant when determining the application."*

However, the planning authority maintains a planning register and a website, which includes a 'weekly list' of planning applications. It is, therefore, not unusual for neighbours/residents/ and others to make representations from time to time, where they have concerns about a proposed development. It is reasonable and proper that such representations be presented in the planning officer's report on the application but this should not be viewed as setting aside a decision made under planning law.

To date, 49 representations have been received making objections summarised and itemised as follows:

### **Traffic, parking, and access**

- Traffic and parking congestion
- Nearby pedestrian crossing with limited visibility due to topography and road layout.
- Many children use the roads to walk to local schools.

### Residential amenity

- Detrimental to residential amenity.
- Increased comings and goings. Increased noise and disturbance.
- Thin walls between the houses, internal noise and disturbance likely.
- Quality of life in neighbourhood affected
- Rubbish recycling problems
- The property is not large enough for an HMO.
- Elderly parents live nearby

### Character of area

- Undermine established character; intensified use of property
- Alter the balance of the community.
- Increases density of development
- Historically distinctive part of Baxenden
- Heritage harm
- Impact on village styles
- Traditionally an area of owner occupied properties,
- Detrimental cumulative impact with existing residential homes in area.
- Architectural distinctive part of Baxenden.
- Not sympathetic to local character
- HMO's not commonplace in Baxenden
- Precedent; open the door for further; Slow deterioration of area.

### Housing loss

- Baxenden needs affordable family of houses; shortage of family homes
- Alternative of renting as a family home would be preferable.
- Shortage of housing causing young people having to move out of the area

### Community/anti-social behaviour

- Young residents partying,
- Concerns about community safety,
- Loss of Community cohesion
- Criminal history checks needed; possible criminal history
- Will affect local property values.

### Local policy considerations/article 4 direction on HMOs

- No article four direction; Baxenden should have HMO article four direction
- HMO conversions against the spirit of Hyndburn's emerging policy.
- Contrary to NPPF.

### Relevant Planning History

N/A

### **Relevant Policies**

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

### **Observations**

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) provides under Article 3 that planning permission is granted for the classes of development described as permitted development in Schedule 2 to the Order.

Class L of Part 3 of Schedule 2 to the Order identifies as permitted development:

*“Development consisting of a change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.”*

The Town and Country Planning (Use Classes) Order 1987 (as amended in 2010 and otherwise), in Part C of the Schedule to the Order, identifies:

- “*Class C3. Dwellinghouses*
  - a) *Use as a dwellinghouse (whether or not as a sole or main residence) by –*
  - b) *a single person or by people to be regarded as forming a single household, or*
  - c) *not more than six residents living together as a single household where care is provided for residents;*
  - d) *not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4). ”*
- “*Class C4. Houses in multiple occupation*  
*Use of a dwellinghouse by not more than six residents as a “house in multiple occupation.”*

The applicant seeks certification that the building is a dwellinghouse (Class C3) that can be lawfully used as a small HMO (Class C4), thereby not requiring the planning permission of the Council.

The applicant states that the present lawful use of the premises is as a dwellinghouse. There is no entry in the planning register indicating history of use for

any other purpose. External inspection of the premises supports, by its external appearance and characteristics, the conclusion that it is a dwellinghouse (Class C3).

The application describes the proposed use as a small HMO which is a use within Class C4. The submitted drawings show that it would have 3 bedrooms and that the room sizes would be of dimensions in compliance with the Nationally Described Space Standards.

The proposed change of use would be permitted under Class L of Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It would therefore be 'permitted development'.

### **Conclusion**

The present use is within Class C3 and the proposed use would be within Class C4.

The proposed change of use would be granted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (i.e. it is 'permitted development').

As such, no planning permission is required for the change of use sought and the application for a Certificate of Lawfulness of Proposed Use must be granted.

It is recommended that the description be changed to insert the additional wording '(with 3 bedrooms)' in the description, to better describe the proposal and for the avoidance of future doubt. The recommendation is made on that basis.

### **Recommendation**

That a Certificate of Lawful Use be granted for the following reasons:

#### **Reasons:**

The proposed development comprising change of use of 450 Manchester Road, Accrington (BB5 2QG), from a single dwellinghouse to a small House (with 3 bedrooms) in Multiple Occupation (Use Class C4) meets the criteria listed within Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and would thereby not require the planning permission of the Council.

#### **Informatics**

Notes are attached to the standard certificate as relevant to/amended to relate to section 192.

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<b>HYNDBURN BOROUGH COUNCIL – Committee Report</b>	
<b>APPLICATION REF:</b>	11/25/0303
<b>APPLICATION ADDRESS:</b>	21 Union Street, Accrington, Lancashire BB5 1PL
<b>DEVELOPMENT DESCRIPTION:</b>	Prior Approval: Partial Change of use of 21 Union St, Accrington BB5 1PL (Class E) to 8no, flats (Class C3)
<b>DATE REPORT WRITTEN:</b>	26 August 2025

## Site and Proposal

21 Union Street is a two-storey mid-terrace building within Accrington Town Centre. It comprises a commercial unit at ground floor with office above (both Use Class E).

The application seeks determination as to whether the prior approval of the Local Planning Authority is required for the partial change of use of the application building to eight flats (Use Class C3) under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015).

There will be a front access door, which would lead to a communal area, bike storage, a refuse bin storage area and a staircase to access the first floor. It is acknowledged that the windows approved under planning application 11/25/0136 have not yet been introduced.

## Consultations

Lancashire County Council Highways – No response received at the time of writing (responses due by 27 August 2025). However, any response subsequently received shall be reported to members during the Planning Committee.

Hyndburn Borough Council (HBC) Environmental Health: 17 August 2025:

- The nearby business may operate within normal office hours. However, there are air handling units in the area, which work throughout the day and night, as well as an extraction flue. This includes visible indications of extraction on the roof of the application building, which it is unclear if they would be retained. The bus station to the rear does not run to normal office hours.
- While they would not see the above as a barrier to development, they recommend that the above sources of noise and odour are assessed, which could be dealt with by condition.

## **Publicity**

Neighbour notification letters were sent to the adjacent and opposite properties. No response received at the time of writing (responses due by 27 August 2025). However, any responses subsequently received shall be reported to members during the Planning Committee.

## **Relevant Planning History**

11/25/0136 - Full: New windows at the first floor on the side and rear elevations to facilitate new office space - Approved with conditions: 3 June 2025.

## **Observations**

Permitted development rights are a national grant of planning permission, which allow certain building works and changes of use to be carried out without having to make a planning application. They are subject to conditions and limitations.

‘Prior approval’ is required as a condition of some change of use permitted development rights. This means that a developer must seek approval from the local planning authority (LPA) that specified elements of the development are acceptable before work can proceed. The LPA cannot consider any other matters when determined a prior approval application.

The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process, which applies where the principle of development has already been established. It is important that the LPA does not impose unnecessarily onerous requirements and does not seek to replicate the planning application system.

Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015) permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) subject to a number of conditions and limitations as follows:

M.A.1. Development is not permitted by Class MA—

- (b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

**Response: The building has been used for financial services (former Use Class A2 and now Use Class E) for a continuous period of at least 2 years immediately prior to the date of this application, which is a use specified in subparagraph (2).**

- (d) if land covered by, or within the curtilage of, the building—
  - (i) is or forms part of a site of special scientific interest;
  - (ii) is or forms part of a listed building or land within its curtilage;
  - (iii) is or forms part of a scheduled monument or land within its curtilage;
  - (iv) is or forms part of a safety hazard area; or
  - (v) is or forms part of a military explosives storage area;

**Response: The land covered by, or within the curtilage of, the building does not form part of a site of special scientific interest; does not form part of a listed building or land within its curtilage; is not and does not form part of a scheduled monument or land within its curtilage; and is not and does not form part of a safety hazard area or a military explosives storage area**

- (e) if the building is within—
  - (i) an area of outstanding natural beauty;
  - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 198156;
  - (iii) the Broads;
  - (iv) a National Park; or
  - (v) a World Heritage Site;

**Response: The building is not within a World Heritage Site, a National Park, an Area of Outstanding Natural Beauty or the Broads.**

- (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

**Response: No part of the land covered by or within the curtilage of the building is occupied under any agricultural tenancy agreements.**

- (g) before 1 August 2022, if—
  - (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

- (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

**Response: The proposed development is not of a description falling within Class O (offices to dwellinghouses) as the development would be after 1 August 2022.**

### **Conditions**

MA.2.— (1) Development under Class MA is permitted subject to the following conditions.

- (2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access;

**Response: No car parking is provided but given the position of the site within a highly sustainable town centre location it is considered that the parking standards can be relaxed. The site is located within Accrington Town Centre and as such can be considered highly accessible with excellent access to goods, services and transport links. Some town centre car parks are also within close walking distance of the site. A bike storage area would be located on the ground floor. Therefore, prior approval should not be required with regard to transport impacts.**

(b) contamination risks in relation to the building;

**Response: There are no significant construction works proposed with only minor alterations. No known contamination risks have been mentioned within the submitted Planning Statement nor have any concerns be raised by Environmental Health. Therefore, prior approval should not be required with regard to contamination risks.**

(c) flooding risks in relation to the building;

**Response: The site lies within flood zone 1 and as such, there is a low chance of flooding. It is noted that the building is bordered by zone 2 but all of the proposed accommodation is to be located at first floor level with just the bike and bin storage at ground floor level. As the change of use would not introduce more hardstanding areas there is no concern in terms of flood risk. Therefore, prior approval should not be required with regard to flooding risks.**

(d) impacts of noise from commercial premises on the intended occupiers of the development;

**Response: HBC Environmental Health note that various noise sources, which could adversely affect the living conditions of future occupants. However, they do not see them as a barrier to development, subject to a condition requiring a noise impact assessment, which meets specific standards. Therefore, prior approval should be required with regard to noise from commercial premises and should be granted subject to condition.**

(e) where—

- (i) the building is located in a conservation area, and
- (ii) the development involves a change of use of the whole or part of the ground floor,

the impact of that change of use on the character or sustainability of the conservation area;

**Response: The building is not located within a conservation area. Therefore, this condition is not applicable.**

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

**Response: The proposed plans show windows that have been granted planning permission under application reference 11/25/0136 but have not been installed yet. Subject to the installation of the approved windows, all habitable rooms would receive an adequate amount of natural light. Therefore, prior approval should be required with regard to the provision of adequate natural light and granted subject to condition.**

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and

**Response: The area is not in use for general or heavy industry, waste management, storage distribution, or a mix of such uses, and does not appear to be considered important for such uses. Therefore, this condition is not applicable.**

The proposal meets the above criteria to be classed as permitted development.

Although HBC Environmental Protection raise concerns regarding odour, this is not a prior approval matter so cannot be considered nor conditioned.

In conclusion, the proposal accords with the relevant limitations. While prior approval should be required with regard to noise and the provision of natural light, it should be granted subject to conditions.

## **Recommendation:**

Prior Approval Required and Granted.

## **Conditions**

1. Prior to first occupation of the flats, the windows approved under planning application ref 11/25/0136 shall be installed. They shall be retained as such thereafter.

Reason: To ensure provision of adequate natural light in the interests of the living conditions of future occupants.

2. Prior to first occupation of the flats, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate that the following standards would be met:

- LAeq 50-55 dB 16 hours – gardens and outside living areas;
- LAeq 35 dB 16 hours – indoors daytime;
- LAeq 30 dB 8 hours – indoors night-time (23.00-07.00);
- LAFmax 45 dB 8 hours – indoors night-time (23.00-07.00); and
- LAFmax 45 dB 4 hours – indoors evening (19.00-23.00).

The evening standard LADmax will only apply where the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

Any mitigation measures necessary to achieve the required standards shall be carried out prior to first occupation of the flats and retained as such thereafter.

Reason: To ensure acceptable living conditions with regard to noise.

## **Informative Notes**

1. It is a requirement of condition M.A.2 (5) that development must be completed within 3 years starting with the prior approval date
2. It is a requirement of condition M.A.2 (6) that Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and or no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse

## **List of Background Papers**

<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F25%2F0303>

## Planning Committee Update Sheet – 3<sup>rd</sup> September 2025

### **11/25/0299 - 450 Manchester Road, Accrington, Lancashire BB5 2QG**

78 further representations have been received, opposing the proposal:

Generally referring to issues already included in the main report and additional matters as follows:

- The tranquillity of the Baxenden would be disturbed;
- HMO occupiers are not permanent residents of the area and do not properly maintain property.
- Reference to recent Court action relating to Bell Hotel, Epping.

Two representations received supporting the proposal on the following grounds:

- HMOs support people in unfortunate circumstances.
- No need to spread fear about the proposed use.
- Young professional and students need a place to live.

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### **11/25/0303 – 21 Union Street, Accrington, Lancashire, BB5 1PL**

The Local Planning Authority have received comments from Lancashire County Council (LCC) Highways, which state that they have no objection to the proposal subject to conditions requiring the provision of a bicycle store, retention of part of the yard for refuse storage and approval of a construction method statement.

The transport impacts of the development are a prior approval matter. The proposed Ground Floor Plan includes a large ground floor room labelled as 'Bike Storage', which could provide at least eight cycle spaces with sufficient space for manoeuvring. The requirement for a Construction Method Statement is reasonable and appropriate given the absence of dedicated off-street parking.

LCC Highways recommend a condition requiring retention of yard space to prevent bins being left on the back street. However, the application site does not appear to include any yard space and bins have historically been stored externally to the rear. Nevertheless, the Proposed Ground Floor Plan includes a ground floor room labelled as 'Refuse Bin Storage', which appears of adequate size. While a direct external door may be necessary, a waste and recycling management and storage scheme could be secured by condition. This would achieve an improvement over the existing situation.

On this basis, prior approval should be required with regard to transport impacts and granted subject to conditions. The conditions recommended by LCC Highways have been amended to ensure compliance with the six policy tests.

### *Conclusion*

In conclusion, the late information does not alter the ultimate recommendation that prior approval should be required and granted. However, the full schedule of recommended conditions and informatics are now as follows (or as subsequently altered to the satisfaction of the Chief Planning and Transportation Officer):

### **Conditions**

1. No development shall commence until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. It shall include details of:
  - i. loading and unloading of plant and materials;
  - ii. parking of vehicles of site operatives and visitors;
  - iii. routing of delivery vehicles to and from the site; and
  - iv. working hours.

The approved statement shall be adhered to throughout the construction period.

Reason: In the interests of transport and highway safety.

2. Prior to first occupation of the flats, a scheme for the management and storage of waste and recycling shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of the:

- i. storage of containers on collection and non-collection days; and
- ii. movement of containers in preparation for collection.

Reason: In the interests of transport highway safety.

3. Prior to first occupation of the flats, the windows approved under planning application reference 11/25/0136 shall be installed. They shall be retained as such thereafter.

Reason: To ensure provision of adequate natural light in the interests of the living conditions of future occupants.

4. Prior to first occupation of the flats, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate that the following standards would be met:

- LAeq 50-55 dB 16 hours – gardens and outside living areas;
- LAeq 35 dB 16 hours – indoors daytime;
- LAeq 30 dB 8 hours – indoors night-time (23.00-07.00);
- LAFmax 45 dB 8 hours – indoors night-time (23.00-07.00); and
- LAFmax 45 dB 4 hours – indoors evening (19.00-23.00).

The evening standard LADmax will only apply where the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

Any mitigation measures necessary to achieve the required standards shall be carried out prior to first occupation of the flats and retained as such thereafter.

Reason: To ensure acceptable living conditions with regard to noise.

5. Prior to first occupation of the flats, bicycle storage for a minimum of eight bicycles shall be provided within the building for use by future occupants. It shall be retained as such thereafter.

Reason: To promote travel by bicycle in the interests of sustainable transport and in the absence of dedicated off-street parking provision.

### **Informative Notes**

1. It is a requirement of condition M.A.2 (5) that development must be completed within 3 years starting with the prior approval date.
2. It is a requirement of condition M.A.2 (6) that Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and or no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

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Hyndburn Borough Council  
 Scaitcliffe House  
 Ormerod Street  
 ACCRINGTON  
 BB5 0PF

Phone: 0300 123 6780  
 Email: developeras@lancashire.gov.uk  
 Your ref: 11.25.0303  
 Our ref: 11.25.0303  
 Date: 11.08.2025

**For the attention of Dan Rhodes**

**Planning Application Number: 11/25/0303**

**Site Address: 21 Union Street, Accrington, Lancashire BB5 1PL**

**Development Description: Prior Approval: Partial Change of use of 21 Union Street, Accrington, BB5 1PL (Class E) to 8 Studio Flats (Class C3)**

The plans and highway related information have been viewed and the following comments are made.

It is noted that this is a prior approval application.

There is no off-highway parking proposed for the studio flats; however it is located within a sustainable location with good access to public transport and local amenities.

With reference to the submitted Planning Statement (July 2025) - Transport and Highways Impact and Cycle and Refuse, it is noted that the recommended cycle parking and space for bin storage off the highway is being proposed which is acceptable.

There is no objection subject to the following recommended conditions.

### **Conditions**

- Prior to the first occupation a secure, covered cycle store for a minimum of 8 cycles shall be provided. Reason: To promote sustainable forms of transport and aid social inclusion.
- A degree of yard space should be retained as part of the proposal. This should be adequate to allow for the storage of refuse bins, whilst still maintaining limited pedestrian access. As a result, the retained area should avoid refuse migrating and ultimately being left on the back street.
- 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:

- 1 The parking of vehicles of site operatives and visitors
- 2 The loading and unloading of plant and materials
- 3 A scheme for recycling/disposing of waste resulting from demolition and construction works
- 4 Details of working hours
- 5 Routing of delivery vehicles to/from site

Kind regards

Tahira

Tahira Akhtar BA (Hons)  
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