Proposed Development: The proposed development incorporates two elements:

a. Major, outline with all matters reserved. Residential development on 7ha of land south of Harwood Lane (Lyndon Playing Fields) and land adjacent to Wood Street, Great Harwood, and;

b. Major, full application. The development of a building to accommodate changing facilities; playing pitches; associated access roads; car-parking; low-level lighting, fencing; and landscaping on 4.9ha of land north of Harwood Lane (A6535) and west of Whalley Road (A680), Great Harwood.

Date Validated: 8th July 2015

Date for Decision: November 2015, extended with the agreement of the applicant.

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, in particular Article 8 (the right to respect for family life) and Article 1 of Protocol 1 (the right to peaceful enjoyment of possessions and protection of property).

Proposed Development and Site Description

The planning application comprises two sites (Site A and Site B), the location of which is illustrated by Fig 1 below:

Site A Outline planning permission is sought for residential development on this part of the site with the main access proposed from Harwood lane and an emergency access proposed from the corner of Wood Street / Balfour Street into the site. All matters are reserved, meaning that if planning permission is granted details of the proposal would need to be submitted for approval at a later date.

The northern part of the site is occupied by playing fields known as Lyndon Playing Fields. There is a play area in the centre of the site and an area of scrub and small trees to the west of the play area. Part of the site off Wood Street was
previously used as a night club and squash courts but the buildings have now been demolished, nonetheless this portion of the site is considered to be previously developed land. The land immediately to the east of this area was once a football ground used by Great Harwood Rovers but this has not been used for many years.

The site comprises 7ha of land that is bounded by Harwood Lane to the north, which has residential properties on the north side that overlook the site. There is residential development to the east (Sawley Drive and Lyndon Drive) with a residential care home abutting the north east corner of the site (Lyndon House). Existing housing on Shaftesbury Avenue abut the north western side of the site whilst the south western portion of the site is bounded by Wood Street/Balfour Street and an operational abattoir. Open fields abut the southern boundary of the site. The site slopes gently down towards the south.

Site B

Full planning permission is sought for the development of playing fields, changing facilities and associated infrastructure on 4.9 ha of land north of Harwood Lane and west of Whalley Road.

Site B is currently used for agriculture and has also been used for the Great Harwood show. The site is bounded to the south by Harwood Lane and to the west by Whalley Road. Open countryside abuts the northern and eastern (beyond Whalley Road) boundaries of the site and there are a handful of detached properties abutting the western flank of the site. Harwood Lane splits into two at this point and there is existing residential development on the southern side of the southern section of Harwood New Road. There is an area of open space that separates the two sections of road. The site slopes gently down towards the north east corner.

The applicant has undertaken a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations and the Planning Authority has advised that although the development falls within the thresholds established by Schedule 2 of the Regulations, it was not necessary for the applicant to undertake an Environmental Impact Assessment in support of the planning application.

Notwithstanding that, the planning application is supported by a number of reports that seek to address particular aspects of the development:

- Planning Statement including Affordable Housing Statement
- Design and Access Statement
- Coal Mining Risk Assessment
- Arboricultural Impact Assessment and Tree Survey
- Extended Phase 1 Ecological Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Odour Impact Assessment
Since the application was submitted further information has been submitted in support of the odour assessment.

Fig 1. Site location plan illustrating the location of Site A (outline planning application for residential development, and Site B full planning application for replacement playing pitches etc).

Policy Framework

Planning applications should be determined in accordance with the relevant policies of the “development plan” unless material considerations indicate otherwise. In Hyndburn the
“development plan” comprises the Hyndburn Core Strategy and the Saved Policies of the Local Plan that was adopted in 1996. The National Planning Policy Framework is an important material consideration and, where directed, its policies can supersede those of the development plan. The Development Management DPD is currently being development by the Council and because it is at an early stage it should be afforded comparatively little weight. Notwithstanding this, the majority of the policies listed complement those within the development and National Planning Policy Framework.

**National Planning Policy Framework**

- Achieving sustainable development
- The presumption in favour of sustainable development
- Core planning principles
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 9 Protecting Green Belt Land
- Section 10 Meeting the Challenge of Climate Change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment

**Decision taking**

**Hyndburn Core Strategy**

- Policy BD1 The Balanced Development Strategy
- Policy H1 Housing Provision
- Policy H2 Affordable Housing
- Policy HC1 Green Space and facilities for Walking and Cycling
- Policy HC2 Leisure, Health and Culture
- Policy HC3 The Design of Residential Roads
- Policy HC4 Community Benefits / Planning Obligations
- Policy Env1 Green Infrastructure
- Policy Env3 Landscape Character
- Policy Env4 Sustainable Development and Climate Change
- Policy Env6 High Quality Design
- Policy Env7 Environmental Amenity
- Policy T1 Improving Connectivity
- Policy T2 Cycle and Footpath Networks
- Policy GH1 Housing in Great Harwood

**Para 5.55** The Area of Potential Change (illustrated by Figure 22).

“…..The area of Great Harwood to the east of the town centre along Queen Street is likely to witness change with the development of new supermarkets to serve the town and its hinterland. There are further re-development opportunities in an around the site of the former abattoir and this area has been identified as an area of potential change that could accommodate appropriate commercial and residential development provided the constraints to development are adequately addressed and sufficient quality and quantity of open space are retained. To ensure the area is properly planned and local residents are involved in the future
development of this area, a Development Brief should be prepared during the first phase of the Core Strategy.”

Hyndburn Local Plan
Policy H5 Open Space in new residential development
Policy E3 Retention of woodland, trees, hedgerows, walls etc
Policy E10 Development Criteria
Policy E15 Public Art
Policy L1 Footpaths, bridleways and cycle routes
Policy L2 Development of Playing Fields and Open Space

Development Management DPD (Preferred Options)
Policy DM7 New Residential Development
Policy DM8 Open Space Provision in Residential Development
Policy DM9 Affordable Housing
Policy DM14 Trees, woodlands and hedgerows
Policy DM15 Protection and enhancement of the natural environment
Policy DM16 Protected species
Policy DM17 Flood Risk Management and Water Resources
Policy DM18 High Quality Urban Design
Policy DM21 Cultural and community facilities
Policy DM24 Environmental Amenity
Policy DM25 Contaminated land and storage of hazardous substances
Policy DM26 Pollution Control
Policy DM30 Protection of Open Space
Policy DM31 Waste Management within new Residential Development
Policy DM32 Traffic and Highway Safety
Policy DM33 Travel Plans
Policy DM34 Transport Infrastructure

Consultation Responses

Lancashire County Council - Education

No financial contribution is sought in respect of school places.

Lancashire County Council – Highways

I would like to offer the following comment on each element of the application as below.

A. Major application. Outline with all matters reserved: Residential development on 7ha of land south of Harwood Road (Lyndon Playing Fields) and land adjacent to Wood Street, Great Harwood,

B. Major application. Full: The development of a building to accommodate changing facilities; playing pitches; associated access roads; car-parking; low level lighting;
Access

A) Residential

The site is proposed to be accessed via a single give way road junction from the B6535 Harwood Old Road. Currently there is no known congestion issue along the B6535 route. Capacity is not currently considered to be a significant issue at either the two junctions, Park Road and A680 Whalley Road, which are likely to be the main route choices from the site.

A traffic survey undertaken by Lancashire County Council in December 2013 indicated daily flows in the region of 4000 in each direction. Hourly peaks in the region of 380 / 400 each way. These figures confirm the view that although a significant amount of traffic travels along the B6535 congestion is not considered an issue.

Vehicle speeds from the survey were recorded 28mph mean speed with 85%iles of 32 mph. Consequently the access visibility splays should be designed to a minimum 32mph standard. Manual for Streets indicates a stopping sight distance (adjusted for bonnet length) of 45m for a vehicle travelling at 31mph. Given the straight nature of Harwood Road 45m sight lines should easily be achievable from the proposed access.

For a development of between 100 and 300 dwellings it would be appropriate to consider a secondary access point to the greater highway network. In this instance the logical choice would be a link into Balfour Street / Wood Street. However the concern to the highway authority would be that satellite navigation system may direct heavy Goods vehicle traffic through the development towards the commercial areas found on Balfour Street / Wood Street and beyond. This would be detrimental to highway safety and the residential layout would be unsuitable for the facilitation of large and articulated vehicles. The applicant does indicate a proposed emergency access point at this location which would be of great value should the main access be closed for whatever reason. As a consequence the County Council would accept these access proposals. The County Council would suggest that clarification is sought to the satisfaction of the Local Planning Authority on how the emergency access point will be managed.

B) Sports Ground

The proposed football pitch / recreational site is proposed to be access via separate pedestrian and vehicular access points from the one way section of B6535 Harwood Lane. However it is likely that some pedestrians will use the vehicular access point to the east of the site.

Both accesses are acceptable in terms of location and I would foresee no issues that cannot be addressed (see below) with regards these locations.
For the vehicular access I would mirror the abovementioned requirement for visibility splays to be designed for vehicle speeds of 32mph. In order to achieve visibility to the west existing vegetation will be required to be trimmed or removed as currently trees / shrubbery are in place which would prevent acceptable sight lines. Visibility to the east is not as critical due to the street being one way in nature. However sight lines to the junction with A680 Whalley Road (approximately 40m) should be provided. Drawing reference 1138-AF-02B indicates a timber and post fence of dimensions 1200mm will be introduced. This fence should not interfere with visibility splays and should be set back in at the vehicular access point to facilitate a minimum y distance of 2.4m and associated visibility splays.

Layout

A) Residential

The residential element of this application is reserved matters and it is my understanding that layout on drawing 10921.L03 -"Illustrative Masterplan" is for illustration purposes only. As a consequence the County Council would seek to comment on the specific layout detail in any future application.

I would comment that the design should comply with the principals of the DfT document "Manual for Streets" and the County Councils compendium "Creating Civilised Streets".

The construction of the access roads and footways should also comply with Lancashire County Council's document "Estate Roads Specification".

B) Sports Ground

Vehicular access to the changing facility parking runs along an existing track via Harwood Lane which is to be realigned as part of the application. The track which runs north to south is approximately 180m long. It is likely two way traffic will flow along the access track and as a consequence it will need to be of a suitable width to permit two way flows or have reasonable passing places. Manual for Streets indicates a minimum width of 4.1m as being suitable for 2 cars to pass and as a consequence I would suggest that the access is constructed with this minimum width in mind. It is also noted that minibus provision is included within the parking arrangements. I would therefore suggest that one or two passing places are also included of a minimum width of 4.8m (Manual for Streets) to cater for minibus and car traffic to pass.

It is likely that pedestrians will also use this access to gain entry to the sports facility. I would therefore suggest that the applicant considers the use of speed reducing features to ensure inappropriate speed does not become an issue along the access road.

A separate pedestrian access is proposed from Harwood Lane which links the proposed public open space to the changing room facility car park access road. This should be made a shared cycle / pedestrian access in order to promote sustainable travel to the site. A new gate is proposed to the northerly end of the pedestrian access which is welcomed to prevent vehicular
access. This should however be introduced as a cycle friendly provision, such as an A frame, in order to support cycling as a mode of transport.

The County Council would recommend parking bays for cars are provided at a minimum of 2.4m wide by 5m long with 6m maneuvering isles. Drawing 1138-AF-02B appears to indicate these standards as being met. I do however have reservations regarding the 5 number proposed minibus parking bays of 6m long by 3.2m wide each. Minibus dimensions can be in excess of 6m long and will require greater than 6m maneuvering space to exit a parking space.

I would suggest that the minibus parking needs re-examining with both parking space length and maneuvering space increased. This seems achievable within the site boundary. The applicant should provide turning movement data to support any provision provided to the satisfaction of the local planning authority.

Currently the car park access is proposed between spaces 27 and 28 (drawing 1138-AF-02B. I would suggest consideration be given to moving the entrance closer to the changing facility. This would have the following advantages:-

- The area where pedestrians and vehicle would come into contact would be reduced.
- The length of northern access road where vehicular traffic may potentially come into conflict would be reduced.
- The car park would likely see lower movements as drivers would only access in one direction and consequently drivers would filter in parking spaces in a more uniform manor.

Parking Standards

A) Residential

Car parking allocation should be provided as per Hyndburn Borough Council's adopted Car Parking and Access Standards. For class C3 Residential this means 2 spaces for 2-3 bedroom dwellings and 3 spaces for 4+ bedroom properties. All garages should be constructed as a minimum of 6m X 3m. Driveways should be provided at a minimum length of 5.5m

B) Sports Ground

Car parking allocation for Class D2 Assembly and Leisure should be provided at a rate of 1 space per 22m² as per Hyndburn Borough Council's adopted Car Parking and Access Standards. For the 391m² changing room facility of this development it equates to 18 parking spaces. In addition the County Council recommends 12 parking spaces per hectare of pitch area. For this development, which totals approximately 12300m², this equates to 15 parking spaces. In total 27 parking spaces should be provided.

The proposal is to provide 43 parking spaces, 10% (4) of which are disabled. Although this is an increase in parking standards the County Council would view it as appropriate given the nature of the facility.
Travel Plan

A Travel Plan is a document setting out a package of measures for reducing the number of single occupancy car trips made to a site or location and the promotion of sustainable methods of travel.

Comprehensive definitions of Framework Travel Plan, Full Travel Plan and required components of a Travel Plan are available from Lancashire County Council's Business Travel Plan web pages. Practical support and assistance with Travel Planning can also be accessed via these pages.

http://www.lancashire.gov.uk/corporate/web/?siteid=6698&pageid=42669&e=e

This development is in excess of Lancashire County Council's Travel Plan submission threshold. A Framework Travel Plan for the site has been developed within the revised transport assessment and feedback on this is provided below.

A Framework/Interim Travel Plan needs to include the following as a minimum:

- Commitment and timescale for the appointment of a Travel Plan Coordinator (suggest at least 1 month prior to first occupation).
  Although the appointment of a Travel Plan Coordinator is mentioned a number of times (1.6.1, 2.1.7 etc), there is no timescale proposed.
- A commitment and timescale to undertake travel surveys (recommend within 3 months of occupation)
  Some information is provided, but this requires clarification. 3.3.1 refers to undertaking monitoring at 75% occupancy to provide information for travel plan review. Our recommendation, for a development of this size, is that a travel survey is carried out within 3 months of 100 dwellings occupied, in order to provide base line data for target setting.
- A commitment and timescale for the development of a Full Travel Plan (recommend within 3 months of 1st travel survey)
  This information is not provided.
  Although the Final Travel Plan is mentioned with regard to target setting and monitoring (3.1.4, 3.3.3), no clear commitment or timescale for production of a Full Travel Plan is provided.
- Details of cycling, pedestrian and public transport links to and within the site
  This information is provided.
- Details of the provision of cycle parking for any properties where suitable storage not available.

I note that at the moment it is not certain what the mix of house types will be, although the application form suggests 50 dwelling could be social housing. If it is decided to include social housing in the development, the Travel Plan will need to include details of the provision of cycle parking for these properties.

- List of any proposed measures to be introduced particularly any to be implemented prior to the development of the Full Travel Plan
  This information is provided.
It would be good to also see the Shared Wheels website promoted (www.sharedwheels.co.uk), and regular events such as Car Share Week, Walk to School Week, Walk to Work Week and Bike Week promoted every year.

- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.
  Some information is provided at 3.3, but this requires further detail and clarification, especially of timescales.

Currently the Framework Travel Plan cannot be considered to meet the County Council's minimum requirements. I would ask for an amended Framework Travel Plan which addresses the points raised above.

It is important that a Framework Travel Plan which meets the Council's criteria is developed and adhered to and that a Full Travel Plan is developed and implemented in line with agreed timescales.

The Full Travel Plan when developed would need to include the following as a minimum:

- Contact details of a named Travel Plan Co-ordinator
- Results from employee/customer travel survey(s)
- Details of cycling, pedestrian and/or public transport links to and through the site
- Details of the provision of cycle parking.
- Objectives
- SMART Targets for non-car modes of travel, taking into account the baseline data from the survey
- Action plan of measures to be introduced, and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

To ensure that suitable wording is used if the Planning Authority decides to secure a Travel Plan through the use of a condition a suggested wording is included below.

1. **No development shall commence until the submitted Framework Travel Plan has been approved in writing by, the local planning authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.**

2. **Where the Local Planning Authority agrees a timetable for implementation of a Framework or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.**

3. **The Framework Travel Plan as approved/accepted/agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.**

**Reason:** To ensure that the development provides sustainable transport option
On a development of this size we would normally request a Section 106 contribution of £18,000. This is to enable Lancashire County Council's Travel Planning Team to provide a range of services as outlined below.

Section 106 contributions will primarily be used to enable the Sustainable Travel team to:

- Appraise Travel Plan(s) submitted to the Planning Authority and provide constructive feedback.
- Oversee the progression from Framework to Full Travel Plan in line with agreed timescales.
- Monitor the development, implementation and review of the Travel Plan for a period of up to 5 years.
- Support the development and implementation of the Travel Plan.
- Develop and provide online, resident mode of travel surveys and collation of returns for baseline and subsequent monitoring purposes.
- Attend meetings with developer/occupier/co-ordinator as necessary.
- Provide access to leaflets, publicity, maps and information – provision of bespoke literature and large quantities may be subject to additional charges.
- Conduct a basic site audit.
- Provide localised maps and plans, GIS mapping of staff postcodes or other origin and destination data, accessibility plot of public transport, walking and cycling routes/thresholds to site.
- Advise and offer appropriate support with implementation or suitability of specific elements or measures.
- Assist with the development of sustainable travel directions for web pages and other appropriate content.
- Help stage promotional events and activities including Walk to Work Week, Bike Week, car free days or measured mile walks etc.

Transport Assessment (TA)

The County Council is generally happy with the information provided within the submitted TA. Peak hour assessment, growth prediction and trip distribution based upon existing turning counts are acceptable to Lancashire County Council.

However we are unable to check the validation of the model as it appears that the 2014 base line has not been used. I would ask that the applicant’s traffic consultant confirms to the satisfaction of the planning authority the methodology undertaking in confirming the traffic model. Notwithstanding this the County Council's view is that the information within the TA is reasonably robust.

I would point out that, as highlighted in section 5.2.2, no consideration has been given to traffic generated by the new sports pitch facility. The facility is quoted as being on a like for like basis with the existing sports pitch. However the County Council view is that the new facility will increase vehicle movements. Right turn movements into and out of the one way section of Harwood Lane are the most likely to impact on the network. It would have been useful to receive
modelled data regarding the increase in traffic generated by the sports pitch development (or at least validation that it will have no effect). Nevertheless it is the County Council's view that, although noticeable, the increase is unlikely to be detrimental to network access or capacity and should have no negative impact upon safety should mitigation measures as described below be introduced.

**Pedestrians and Cyclists Access**

It is important that the level of provision for pedestrians and cyclists to and from both elements of the development is adequate to significantly encourage sustainable travel and reduce dependence on the private car. It is equally important to ensure communities are linked and not isolated.

The proposal seeks to accommodate the loss of existing recreational space with new recreation provision to the north east of its existing location. In order to encourage access to this facility appropriate links will be required.

The new recreational facility and eastbound bus stop facilities are on the north of Harwood Lane. The greater residential populous, inclusive of the new development proposals, are situated on the south of Harwood Lane. However no pedestrian crossing facility is available to assist pedestrian access to the north of the road. The development will increase traffic flows along Harwood Lane, which has already been identified as significant. As a consequence it is imperative that suitable pedestrian crossing provision is provided to safely facilitate access.

In addition there is no existing continuous footway provision linking the north of Harwood Lane into the newly proposed public open space and sports facility. In order to facilitate safe access this provision will be required as identified in the applicants Transport Assessment (3.3.6)

The applicants Transport Assessment makes reference to national cycle route 6 and the site being accessible by cycle. There is an existing cycle route from Rishton and Blackburn via an off road cycle path and canal that exits close to Station Road Great Harwood as noted within the applicants Transport Assessment (4.3.3). However no specific links are available from the development site to the greater cycle network. In order to encourage sustainability the site should provide good permeability to existing infrastructure.

The priority should be to link the site with the cycle route to Rishton and Blackburn to the west and to Clayton-le-Moors and Accrington to the south. In order to support sustainability the County Council would seek the following items which it believes are necessary in planning terms and directly related to the sustainability of the site:-

- Upgrading of existing public right of way 11-4-FP 95 (running from Balfour Street to Lyndon Road) to 3 metre wide lit shared cycle / footpath facility. (The section at Lyndon Road end would remain 2 metres wide) as part of a section 38 agreement.
- A cycle / pedestrian access onto Wood Street to be incorporated into the design of the emergency access road as part of a section 38 agreement.
• Provision of a Cycle Path on east side of C635 Heys Lane / Queen Street roundabout linking Park Road with Station Street via a section 278 agreement.
• Provision of toucan crossing across C635 Heys Lane via a section 278 agreement including accommodation works.

It is the County Council's view that these issues require addressing in order to mitigate the impact of the proposed development. These mitigation proposals are summed up below (Planning Obligations and S278, 106 and 38 Agreements).

Public Transport

Good access to high quality public transport services is important to reduce dependence on the private car for users of this development.

The site is close to main route bus stops located on Harwood Road. However as indicated above pedestrian access is not supported to and from the bus stops and requires additional crossing infrastructure to aid access and promote this sustainable travel option.

Road Safety

I have reviewed the latest accident data on the immediate highway network surrounding the development. There have been two collisions resulting in 3 personal injury accidents (all slight) in the last 5 years. The collisions occurred in the vicinity of the road junction between Harwood Lane and Harwood New Road. There does not appear to be any pattern to these accidents that would be exacerbated by this development. However concern has been raised regarding vehicle entry speeds into the one way section of Harwood Lane from the west. Given this is the location of the pedestrian access to the public open space / sports pitches I would suggest that it is imperative to reduce vehicle speeds at this location. Consequently the Council would seek a physical build out to be introduced under a section 278 agreement (details below) to increase deflection into the one way system.

In addition concern has been raised regarding vehicles travelling against the one way system found on Harwood Lane as identified in the applicants Transport Assessment (3.2.3.). The proximity of the new sports ground entrance to A680 Whalley Road may tempt drivers to undertake this manoeuvre. The applicant's Transport Assessment proposes to introduce an island to discourage this manoeuvre however it is my view that a build out would be of greater benefit.

The proposal to relocate leisure activities to the north of Harwood Lane will result in a large increase of pedestrians wishing to cross the road. This will lead to additional safety concerns due to likely pedestrian / vehicular conflict. It is essential that adequate crossing facilities are introduced to safely accommodate this flow.

Planning Obligations and S278, 106 and 38 Agreements
Should the Local Planning Authority be minded to approve this development, the County Council would seek planning obligation contributions and legal agreement from this development to introduce measures that support sustainable transport (as detailed above) and safeguard the general public through a section 278, 38 or 106 agreement as discussed above. These would include:

Section 278

- The provision of a zebra pedestrian crossing for Harwood Lane including accommodation works to existing road markings and parking bays.
- The provision of a continuous footway link to the proposed sport facility / public open space along the north of Harwood Lane as identified in the applicant's transport assessment (3.3.6).
- The provision of road junction modification at the junction of Harwood Lane and Harwood New Road to reduce entry speeds into Harwood Lane including accommodation works to existing road markings.
- The provision of a build out at the easterly end of Harwood Lane to discourage drivers from travelling against the one way system as identified in the applicant's transport assessment (3.2.4) including accommodation works to existing road markings and parking bays.
- Provision of a Cycle Path on east side of C635 Heys Lane / Queen Street roundabout linking Park Road with Station Street (when combined with the item below) via a section 278 agreement.
- Provision of toucan crossing across the C635 Heys Lane via a section 278 agreement.
- Provision of a cycle by-pass improvement at the junction of Station Road and Hameldon View.

Section 38

The County Council would seek to adopt the residential road of any development resulting in the construction of 5 residential properties or above. Consequently I can confirm that the County Council would seek to enter into a section 38 (Highways Act) Agreement with the developer with a view to ultimately adopting the road and footway layouts, inclusive of highway drainage and street lighting. I would ask that this is made a condition of any approval given.

In addition the County Council would also require the following items to be included within the section 38 agreement.

- A cycle / pedestrian access onto Wood Street to be incorporated into the design of the emergency access road as part of a section 38 agreement.
- Upgrade of public right of way 11-4-FP 95 to a 3m wide lit shared use pedestrian / cycle path to be adopted as highway.

Section 106

A contribution of £18,000 to enable Lancashire County Council's Travel Planning Team to provide a range of services as outlined above (Travel Pan).

Conclusion

Lancashire County Council, as the Highway Authority, would in general terms be supportive of this development. However note should be taken of this advice and the requirement to provide various measures and conditions as detailed above.

In addition the County Council would ask for the following additional conditions to be applied to any approval issued by the local planning authority:-

Conditions

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

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

2. No part of the sports facility element of the development shall be commenced until the visibility splays measuring 2.4 metres by 45 metres to the west are provided, measured along the centre line of the proposed vehicular access. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

   Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Quality of Development Policy and Transport Policy in the Local Plan.

3. A car park and manoeuvring scheme for the sports facility element of the development to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

   Reason: To allow for the effective use of the parking areas.

4. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.
Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

5. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the condition above has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.

6. A Construction Management Plan for the construction works, to be approved in writing by the planning department before any works begin on site and to include:
   - The parking of vehicles of site operatives and visitors;
   - Loading and unloading of plant and materials used in the construction of the development;
   - Storage of such plant and materials;
   - Wheel washing facilities;
   - Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made);
   - Routes to be used by vehicles carrying plant and materials to and from the site;
   - Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: to protect existing road users.

Lancashire County Council (Lead Local Flood Authority)

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority (LPA) whether any such recommendations are acted upon. It is ultimately the responsibility of the Local Planning Authority to approve, or otherwise, any drainage strategy for the associated development proposal. The comments given have been composed based on the current extent of the knowledge of the LLFA and information provided with the application at the time of this response.

Sustainable Drainage Systems: General Advice

Paragraph 103 of the National Planning Policy Framework (NPPF) and Written Statement on Sustainable Drainage Systems (HCWS161) requires that surface water arising from a developed site should, as far as it is practicable, be managed in a sustainable manner to mimic surface water flows arising from the site prior to the proposed development, whilst reducing flood risk to the site itself and elsewhere, taking climate change into account.
The Lead Local Flood Authority encourages that site surface water drainage is designed in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems and Planning Practice Guidance, including restricting developed discharge of surface water to greenfield runoff rates making suitable allowances for climate change and urban creep, managing surface water as close to the surface as possible and prioritising infiltration as a means of surface water disposal where possible.

Regardless of the site’s status as greenfield or brownfield land, the Lead Local Flood Authority encourages that surface water discharge from the developed site should be as close to the greenfield runoff rate as is reasonably practicable in accordance with Standard 2 and Standard 3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open space.

The wide variety of available sustainable drainage techniques means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

**Sustainable Drainage Systems: Infiltration & Permeability Testing**

The Lead Local Flood Authority wishes to highlight that the FRAs does not provide robust evidence regarding geotechnical information. The FRAs assume various fundamental conditions and results. It is therefore unknown whether infiltration techniques will prove feasible.

The applicant is reminded that Paragraph 103 of the NPPF requires priority use to be given to SuDS and in accordance with Paragraph 80, Section 10 of the Planning Practice Guidance the preferred means of surface water drainage for any new development is via infiltration. The applicant must submit robust evidence as to why each 'level' of this hierarchy cannot be achieved.

Prior to designing site surface water drainage for the site, a full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means. **For example,** should the applicant intend to use a soakaway, they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

The Lead Local Flood Authority also strongly encourages that the developer should take into account designing drainage systems for exceedence working with the natural topography for the site. Should exceedance routes be used, the applicant must provide a
site layout plan with these displayed, in line with Standard 9 of DEFRA’s Technical Standards for SuDS.

Land Drainage Consent

The proposals indicate that the applicant intends to discharge surface water into an existing Ordinary Watercourse. 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 build a culvert or structure (such as a weir) or 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.

As a minimum, the applicant will be expected to:

- Carry out studies of the existing culvert/watercourse condition and capacity;
- Undertake an examination of the downstream condition and implications of the development proposal, and;
- Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications which seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses:


You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Information on the application process and relevant forms can be found here:


For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given.

Presence/potential presence of protected species in a watercourse

The Lead Local Flood Authority recommends that where there is any potential for the existing habitat of protected species (for example great crested newt, native white clawed crayfish, water vole, bats or otter species) on the proposed development site, the applicant should undertake an appropriate ecological assessment by a competent ecologist prior to starting works on site.
It is an offence to undertake works which adversely affect any legally protected species or habitat without appropriate mitigation measures in place.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected as development that encroaches on to it has a potentially severe impact on their ecological value. Retaining and enhancing coherent ecological networks adjacent to watercourses will help to ensure the biological and chemical quality of watercourses is not reduced as a result of development, which is a requirement of the Water Framework Directive.

**Lead Local Flood Authority Position – Site A**

**Outline application**: Residential development on 7ha of land (all matters reserved)

The Lead Local Flood Authority has **no objection** to the proposed development subject to the inclusion of the following conditions, in consultation with the Lead Local Flood Authority:

**Condition 1:**

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

1. **Surface water drainage scheme** which **as a minimum** shall include:
   a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
   b) The drainage scheme should demonstrate that the surface water run-off must not exceed greenfield run-off rates (to be agreed with LLFA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
   c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
   d) Flood water exceedance routes, both on and off site;
   e) A timetable for implementation, including phasing where applicable;
   f) Site investigation and test results to confirm infiltrations rates;
   g) details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
Reason
This condition is required for the following reasons
1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

2. To reduce the risk of flooding to the proposed development, elsewhere and to future users.
3. To ensure that water quality is not detrimentally impacted by the development proposal. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk

Informative 1: Response does not grant permission to connect to the ordinary watercourse

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here:


Informative 2: Response does not grant permission to connect to the highway drainage network

This response does not grant the applicant permission to connect to the highway drainage network

Lead Local Flood Authority Position – Site B

Full application: The development of a building to accommodate changing facilities, playing pitches, associated roads, car parking, low level lighting, fencing and landscaping on 4.9ha of land

The Lead Local Flood Authority objects to the development and recommends refusal of planning permission until an amended Flood Risk Assessment and Sustainable Drainage Strategy are submitted which meet Paragraph 103 of the National Planning Policy Framework and Planning Practice Guidance paragraph 80 have been submitted to the local planning authority.

Objection 1
This is a full application and as such the applicant should adequately evidence that any residual flood risk can be safely managed and that the development gives priority to the use of Sustainable Drainage Systems.

The site is currently undeveloped and this proposal is to introduce increased areas of impermeable surface. There is a lack of robust evidence regarding the impact this will have on surface water drainage on the site and elsewhere.

Paragraph 103 of the National Planning Policy Framework requires applicants for planning permission to give priority to the use of sustainable drainage systems by default. The submitted drainage strategy states a lot of assumptions without robust evidence to support these assumptions and therefore does not include adequate details of sustainable drainage elements as required under the National Planning Policy Framework. It is therefore contrary to national planning policy. The absence of an adequate sustainable drainage strategy is therefore sufficient reason in itself for a refusal of planning permission.

**Overcoming our objection 1**

You can overcome our objection by submitting an amended drainage strategy which prioritises the incorporation of a sustainable drainage system to fulfil the requirements of Paragraph 103 of National Planning Policy Framework. Any proposed sustainable drainage system should also be considered in line with the HCWS161 Written Statement on Sustainable Drainage Systems, Planning Practice Guidance and Non-Statutory Technical Standards for Sustainable Drainage Systems.

As a minimum the revised drainage strategy should contain/cover:

a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

b) The drainage strategy should demonstrate that the surface water run-off does not exceed the pre-development greenfield runoff rate (evidence to be provided).

c) Evidence of water run-off destinations (considering the hierarchy contained within – PPG paragraph 80)

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

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

f) A timetable for implementation, including phasing as applicable;

g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

h) Details of water quality controls, where applicable.
If sustainable drainage elements within the drainage system for the development proposal cannot be achieved, the applicant is expected to provide compelling evidence as to why this is in line with the Planning Practice Guidance. Should this evidence not be provided we will consider whether there is a need to maintain our objection to the application. Production of an adequate sustainable drainage strategy will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the amended drainage strategy. We will provide you with comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate drainage strategy has been submitted.

**Objection 2**

The applicant has also failed to submit robust evidence within the Flood Risk Assessment and Drainage Strategy to the local planning authority demonstrating why higher priority discharge points for the runoff destination of surface water are not reasonably practicable in line with Planning Practice Guidance.

The Planning Practice Guidance requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The Planning Practice Guidance states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the…hierarchy of drainage options as reasonably practicable.'

The applicant has not provided robust justification or evidence as to why preferable runoff destinations, cannot be used for this development proposal. The absence of this evidence is contrary to policy and therefore sufficient reason in itself for a refusal of planning permission.

**Overcoming our objection 2**

You can overcome our objection by submitting further evidence of your chosen runoff designation and robust justification of this runoff destination over preferable destinations set out in the hierarchy contained in the Planning Practice Guidance.

If robust justification or evidence as to why preferable runoff destinations cannot be achieved is not provided in line with Planning Practice Guidance, we will consider whether there is a need to maintain our objection to the application. Production of a justification or evidence will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of further evidence on runoff destinations. We will provide you with comments within 21 days of receiving formal re-consultation. Our objection will be maintained until adequate evidence has been submitted.

**The Coal Authority**
Thank you for your consultation letter of 10 September 2015 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is in an area of likely historic unrecorded underground coal mine workings at shallow depth.

The planning application is supported by a Coal Mining Risk Assessment, dated June 2015 and prepared by LK Consult Ltd. This report has been informed by an appropriate range of sources of information including; BGS maps, BGS borehole data and a Coal Mining Report.

Having reviewed the available coal mining and geological information the Coal Mining Risk assessment concludes that there is a potential risk to the development from past coal mining activity, including risks posed by mine gas. The report therefore recommends that intrusive site investigations are carried out, including ground gas monitoring, in order to establish the exact situation in respect of coal mining legacy issues on the site. The findings of these intrusive site investigations should inform any remedial measures which may be required.

Whilst The Coal Authority welcomes the applicant’s commitment to undertaken intrusive site investigations to confirm ground conditions, grid drilling and grouting of voids is considered the most acceptable method of remediation, as opposed to a foundation solution. Alternatively, The Coal Authority would also expect the applicant to afford due consideration to the prior extraction of any remnant shallow coal as part of any mitigation strategy, in line with national planning policy in NPPF. Our information confirms that coal outcropped across the site.

Prior extraction can be undertaken alongside other ground work activities and can be undertaken in a matter of weeks rather than months. It can generate an additional revenue stream for developers and in many developments prior extraction forms part of the viability equation. In cases where the site developer is not interested in undertaking the coal extraction themselves, there are operators who specialise in such work, where they extract the coal and leave the site in a fully developable state, effectively having done much of the necessary site preparation for the developer to then begin the development.

The Coal Authority Recommendation to the LPA
The Coal Authority concur with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works, including ground gas monitoring, should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to ensure the safety and stability of the site for the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

**National Grid**

National Grid has identified that it has apparatus in the vicinity of the proposed development. The contractor should contact National Grid before any works are carried out to ensure that our apparatus is not affected by any of the proposed works. Further details are set out in the consultation response.

**Environment Agency**

Thank you for consulting us on the above application, received on 8 July 2015. We have no objection in principle to the proposed development and would like to make the following comments:

**Flood Risk**

The majority of the site is within Flood Zone 1. If you have not done so already, you will need to consult with Lancashire County Council as the Lead Local Flood Authority as they are the statutory consultee for surface water management.
There is a small area of the southern site within Flood Zone 2. This should be referred to in any Flood Risk Assessment (FRA) submitted in support of the application. Flood Risk Standing Advice will apply in this case and it will be for the Local Planning Authority to determine if the RA is adequate in this respect. There is no development currently proposed in this area however, so it should be considered low risk.

Land Quality

We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition

Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
   - all previous uses;
   - potential contaminants associated with those uses;
   - a conceptual model of the site indicating sources, pathways and receptors; and
   - potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Condition

No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency
action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Environmental Permitting

We have been in discussion with the LPA, developer and operator of ABP Blackburn, to the south of the site. It has been agreed that environmental monitoring of odour will be undertaken on the site to assess if there are likely to be any adverse effects. We will review the findings of the monitoring with the LPA and developer when they become available.

Hyndburn Borough Council (Environmental Health)

Noise Assessment

The noise assessment for the development has been reviewed by two officers of Environmental Health. The assessment considered the potential effect of traffic and industrial noise on the future residents of the proposed residential development. The noise levels measured indicated that to achieve acceptable noise levels i.e. World Health Organisation guidance figures, some noise mitigation will be necessary for some of the properties.

It is recommended that all the mitigation measures detailed in the noise assessment are applied in the development to achieve this. That is: **Acoustic Rated Building Elements** as detailed in section 8.2 of the noise assessment report.

**Noise Barrier.** The report recommends a 2m acoustic barrier fence or an earth bund of equivalent height. To facilitate the permanence of any noise protection measures, it is advised that a 2m earth bund is constructed, which will not be dependent on maintenance by future residents, as fencing would be.

The Hyndburn Borough Council odour assessment, which forms part of Environmental Health comments on this application advises a 50m buffer zone, between the development site perimeter and the proposed residential properties. The earth bund should be constructed 50m from the perimeter to coordinate with this condition. This will have the effect of providing additional noise reduction.

Odour Assessment
An assessment of the potential impact of odour from the ABP abattoir, on the proposed residential development, was carried out by Hyndburn Borough Council, between 3rd August, 2015, and 28th September, 2015.

The full findings can be found in the Odour assessment Ref PL/11/15/0248, which forms part of Environmental Health comments on this application.

It was confirmed that the offensive odour detected during sniff testing originated from the abattoir. The intensity of the odour diminished up to the most distant assessment point of 50m, where it was minimal. Therefore a 50m odour buffer zone is recommended from the perimeter of the development site to the first residential properties, to minimise the effect of odour on amenity.

It should be noted that past odour complaints implicating the abattoir have arisen from properties just over 100m from the abattoir and therefore circumstances may arise in the future where complaints from the proposed development may arise even with a 50m buffer zone.

**Site A Housing development**

**Site preparation/ construction phase.**

Deliveries to and from the site should be restricted to between 0800 and 1800hrs Monday to Friday and 1300hrs on Saturdays. Deliveries should not take place on Sundays and bank holidays. Construction works should be restricted to between 0800 and 1800hrs Monday to Friday and 1300hrs on Saturdays. Construction 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.

**Site preparation/construction phase**

**Effect of Noise on neighbouring premises at the construction phase**

The applicant shall submit for approval, in writing, an assessment of the impact of the proposed development on neighbouring sensitive premises. The assessment shall address the potential for any noise nuisance to occur which may impact upon the amenity of neighbouring sensitive premises during the construction phase. The assessment shall identify fully all control measures which are required to control the impact of the nuisance.

All approved measures identified shall be implemented and retained throughout the duration of any works during the construction phase.

**Reason**- to protect the amenities of existing occupiers at nearby premises from nuisances which could arise from noise sources associated with the building site
**Piling**

The contractor shall assess the impact of all piling operations with regard to noise and vibration in accordance with BS 5228 Code of Practice for noise and vibration control applicable to piling operations.

**Reason**- to protect the amenities of existing occupiers at nearby premises from nuisances which could arise from piling operations.

**Dust**

Prior to the commencement of the development, the developer shall submit a Dust Management Plan for the written approval of the LPA, this is of particular importance due to this providing a pathway for site contaminants to adversely affect construction workers, residents, property and the environment. The Dust Management Plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented and maintained at all times. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

**Air Pollution**

There should not be any burning of waste construction material on site. The contractor shall take all necessary precautions to prevent emissions of smoke/fumes from site plant/equipment or stored fuel.

**Reason**- to protect properties of nearby occupiers from this site.

**Potentially Contaminated land**

No development approved by this planning permission shall commence until a scheme and programme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority: The submitted programme shall include the following:

a) The recommendations of Section 7.2 in the Phase 1 Land Contamination Risk Assessment Pt 1B submitted with this application should be fully implemented in order to comply with the following conditions:

b) A site investigation scheme, based on a) should now be conducted to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and detailed risk assessment referred to in b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how and when they are to be undertaken.
d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme and programme shall be implemented as approved.

Reason: To safeguard the health of future occupants of the land in the interests of public health and to safeguard watercourses and in order to comply with Policy ENV 7 of the Hyndburn Core Strategy.

Application B Playing Fields

I have the following comments to make on the above planning application:

Site preparation/ construction phase.

Deliveries to and from the site should be restricted to between 0800 and 1800hrs Monday to Friday and 1300hrs on Saturdays. Deliveries should not take place on Sundays and bank holidays. Construction works should be restricted to between 0800 and 1800hrs Monday to Friday and 1300hrs on Saturdays. Construction 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.

Site preparation/construction phase

Effect of Noise on neighbouring premises at the construction phase

The applicant shall submit for approval, in writing, an assessment of the impact of the proposed development on neighbouring sensitive premises. The assessment shall address the potential for any noise nuisance to occur which may impact upon the amenity of neighbouring sensitive premises during the construction phase. The assessment shall identify fully all control measures which are required to control the impact of the nuisance. All approved measures identified shall be implemented and retained throughout the duration of any works during the construction phase.

Reason- to protect the amenities of existing occupiers at nearby premises from nuisances which could arise from noise sources associated with the building site.

Piling

The contractor shall assess the impact of all piling operations with regard to noise and vibration in accordance with BS 5228 Code of Practice for noise and vibration control applicable to piling operations.
**Reason**- to protect the amenities of existing occupiers at nearby premises from nuisances which could arise from piling operations.

**Dust**

Prior to the commencement of the development, the developer shall submit a Dust Management Plan for the written approval of the LPA, this is of particular importance due to this providing a pathway for site contaminants to adversely affect construction workers, residents, property and the environment. The Dust Management Plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented and maintained at all times. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

**Air Pollution**

There should not be any burning of waste construction material on site. The contractor shall take all necessary precautions to prevent emissions of smoke/fumes from site plant/equipment or stored fuel.

**Reason**- to protect properties of nearby occupiers from this site.

**Noise Assessment**

A noise impact assessment was submitted with this application for proposed playing fields: Noise Assessment, Harwood Lane, Great Harwood, Lancashire. Pub. 16/6/15 No 1001112.

The proposed layout of the playing fields and associated structures is expected to achieve an adequate level of protection for existing residences, from this proposed development. These proposals should be implemented as submitted. Should the proposed layout of the development be adjusted a revised noise impact assessment should be submitted in writing to the LPA, for approval.

**Lighting**

Should this development involve artificial lighting, a lighting scheme should be submitted in writing to the LPA, for approval.

**Hyndburn Borough Council (Regeneration and Housing)**

The comments made are in relation to Site A (the housing site) only.

Regeneration and housing welcome the outline proposals for this high quality housing site in Great Harwood. The proposed mix of house types and sizes, including bungalows for older
households is consistent with the Core Strategy Policy H1 Housing Provision and we look forward to seeing further details when the full application is submitted. The commitment to the delivery of 20% affordable housing units of varying types, sizes and tenure pepper potted throughout the development meets the requirements of Policy H2 Affordable Housing and is also welcome and we look forward to further discussion on how these will be delivered. Up to 50 no affordable housing units will be required on a development of 250 no dwellings.

**Hyndburn Borough Council (Parks and Open Spaces Department)**

Site Ref Show Ground, Great Harwood Planning ref 11/15/0248

<table>
<thead>
<tr>
<th>Schedule of proposals</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Bedroom Properties 20</td>
<td>Occupancy level 3</td>
</tr>
<tr>
<td>3 Bedroom Properties 162</td>
<td>Occupancy level 5</td>
</tr>
<tr>
<td>4 Bedroom Properties 30</td>
<td>Occupancy level 6</td>
</tr>
<tr>
<td></td>
<td>Total Occupancy</td>
</tr>
</tbody>
</table>

**Basis for calculation of P.O.S.**

Using the NPFA six Acre Standard total requirement for P.O.S equates to 2.4 Ha Per 1000 head of population. Therefore:-

- Formal Sport requirement 1.2 Ha / 1000 = 1.26 Ha (min 0.4 Ha for sites accommodating more than 100)
- Informal Sport 0.4 Ha /1000 = 0.42 Ha
- Equipped/ formal play space 0.2 Ha / 1000 = 0.21 Ha (1 no Leap std )
- Casual / Informal play space 0.6 Ha / 1000 = 0.63 Ha

**Committed Sum in Lieu of on site provision**

<table>
<thead>
<tr>
<th></th>
<th>Ha</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal Sport</td>
<td>1.26</td>
<td>Ha @ 25,000/ Ha</td>
<td>£ nil</td>
</tr>
<tr>
<td>Informal Sport</td>
<td>0.42</td>
<td>Ha @ 15,000/ Ha</td>
<td>£ 6,300</td>
</tr>
<tr>
<td>Formal Play space</td>
<td>0.21</td>
<td>Ha = Leap Std Play Area</td>
<td>£ 75,000</td>
</tr>
<tr>
<td>Informal Play space</td>
<td>0.63</td>
<td>Ha @ 15,000/ Ha</td>
<td>£ 9,450</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>£ 90,750</strong></td>
</tr>
</tbody>
</table>

**Committed Sum in Lieu of maintenance of on site provision**

<table>
<thead>
<tr>
<th></th>
<th>Ha</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal Sport</td>
<td>1.26</td>
<td>Ha @ 4,500/ Ha</td>
<td>£ nil</td>
</tr>
<tr>
<td>Informal Sport</td>
<td>0.42</td>
<td>Ha @ 4,500/ Ha</td>
<td>£ 1,890</td>
</tr>
<tr>
<td>Formal Play*</td>
<td></td>
<td></td>
<td>£ 1,500</td>
</tr>
<tr>
<td>Casual/ Informal Play Space</td>
<td>0.63</td>
<td>Ha @ 4,500/ Ha</td>
<td>£ 2,835</td>
</tr>
<tr>
<td><strong>SubTotal</strong></td>
<td></td>
<td></td>
<td><strong>£ 6,225</strong></td>
</tr>
</tbody>
</table>

Total commuted maintenance 10 yrs at compound interest of 3% **£ 64,355**
Total commuted sum payable £155,105

* Based on replacement within the term of the agreement anticipated 10 yr lifespan

Hyndburn Borough Council (Trees and Woodlands Officer)

1. I have no objection to the proposed removals outlined within the Arb impact assessment - the trees to be removed are all category C or U trees and the numbers are such that replacement planting in excess of 3:1 ratio would be easily achievable on site.

2. The illustrative masterplan is very poor and I would recommend issuing a decision "notwithstanding the detail as submitted on the illustrative masterplan" to leave us significant room for negotiation. The site currently provides a green link North to South in Gt Harwood - providing a 'hopping point' for wildlife. Currently the link is fairly poor, but it could easily be vastly improved by the provision of a green corridor through the length of the site. This could be achieved without a significant impact on the number of units that could be accommodated on site and would then allow the site to demonstrate net gain in biodiversity as required by the Core Strategy, NPPF, and NERC Act.

3. The lighting scheme for Site A needs to be very carefully considered in order to limit the impact on habitat areas (and neighbouring properties). The use of directional LED lighting, at low levels wherever possible, is advisable. Additionally PD rights should be removed in respect of outdoor lighting.

4. Any PD rights for lighting on Site B should be removed, the recommended lighting for the site appears sensible – however insufficient detail is provided, the suggestion of using short bollards with LEDs is in line with current research relating to impact on habitat/protected species. I recommend a condition requiring detail of lighting to be submitted – the lighting must be directional, only lighting the areas where light is required.

5. A green route footpath/cycleway should be included through the housing Site A North to South.

6. A standard condition should be placed on all vegetation to prevent site clearance ahead of submission of reserved matters. Provision should be made for building dependent species of conservation concern - notably swifts and bats. This could potentially be dealt with at reserved matters stage, but if you prefer it could be attached as a condition now. The provision should take the form of swift and bat bricks/tiles being built into the structures of several buildings on suitable elevations as advised by an ecologist. I wouldn't suggest specific numbers at this stage as this would be informed by the final design of the development.

7. The landscaping detail as submitted with the Site B application is insufficient. A condition should be attached requiring a full landscaping scheme, including maintenance details, planting details. The area identified as set aside for ecological compensation is too small and provides no habitat connectivity – this area should be all areas designated as public open space, this can be dealt with via the landscaping condition when the application to discharge the condition is submitted. I feel that the access tracks will be quite intrusive into the landscape, my recommendation is that details of the proposed materials for these tracks are dealt with via a condition – and that wherever possible these tracks are
‘green tracks’ ie. Load bearing Cellular confinement systems beneath grass. This system may not be appropriate throughout the entire site, but should be used wherever possible.

8. The ecology report refers to two trees which require removal having bat roost potential. These trees should be subjected to detailed survey (including emergence/return surveys). Bats are a European Protected Species (EPS) and as such have enhanced protection by law, they are a material consideration of the planning process and the Council has a legal duty (under the NERC Act 2006, the Wildlife and Countryside Act 1981, and the Conservation of Habitats and Species Regs 2010) to give due consideration to all EPS prior to the determination of an application. In this case we do not know whether or not bats are roosting in the trees that have been identified for removal, therefore consent cannot be granted for the layout currently detailed. In the event that bats were found to be roosting we would require either a much changed layout in order to prevent interference with the use of the roost or full details of mitigation and compensation (and a EPS licence application).

On this basis, my recommendation at this time is that permission for this layout of site B is not given – the easiest way to avoid this issue is to submit a revised layout moving the U7/U8 pitch and the track in order to avoid conflict with the trees. It is not appropriate to make protected species surveys a condition of consent on a full application and this outcome should be avoided. I would also be uncomfortable in suggesting a condition to change the layout – looking at the current layout I would expect that a change of this kind would require re-consultation.

In the event that time is a consideration I recommend that an extension is agreed and/or the decision is deferred and delegated pending new layout at the next Planning Committee.

Sport England

Summary: Sport England raises no objections to the granting of planning permission subject to planning conditions ensuring that the playing fields are replaced prior to the housing being built on their existing site and that the playing fields and changing pavilion are constructed according to the Football Association’s technical requirements.

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184). The consultation is therefore statutory and Sport England has considered the application in the light of the National Planning Policy Framework (in particular Par 74) and its policy to protect playing fields, ‘A Sporting Future for the Playing Fields of England (see link below).


Essentially Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one of 5 exceptions applies:
Sport England Policy

Summary of Exceptions

E1 An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport

E2 The Development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches

E3 The Development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch

E4 Playing field lost would be replaced with equivalent or better playing field in terms of quantity, quality and accessibility

E5 The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field

1. The new playing fields and changing pavilion shall be provided in accordance with the details set out in the planning application, and drawing no. 10921.L01 rev A and made available for use before development takes place on the current playing field site of the development hereby permitted.

   *Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Development Plan Policy ** and the National Planning Policy Framework.*

2. The changing pavilion hereby permitted shall not be constructed other than in accordance with The Football Foundations technical guidance note 3 – Changing Accommodation.

   *Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy ** and National Planning Policy Framework.*

3. The playing field and pitches shall be constructed and laid out in accordance with the Drawing No. 10921.L01 rev A and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011).

   *Reason: To ensure the quality of pitches is satisfactory and to accord with Development Plan Policy ** and National Planning Policy Framework.*

4. Within 9 months of the date of this permission, a schedule of playing field maintenance including a programme for implementation for a minimum period of five years starting from the commencement of use of the development has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. Following the commencement of use of the development the approved schedule shall be complied with in full.
Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy ** and the National Planning Policy Framework.

Informative: It is recommended that the drainage assessment and improvement scheme is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England’s technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and the Football Foundation’s design guidance note no 4.

If you wish to amend the wording of the conditions or use another mechanism in lieu of the conditions, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

If your Authority decides not to attach the above conditions, Sport England would wish to lodge a statutory objection to this application.

Should your Authority be minded to approve this application without the above conditions, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 and National Planning Policy Guidance, the application should be referred to the National Planning Casework Unit.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England’s or any National Governing Body of Sport’s support for any related application for grants funding.

**Lancashire Constabulary – Architectural Liaison Officer**

This planning application consultation is for two separate parcels of land on land south of Harwood Road and land adjacent to Wood Street, Great Harwood. One parcel of land will be developed as a residential scheme incorporating up to 250 dwellings, the other parcel will be developed to incorporate changing facilities, playing pitches and car parking for Great Harwood Rovers Football Club on Harwood Lane, Great Harwood.

I have conducted a crime and incident search of this policing incident location and during the period 14/07/2014 to 14/07/2015 there have been reported crimes including burglary and vehicle crime.

A development of this scale has the potential to create additional demand on policing services. Up to 250 additional dwellings will result in more people and vehicles in the area creating additional opportunity for offenders. I would ask Planners to consider making security measures a condition of planning. In particular the dwellings should be target hardened from the outset so as to prevent criminal activity such as burglary. Offenders typically target the rear of dwellings therefore it is crucial that doors and windows on rear elevations are enhanced security standards and rear gardens are protected with a 1.8m fencing arrangement.
(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Section 17 Crime and Disorder Act 1998 Security Recommendations

1. Physical Security - The dwellings should be target hardened to enhanced security standards. Part 2 of Secured by Design addresses the physical security of dwellings making forced entry more difficult. Front and rear Doorsets and windows should be PAS 24/2012 standard. Ground floor glazing on side and rear elevations should be laminated.

2. Perimeter Security - The rear of the properties should be protected with a 1.8m close boarded fence arrangement. This is particularly important as some elevations of the parcel of land border open fields. A lockable gate should be fitted as flush with the front of the building line as possible that restricts access to the rear of the property.

3. Front and rear doorsets should be fitted with a dusk till dawn light unit and a 13 amp non switched fused spur suitable for an alarm system.

4. Layout – In order to provide safe and sustainable future proof housing schemes Part 1 of Secured by Design should be implemented throughout the 250 dwellings. Encouraging clear lines of sight across the scheme discourages criminal activity. Dwellings should be orientated so that passers-by, both vehicles and pedestrians and occupiers of other dwellings provide natural surveillance ever the houses and vehicles. Offenders feel uncomfortable committing crime in an open environment where suspicious activity can easily be seen.

5. The scheme incorporates a number of existing footpaths/cycle links as well as new ones. Whilst permeability is encouraged excessive routes on and off a site can encourage criminal activity giving offenders more options to leave the area undetected. Public footpaths should not run to the rear of and provide access to gardens, rear yards or dwellings. These have been proven to generate crime. Footpaths and cycle paths should be as straight as possible, wide, well lit, devoid of potential hiding places and overlooked by surrounding buildings and activities.

This residential section of the scheme is outline only. As the scheme develops throughout the planning process to reserved matters, further detailed security advice can be provided by the above office.

Playing Pitches and Changing Facilities Building for Great Harwood Rovers Football Club:

1. The proposed boundary of the scheme is a timber post and rail fence so as to avoid visual intrusion and to reflect the surrounding character. To avoid misuse of the pitches and the overall development I would recommend a 1.5/1.8m high security fence such as paladin. Should the post and rail arrangement be progressed I would recommend that the changing room building be built to Secured by Design standards.

2. All doorsets should be PAS 24/2012 tested and certificated doorsets of enhanced security. Windows should be PAS 24/2012 and fitted with laminated glazing. All openings should be protected with roller shutters or grilles.
3. The internal doorsets should be fitted access control arrangements such as keypads to avoid unauthorised entry eg manager's office.

4. The changing facility building for the playing pitches should be fitted with an intruder alarm system that is monitored via an Alarm Receiving Centre. I would recommend that this consists of both PIR motion sensors and contacts fitted to doors and windows.

5. Consideration should be given to the installation of CCTV to cover the changing room building.

6. The parking facilities and the changing facility building should be illuminated with dusk till dawn lights, particularly on the rear elevation and British Standard 5489 lighting columns on the car park.

7. Plans show that there are a number of gates incorporated into the design e.g. along the new 4m track and pedestrian access only route. Details of locking mechanisms on these gates should be provided to the above office as well as heights and materials. The perimeter of the site should be secured on all boundaries to restrict unauthorised access when the pitches are not in official use.

Further security advice on both elements of the scheme can be obtained from the above office and at www.securedbydesign.com.

**Health and Safety Executive**

This HSE advice refers to the proposed development Major application; Outline with all matters reserved. residential development at Land at Harwood Lane, Great Harwood, input into PADHI+ on 01 Oct 2015 by Hyndburn Borough Council.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by Hyndburn Borough Council. Only the installations, complexes and pipelines considered by Hyndburn Borough Council during the PADHI+ process have been taken into account in determining HSE’s advice. Consequently, **HSE does not advise, on safety grounds, against the granting of planning permission in this case.**

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave, etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE’s advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.
This advice is produced on behalf of the Head of the Hazardous Installations Directorate, HSE.

**National Grid**

I return a copy of drawings, which show the approximate position/s of all known National Grid gas mains and pipelines in the area of this enquiry. Service Pipes, valves, syphons, stub connections, etc. are not necessarily shown but their presence should be anticipated.

National Grid does have a **MAJOR ACCIDENT HAZARD PIPELINE** in the vicinity, Rodger Hey-Burnley (indicated in orange). The intended work is in the vicinity of our pipeline, which is laid in a legally negotiated easement to which certain conditions apply.

**The BPD (Building Proximity Distance) for the Rodger Hey-Burnley Pipeline is 15.5 metres.** The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission. This is the standard adopted by National Grid and endorsed by the Health and Safety Executive (HSE).

There are other restraints imposed on high pressure gas pipelines, these are land use planning distances. These are distances defined by the HSE to allow them to advise on the acceptability of new developments next to the pipeline and are controlled through the HSE’s Planning Advice for Developments near Hazardous Installations (PADHI) process. Further guidance on how these are applied can be found on the HSE’s website [http://www.hse.gov.uk/landuseplanning/padhi.pdf](http://www.hse.gov.uk/landuseplanning/padhi.pdf)

Under Land Use Planning the HSE may wish to apply more stringent criteria for Building Proximity. I recommend that you ensure that they are formally consulted.

When working in the vicinity of ANY National Grid pipelines, the standards set out in the enclosed copy of the National Grid specification **SSW22** must be strictly adhered to. **PLEASE ENSURE THAT THIS IS HANDED TO THE APPLICANT/RESPONSIBLE PERSON ON SITE, TOGETHER WITH COPIES OF THE ENCLOSED PLANS.**

From the information provided, it does not appear the proposed works will directly affect the above pipeline. However, should you/the applicant require the pipeline locating ‘on Site’, or wish to discuss technical information regarding National Grid apparatus at this location, please telephone me on 07815 955404, and arrangements will be made for a National Grid representative to attend site.

For **ALL** other works/enquiries it is essential that you contact our Plant Protection Team on 0800 688 588 at the earliest available opportunity prior to **ANY** work commencing on site. This will ensure that the Operations Engineer responsible for this area is informed of your potential works and is able to make the necessary arrangements to provide appropriate supervision.

Plant Protection Team, 3rd Party Enquiries, National Grid Block 1 floor 2 Brick Kiln Street Hinckley Leicestershire LE10 ONA.
I trust that this information is to your satisfaction. Please let me know whether National Grid can furnish you with any further information that may be of assistance to you in this matter.

Representations

The planning application has been advertised in the local press, site notices have been put up around the site and letters delivered to households neighbouring the proposed development. Unfortunately the initial letters referred to Harwood Road (rather than Harwood Lane) and as a result of this the proposals were re-advertised and new site notices/letters issued. For the avoidance of doubt, a plan illustrating the location of both sites was also included in the letter to local residents to ensure that local residents could see the location of the proposed development.

The majority of the representations submitted have been made on two proforma letters which have asked those responding to tick the boxes that reflect their concerns about the development. 590 letters of objection have been submitted signed by 723 people. The letters raise the following concerns about the development:

1. It does not meet the criteria stated in Policy BD1 (a), BD1 (b) and Policy E1 of the adopted Core Strategy by Hyndburn Borough Council which refers to MODEST GROWTH for Great Harwood and it being developed as a Historic Market Town.
2. The proposals are clearly one of “over development” for the town.
3. The scale of the proposed works means that it would have an oppressive impact on existing properties. Further concerns have been raised in relation to the relationship between Lyndon House (the elderly persons home) and the development, dust and noise during construction, loss of light and privacy.
4. It already takes weeks to see my doctor. A large number of individual comments have been received raising concerns about the impact the proposed development could have on local NHS health services, including a letter from a local practice. A similar concern has been raised about the impact on dentists.
5. The Council has not provided a Development Brief for the Wood Street Area required by section 5.55 of the Core Strategy to ensure local residents are involved in the future development of this area.
6. It could increase the current population of the town (approx. 11,000) by over 10% (250x5=1500 more residents) - we do not want to grow this quickly!
7. Councillors informed residents that the odour surveys associated with the abattoir /would be carried out during the hot weather - why have they not done this?
8. The smell from the abattoir as far away as Tesco was terrible during the last summer
9. Residential properties should not be built adjacent to an abattoir
10. Why have the 34 houses in the Wood Street area, and granted permission in January 2014, never been built?
11. The current infrastructure in-the town will not support such a large development
12. The Environmental Agency have expressed concerns over this particular development
13. Some sections of the community are clearly being favoured by the Council for the relinquishment of a 25 year lease on Lyndon Playing Fields.
14. The proposed 3 storey houses/flats will overlook Lyndon Court/Lyndon House sheltered housing - deplorable.

15. The replacement for Lyndon Playing Fields being offered at Heymoor Farm is totally unacceptable for many reasons. It is dark on winter evenings, remote in location, unsafe for children to play safely unaccompanied and discriminatory to elderly and disabled residents on the grounds of inaccessibility.

16. I agree with the suggestion in section 5.5 of your strategy that the Wood Street area should only be used for commercial or even light engineering premises development.

17. LPF provides a safe environment for all children and elderly for gentle exercise/sport/family recreation. There has never been an incident of anyone being attacked or approached by unsavoury people because LPF is well lit from surrounding street lamps and properties. IF anyone was in danger and shouted for help then people nearby would hear them.

18. The new Agricultural showground is not lit and too remote for children to play or the elderly to walk coupled with the fact that many would have two busy roads to cross.

19. The Council could gain access to money from the Brandon Lewis (Planning & Housing Minister) Fund to help develop Brown Field sites. The Council currently own brown land in Great Harwood - granted not enough to build all the houses they require. However IF they built on these first then that would show their commitment to all these new homes that are required.

20. With many derelict sites in the town, the Council should reject this particular application when other brown field sites in the town are crying out for investment. e.g. Water Street.

21. The Council have not explored other options for the footballers other than land being offered by the developer - this is not an ethical use of public money.

22. The Council will not achieve Market Value for Lyndon Playing Fields under the proposed "closed arrangements" with the developer.

23. I fear that developers will "cherry pick" Lyndon Playing Fields and the vast majority of the land left derelict.

24. Work on the Lyndon Playing Fields should only start when a substantial number of dwellings have been BUILT and SOLD in the Wood Street area.

25. Over-development, which could be classed as "infill", would certainly have an oppressive impact on surrounding dwellings for the elderly (i.e. loss of light/privacy/visual ameneties/noise/health and well being (walking and gentle exercise. LPF has been a Community Asset for over 40 years.

26. This plan is too open to challenge from street-wise developers who will create plans to build what they want for monetary gains and NOT what is suitable for Great Harwood.

27. The proposed play area should not be adjacent to the abattoir.

28. The flood risk assessment is a waste of time - houses on Lyndon Court have been flooded in past years - written evidence available from residents association.

29. The scale of the proposed works means that it would have an oppressive impact on existing properties. Concerns have also been raised separately about the visual impact of the development and its impact on views.

30. Residential properties should not be built next to an abattoir. The smell from the abattoir as far away as Tesco was terrible during the last summer.

31. Traffic Safety Concerns – increased number of vehicles turning right from Harwood New Road into Whalley Road (towards Accrington) – would require roundabout or lights at
32. No consultation for this major development which affects the whole town (e.g. No Area Council or public meeting) – Councillors unable to represent residents views.
33. Build houses and access the estate from Wood Street and or Balfour Street, not Harwood Lane.

A number of individual letters, and comments written on the forms, have also been submitted which raise the following additional points:

34. The financial relationship between Hyndburn Borough Council and its partners.
35. There is a surplus of housing in Great Harwood.
36. The planning application was advertised as a departure from the development plan.
37. Concerns about the monitoring of odour from the abattoir. The smell, noise and flies from the abattoir is horrendous and people will breathe airbourne bacteria. An assessment of this should be undertaken.
38. The presence of mine workings and unsuitable ground on both sites. There could be sinkholes present. Properties on Balfour Street were demolished because of subsidence.
39. There has been inadequate public consultation.
40. There are still new houses for sale on other housing sites and houses for sale in Great Harwood.
41. Schools in Great Harwood are full to capacity. This has been raised by a large number of people and one resident has also raised concerns about the impact on nursery schools.
42. There should be safe routes to the town centre.
43. There should be a pavement next to the showground / proposed pitches.
44. Green Belt land should not be built on and this development will set an undesirable precedent for the development of Green Belt and loss of open space.
45. Why have Tesco / Aldi / Morrisons been given planning permission? The town has sufficient supermarkets which are harming the town centre. The Council continue to deny that these companies were given assurances that the Lyndon Playing Fields Site would be developed.
46. The proposed development, coupled with the new housing developments in Ribble Valley, will result in further highway problems at Clayton-Le-Moors where highway changes have reduced stretches of the road to a single lane.
47. There is plenty of social housing and empty houses should be filled with local people that need them, not by people from outside the Borough.
48. Traffic leaving Shaftsbury Avenue is dangerous, and this will become worse.
49. There is a need for a safe green area for children and families in the area.
50. The development of the future Heymoor Farm Site is part of a creeping expansion of the town. No commitments have been made to ensure that this land is not turned into housing in the future. By developing this land into a brownfield play area it will be under threat of future development.
Great Harwood has 3,300 senior citizens registered with local GP’s services. We should be promoting more sheltered accommodation and bungalows to cater for our growing ageing population, not 4 bedroom mansions.

Green spaces provide a range of health benefits and should not be built on.

Although Hyndburn Borough Council owns 60% of the site, they have agreed to share the landsale income on a 50:50 basis. This is a closed deal and is immoral.

The proposed development will reduce the value of many houses in Great Harwood. Why has this not been considered?

Large numbers of people have signed letters and petitions.

The plans to move the play area closer to the abattoir will present long term dangers to children, particularly those with breathing problems.

There will be insufficient space for the Great Harwood Show if the playing fields are developed at Site B.

The Council receipt for the sale of the land should be invested in Great Harwood.

The replacement sports pitches should be available for use by the whole community.

The development of 250 houses in such a small space will inevitably give rise to loss of light and / or overshadowing.

The proposed development will result in extensive parking and highway safety issues, particularly in relation to the near-by school.

People are concerned about the quality of the 50 affordable homes that are proposed. A resident has also pointed out that the affordable housing should be smaller housing, not large properties.

The development will result in the loss of trees at the rear of Shaftsbury Avenue.

The proposed development could result in drainage problems being experienced on neighbouring land.

The applicant has not demonstrated that Lyndon Playing Fields are surplus to open space requirements.

The proposed development will increase crime in the area, as indicated by Lancashire Constabulary.

The entrance off Wood Street should be for all vehicles, not just emergency vehicles.

Conflict of interest between Council Officers – developer and planners.

Impact on mains drainage.

Bungalows should be developed around the perimeter of the site as shown on the submitted plans.

There should be a referendum to determine this planning application.

The land was given to Great Harwood residents and should not be developed.

There are no public toilets in Great Harwood.

The site is home to local wildlife such as Redwing, Lapwing frogs and bats.

It is not clear what will happen to the Great Harwood Show.

The development of this open space will have an impact on dog walkers.

The development will have an impact on the health of residents.

The development will attract people who will terrorise existing households who will have to move away.

An online petition signed by 382 people has also been submitted titled “Great Harwood Save Our Field”. The petition objects to the proposed development for a number of reasons which
are set out in the preamble. These points are covered in the numbered list above and it is not necessary to assign new numbers to the points raised.

- We are very concerned that the Council want to sell our community field to a large developer and build up to 250 houses. Great Harwood does not need 250 more houses. We already have new houses at Mill Gardens which have not sold.
- Great Harwood’s infrastructure cannot support another 250 houses; there is not a local housing need for further developments.
- The schools would need considerable additional investment, some school classrooms are already filled to the maximum.
- Medical and dental facilities are also under pressure, appointments are consistently difficult to book with the local doctors, and our local health centre is not an effective service.
- Building 250 additional homes in Great Harwood is over development and will create an increase in traffic, noise, crime, continuing drainage/sewerage problems, over usage of public amenities and loss of the field amenity along with the loss of all the habitats.
- There are other developments recently built in Great Harwood and the surrounding area that are unsold and struggling to sell, employment difficulties are already existing in Great Harwood and an increase in population by approx. 700-1000 residents will put a huge strain on our community and overcrowding on our historical market town.
- Lyndon Playing Fields will be developed first and the remainder left derelict (cherry picking).
- The erection of additional housing on our already overcrowded town, with overstretched local services, is not needed and does not benefit or is in the best interests of existing residents of Great Harwood Town.

A further petition with 11 signatories objecting to the proposed development has also been submitted.

One letter of support has been received that makes a number of observations on the pro-forma sheet but concludes by stating that the development will bring Great Harwood into the future and bring the recreation facilities to a higher level. One further letter has been received that simply makes no observations to Site B and no objections to Site A.

203 pro-forma letters of support have been received that make the following observations:

- The proposals will provide 4 new playing pitches and new changing room facilities for the community.
- These facilities will be for the benefit of Great Harwood Rovers Football Clubs teams. These start at the U8’s all the way through to open age.
- There will be a suitable mix of bungalows, semi-detached and detached properties.
- The proposal will contribute to the new houses we need in Great Harwood to keep up with population growth.
- The existing children’s play area is going to be extended
- The proposal includes footpath improvements on Harwood Lane and Harwood Old Road to gain access to the new pitches.
- There are no objections from Sport England.
- There are no objections from the Environment Agency.
I hope that councillors will recognise the levels of community support in this proposal by approving this application.

14 pro-forma letters of support have also been received that make the following observations:

This proposal will:
- Provide up to 250 new homes and help Hyndburn meet their obligations in this regard.
- Include 20% affordable homes.
- If approved will providing new jobs for the local construction sector.
- Allow new residents to come to Great Harwood and spend money here. This will help to keep our local shops sustainable.
- Provide for an extended and much improved children's play area,
- Provide much needed quality housing
- Improve cycle and pedestrian access points.
- Provide new state of the art facilities for Great Harwood Rovers Football Club and help cater for their large number of teams and allow them to flourish in the future,

I hope that councillors will recognise that there are some in Great Harwood who support this proposal.

**Great Harwood Civic Society**

On behalf of Great Harwood Civic Society we wish to object to this proposed development. The constitution of the Civic Society states that it has a regard for development in the Town, and protect open space. It is strongly felt that this development will be detrimental to this area, and the surrounding residential area.

The roads are already choked with vehicles. Secondary School children disembark at bus stops, and there have been accidents. There is a primary school nearby, this cause traffic congestion at certain times.

Flooding. The triangle of land on Harwood New Road was planted up by HBCs parks department with mounds and bog plants to prevent flooding. It is a testament to their success that the bog garden flourishes. However it merely enhances the area, but does little to prevent flooding.

The Civic Society feel very strongly that to build on this land, is an easy option for the developers, and the Council. There are many Brownfield Sites in Great Harwood which should be developed first. This would eradicate blighted sites, and enhance poorer areas.

Whilst it appreciated it is a difficult path to tread, there is little doubt that some areas of terraced housing in Great Harwood are past there sell my date. Civic Voice, and Civic Societies across Britain see the demolition of these properties, and rebuild of family homes, with safe play space for children as the way forward.

Brownfield sites should, and must be developed first. For our local Councillors, or our Planning Department, and Hyndburn Council to say, they cannot influence developers to build on
Brownfield sites is a nonsense. There seems little point in having this official structure in place if this is the case.

**Observations**

Planning permission is sought for residential development on 7ha of land south of Harwood Lane and for the development of replacement playing pitches and new changing facilities on a separate site to the east of the proposed housing site on land north of Harwood Lane and adjacent to Whalley Road. The two developments are related to each other insofar that the playing pitches proposed on the site north of Harwood Lane (Site B) are required to replace the playing pitches that would be lost as a result of the proposed housing development on the land south of Harwood Lane (Site A - Lyndon Playing Fields). The location of the two sites is illustrated by the plan at Fig 1.

In dealing with the planning application it is necessary to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations¹. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise².

In Hyndburn, the development plan comprises the Hyndburn Core Strategy and the saved polices of the Local Plan that was adopted in 1996. National planning policy set out within the National Planning Policy Framework (NPPF), the responses of statutory consultees and representations that raise matters that are material to the application should also be taken into consideration. The points raised by local residents are numbered and these are referred to in the appropriate section of the report as [Point Number].

The National Planning Policy Framework recognises that early engagement has significant potential to improve the efficiency and effectiveness of the planning system for all parties. The applicant sought pre-application advice and has also undertaken consultation with the local community before submission of the planning application. The proposals have given rise to a significant level of concern from the local community. The representations are set out in this report and will be addressed in the relevant sections of the report.

Although the two elements of the development are related to each other, they are on different parcels of land and are for different types of development and have a different (albeit connected) policy framework. The issues raised by the two elements of the proposed development will therefore be considered in turn before an overall conclusion on the acceptability of the development as a whole, and whether it represents sustainable development, is reached.

**Site A** Residential development on 7ha of land south of Harwood Lane.

---

¹ S.70 (2) of the Town and Country Planning Act 1990, as amended.
² Planning and Compensation Act 2004, s.38(6).
Outline planning permission\(^3\) is sought for the development of housing on this portion of the site. When considering planning applications for residential development, National Planning Policy Framework advises that they should be considered in the context of the presumption in favour of sustainable development\(^4\). Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Hyndburn is not currently able to demonstrate a five year supply of housing and for this reason Policies H1\(^5\) and GH1 of the Core Strategy cannot therefore be considered up to date.

It is therefore necessary to consider whether the proposed development represents sustainable development, taking into consideration the different economic, social and environmental dimensions of the development and weighing them up. This exercise will be undertaken following consideration of the issues raised by this proposal.

**The Hyndburn Local Plan – adopted 1996.**

There are a number of “saved” policies of the Local Plan which require consideration. The site is within the Urban Boundary (Policy H2 of the Local Plan). The central portion of the site (coloured dark brown on Fig 2) is allocated as a site for housing development (Policy H1 of the Local Plan, site 37 – Harwood Lane, Great Harwood). That part of the site immediately south of Harwood Lane and that part of the site east of Wood Street is allocated as Open Space where Policy L2 of the Local Plan (Development of Sports Fields and Open Space) is relevant, shown as pale brown/buff on Fig 2. Part of the site north of Balfour Street is not allocated (white on Fig 2).

The development of housing on the land allocated for housing would be consistent with saved Policy H1 of the Local Plan. Policy H2 states that *within the urban boundary the development or redevelopment for housing of land not allocated for other purposes…will be permitted where the character, appearance and amenity of the surrounding area would not be adversely affected and there are no insurmountable access issues.* In this instance, the remainder of Site A is allocated as open space by Policy L2 and it is therefore necessary to consider the provisions of that policy in respect of these areas. The issues arising in relation to open space are considered in more detail below.

---

\(^3\) An application for outline planning permission allows for a decision on the general principles of how a site can be developed. If approved, outline planning permission is granted subject to conditions requiring the subsequent approval of the reserved matters. In this instance, the applicant is not seeking approval of any reserved matters at this stage, and if permission is granted these would be submitted at a later date. The reserved matters are Access, Appearance, Landscaping, Layout and Scale.

\(^4\) NPPF, para 49.

\(^5\) This would apply to that part of Policy H1 that is concerned with housing supply, i.e. the first paragraph which sets out the requirement for 3,200 dwellings.
The area of the proposed development of Site A is 7ha of which 5.3ha (75% of Site A) is allocated Open Space (Policy L2), 1.1ha (16% of Site A) is allocated for housing development (Policy H1) and 0.6ha (9% of Site A) is unallocated.

The Hyndburn Core Strategy

The Hyndburn Core Strategy recognises that the scale of development within the town should be appropriate to its size and role\(^6\). Although Great Harwood is tightly constrained by Green Belt, at the time the Core Strategy was prepared it was considered that there was sufficient land within the urban boundary to meet the towns housing needs without the need for new sites to be identified in the Green Belt\(^7\). Policy GH1 of the Hyndburn Core Strategy states that 3200 new houses will be developed in the Borough of which 15% will be in Great Harwood. This equates to 480 new houses in Great Harwood over the period of the Core Strategy.

Recent monitoring\(^8\) indicates that since the adoption of the Core Strategy in 2012, only 28 houses have been completed and there are extant planning permissions for a further 69 houses. Even if undersupply (the difference between what is provided and what is required) is not taken into consideration, this is significantly less than is needed to meet the towns housing needs.

In recent years the town centre has extended along Queen Street with the development of a number of supermarkets. The Core Strategy recognised that there were a number of potential development sites to the east of the town centre and this area has been identified as an area of potential change. The plan at Figure 2 is an extract from the Core Strategy and this indicates the approximate location of the area of potential change.

---

\(^6\) Hyndburn Core Strategy, para 5.56.

\(^7\) Hyndburn Core Strategy, para 5.57.

\(^8\) Monitoring undertaken in association with the 5 year housing land supply for Hyndburn.
At paragraph 5.55, the Core Strategy states that there are further redevelopment opportunities in and around the site of the former abattoir and this area has been identified as an area of potential change that could accommodate appropriate commercial and residential development provided the constraints to development are adequately addressed and sufficient quality and quantity of open space are retained.

Paragraph 5.55 also states that to ensure development is properly planned and local residents are involved in the future development of this area, a Development Brief should be prepared during the first phase of the Core Strategy.

Although the preparation of a development brief in consultation with the local community would have helped address some of the concerns raised in advance of a planning application, the Council still has an obligation to determine the planning application that has been submitted. In this instance only a portion of the site is within the area of potential change and, notwithstanding the absence of a development brief, it is still necessary to consider the relationship between the proposed development and the (now operational) abattoir [Point 5]. Although local residents believe that the Wood Street area should only be developed for commercial or light engineering development [Point 16] the Core Strategy is not specific in this regard.

When it was submitted, the planning application was advertised as a departure from the development plan [Point 36] because the proposed development would result in the loss of open space and playing fields, contrary to policy. As part of the determination of this application, it is necessary to consider whether there is justification for the loss of this open space under the policy framework that exists.
Housing development in Great Harwood

Although concerns have been raised about the proposed development resulting in "over-development" of Great Harwood [Points 1, 2 and 6], the area around the abattoir has been identified by the Core Strategy as one where housing could be developed. It is recognised that this area is not clearly defined but does not extend to Harwood Lane. At the time the Core Strategy was developed, the development of the area around the abattoir was considered necessary to deliver the numbers of dwellings proposed. In the absence of housing in this area, it is likely that the Council would have needed to identify new housing sites in the Green Belt.

Owing to the lack of a 5 year housing supply in Hyndburn, the application of the National Planning Policy Framework means that Policies H1 and GH1 of the Core Strategy cannot be afforded any weight. Notwithstanding this, the development of 250 dwellings in this area of Great Harwood would still fall within the number planned over the period of the Core Strategy and deliver a significant proportion of the new houses needed in Great Harwood. The lack of a 5 year housing supply also means that the planning application should be determined in the context of the presumption in favour of sustainable development.

In any functional housing market there will be houses for sale [Point 40] and a proportion of the housing will be vacant [Point 47]. Notwithstanding the presence of this element of housing supply, there is still a need to develop new housing in the Borough as a means of meeting housing needs and helping to improve the choice and quality of housing available. There are also likely to be planning permissions that have not been implemented [Point 10] although these are likely to contribute towards future housing supply. There is no evidence to suggest that there is a surplus of housing in Great Harwood [Point 35], the latest monitoring indicating that housing completions are significantly below that required to meet future needs.

Local residents have maintained that previously developed sites (sometimes referred to as brownfield sites) should be developed in preference to the site at Lyndon Playing Fields [Points 19, 20 and 21]. Whilst the National Planning Policy Framework encourages the effective use of land that has been previously developed there is no requirement for these sites to be developed prior to the development of green field sites. Whilst there are a number of previously developed sites in Great Harwood that could be developed for housing, some of which indeed already benefit from planning permission, additional land is needed to meet the future housing needs of Great Harwood. Part of Site A is previously developed land.

Policy H1 of the Core Strategy seeks to ensure the right mix of house types is developed over the plan period. The application that has been submitted is in outline form and although the mix of house types would normally be determined at reserved matters stage it is considered appropriate to recommend a condition, should planning permission be granted, that seeks to ensure an appropriate mix of dwellings is provided.

Policy H2 of the Core Strategy requires provision to be made for 20% of the housing to be affordable. The applicant is seeking to deliver the full 20% requirement and a condition will be

---

9 National Planning Policy Framework, paragraph 49.
10 National Planning Policy Framework, paragraph 17, Core planning principles.
also be recommended to ensure this is delivered. Although some concerns have been raised about the standard of these houses [Point 62] it is normal practice to pepper-pot affordable houses across the development and the design would be no different to houses elsewhere on the development.

**Design of housing development**

The design of the development and the houses within it should be a high standard, in line with the requirements of the National Planning Policy Framework and the Hyndburn Core Strategy. New housing developments should be designed so that they meet the requirements of the Council’s adopted Householder Design Guide as a means of seeking to protect local residential amenity. The planning application that has been submitted is in outline form and the detailed design of the development would be considered at reserved matters stage. The housing development is intended to comprise a high quality development and as such conditions are recommended that seek to ensure the house sizes comply with national minimum standards and that the mix of dwellings is consistent with Policy H1 of the Core Strategy.

The applicant has proposed that bungalows are developed in proximity to the existing bungalows on Lyndon Court as a means of helping to reduce the impact of the development and also to provide homes for the elderly. A condition is proposed as a means of securing this [Point 70].

The applicant is also proposing to provide open space within the development through the enhancement of the existing play area and through the provision of structural landscaping that would be integrated into the development. The buffer zone between the housing site and the operational abattoir would also form an important area of landscaping for the site.

**Infrastructure in Great Harwood**

At the time the Core Strategy was developed there were proposals in the pipeline to improve health facilities in the town and since that time the Health Centre has been developed [Point 4, re doctors]. It is recognised that there are national funding issues that affect the NHS and other public services but this should not stand in the way of new development that falls within the scope of that planned for an area.

Lancashire County Council was consulted at the time the Core Strategy was developed and no shortfall in education provision was identified and the County Council, in their role as Education Authority, has not raised concerns in relation to this matter since the adoption of the Core Strategy. Lancashire County Council has not sought a financial contribution to fund additional school places that may be needed as a consequence of the development [Point 41].

Although concerns have been raised by local residents in relation to the adequacy of infrastructure in Great Harwood [Point 11], it was evident at the time the Core Strategy was developed that the services and infrastructure in Great Harwood would be able to cater for the number of houses proposed.
Although concerns have also been raised in relation to the adequacy of drainage infrastructure [Point 69], no concerns have been raised by statutory consultees in this regard. It is unclear why the absence of public toilets in Great Harwood town centre would impact on the proposed development [Point 73].

**Open Space**

The development of housing on Site A would result in the loss of two areas of land designated as open space by the Hyndburn Local Plan. First the area of land immediately south of Harwood Lane used as playing fields (known as Lyndon Playing Fields), and second the southern portion of the site to the east of Wood Street. The policy framework recognises the importance of open space [Points 49 and 52], only providing for its development if certain criteria are satisfied. For the avoidance of doubt, Site A is not located in the Green Belt [Point 44].

i. **Lyndon Playing Fields**

The land south of Harwood Lane is owned by the Borough Council and is currently used as playing pitches providing one junior football pitch and three mini soccer pitches. The site is leased to Great Harwood Rovers FC which was established in 1975, operates 20 youth and junior teams and is a not for profit organisation. There are no changing or car-parking facilities on the site although planning permission was granted for the development of a six changing room pavilion on the site although this was never implemented due to funding constraints.

The proposed development of housing on Site A would result in the loss of these playing pitches and it is therefore necessary to consider the policy implications of this. The National Planning Policy Framework states\(^\text{11}\) that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

Policy L2 of the Local Plan takes a similar approach, stating that the development or use for other purposes of public or private playing fields and open space of recreation value will not be permitted except where:

\[(A)\] Alternative provision or equivalent community benefit is made
\[(C)\] There is an unjustifiable excess provision in the area having regard to the standards in Appendix 3

\(^{11}\) NPPF, paragraph 74.
In this instance the development does not affect a school playing field (part D) and the applicant is not proposing the development of a small area with a view to securing or improving the remainder (part B). These parts (B and D) of Policy L2 are not therefore relevant.

Policy HC2 of the Hyndburn Core Strategy takes a similar approach, stating that existing sports and recreation, health, community and cultural facilities will be retained unless it can be demonstrated that such facilities are no longer necessary, or where adequate alternative provision is made to meet the needs of community served by the facility.

The policy framework is therefore clear: The sports pitches should not be developed unless adequate alternative provision is made. The applicant is therefore proposing to develop a number of sports pitches at Site B to compensate for the loss of pitches at Lyndon Playing Fields (Site A). In circumstances where it is proposed to develop sports pitches it is necessary to consult Sport England. It is not necessary to demonstrate that the playing pitches are surplus to requirements [Point 65], but that adequate alternative provision is being made.

Sport England is satisfied that the proposed replacement pitches will adequately compensate for the loss of the proposed pitches provided that they are available for use prior to the loss of the existing pitches. The proposed replacement pitches would need to be developed to the required quality and although they are outside the urban boundary, they are nonetheless considered to be in a suitable location\(^\text{12}\). Sport England has set out a number of conditions that must form part of a planning permission should it be granted.

In policy terms, the proposed development of housing on this area of open space with housing satisfies the requirements of NPPF, Policy L2 of the Local Plan and Policy HC2 of the Hyndburn Core Strategy provided the replacement pitches are developed in accordance with the conditions recommended by Sport England. Although local residents have raised concerns about the adequacy of the replacement playing pitches [Point 65], the statutory consultee believes that adequate provision is proposed, subject to the application of appropriate planning controls.

There is no reason to believe that the loss of the playing pitches will have an adverse impact on the health of local residents [Point 77], given that it is proposed to replace (and enhance) those being lost.

ii. The area of open space east of Wood Street.

The area of open space that occupies the southern portion of the site to the east of Wood Street comprises the former Harwood Rovers Football ground and the area once occupied by the night club and squash courts, and fields that are used by grazing horses.

In 2009 planning permission was granted for the development of 34 dwellings on the site occupied by the football ground and the previously developed land off Wood Street. Although that planning permission was granted subject to a s.106 agreement to compensate for the loss

\(^{12}\) Please see the observations relating to Site B.
of the football pitch once utilised by Great Harwood Town FC, that permission has not been implemented. The former football pitch has not been used for many years now and Sport England is satisfied that compensation is not also required for the loss of that pitch in addition to the pitches at Lyndon Playing Fields. The principle of development on this part of the site has therefore been recently accepted. Notwithstanding that, the land has not functioned as open space for many years, the site being fenced off to prevent public access because of the condition of the site.

The land to the south of the land that has been granted planning permission is also designated open space by the Local Plan although it’s potential for development is recognised by the Hyndburn Core Strategy by virtue of it being within the area of potential change. The land is used for the grazing of horses and although the land is undeveloped it does not function as open space that is available for use by the public.

**Proposed Open Space Provision**

In addition to the provision of the sports pitches and open space at Site B, it is proposed that the existing children’s play area next to Lyndon Playing Fields would be retained and enhanced and maintained by the developer. Although concerns have been raised in relation to the proximity of the play area to the abattoir [Point 27], the play area has been located in its present location for some time and the Council has not received complaints from users of the play area in relation to odour. The play area is approximately 63 metres from the boundary of the abattoir.

In addition to the improvement of the existing formal play area, a 50m wide corridor of open space would be developed along the south and south western boundary of the site abutting Wood Street and Balfour Street to act as a buffer between abattoir and the proposed housing. This comprises a substantial area of open space which would be landscaped through the provision of landscaped earth mounds (to mitigate the impact of noise). A strip of landscaped open space is also considered necessary along the site’s frontage with Harwood Lane, again adding to the open space provided on site.

The provision of the sports pitches and open space at Site B, coupled with the children’s play area and landscaping that is proposed as part of the housing development is considered adequate compensation for the loss of the open space that is allocated by the Hyndburn Local Plan. Although the Council often seeks a financial contribution in lieu of open space provision, if the applicant is providing and enhancing open space as part of their proposals this is not necessary.

**Highways**

The National Planning Policy Framework\(^{13}\) requires that all developments that generate significant amounts of traffic movement should be supported by a Transport Statement and decisions should take account of whether:

\(^{13}\) National Planning Policy Framework, paragraph 32.
• The opportunities for sustainable transport modes have been taken up, depending upon the nature and location of the site, to reduce the need for major transport infrastructure;
• Safe and suitable access to the site for all people; and
• Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

A variety of concerns have been raised in relation to the adequacy of the local road network [Points 31, 46 and 48], parking and highway safety [Point 61], and the relationship between the site and Great Harwood Town Centre [Point 42]. Importantly, the National Planning Policy Framework states\(^\text{14}\) that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

In line with the requirements of NPPF, the applicant has submitted a Transport Assessment and Travel Plan, the scope of which was the agreed with the Highway Authority (Lancashire County Council). The Transport Assessment has considered the accessibility of the site to local services by various modes including car, bicycle, on foot, by bus and by rail, and the assessment believes that the site is highly accessible by non-car modes and will assist in promoting a choice of travel modes other than the private car. The Highway Authority has made a number of observations in respect of the Transport Assessment but is satisfied that the information within it is reasonably robust.

The applicant has submitted a draft Travel Plan in support of the planning application as a means of promoting more sustainable travel patterns and in particular reducing the number of single-occupancy car trips. This is consistent with National Planning Policy Framework although the Highway Authority has made a number of recommendations on how the Travel Plan can be improved so that it meets their minimum requirements. A planning condition\(^\text{15}\) would be able to address this matter although the payments requested to support the work undertaken by the Highway Authority would need to be incorporated into a s.106 agreement. Lancashire County Council has requested a contribution of £18,000 to cover the costs associated with the development and monitoring or the Travel Plan.

Although the site is within the urban boundary, it is important that the level of infrastructure provision for pedestrians and cyclists to and from the development is adequate and encourages people to walk and cycle. The Highways Authority has made a number of recommendations on how these improvements can be made, namely:

i. Upgrading of existing public right of way\(^\text{16}\) to shared cycle / footpath facility;
ii. A cycle / pedestrian access onto Wood Street to be incorporated into the design of the proposed emergency access;
iii. Provision of cycle path on east side of C635 Heys Lane / Queen Street roundabout linking Park Road with Station Road. This could be achieved through an agreement made under s.278 of the Highways Act;

\(^\text{14}\) National Planning Policy Framework, paragraph 32
\(^\text{15}\) Lancashire County Council has recommended 3 conditions in this respect although these can be amalgamated into one.
\(^\text{16}\) PROW from Balfour Street to Lyndon Road, 11-4-FP 95
iv. Provision of toucan crossing across C635 Heys Lane (again through a s.278 agreement).
v. Provision of a cycle by-pass improvement at the junction of Station Road and Hameldon View.

The provision of a footpath connection to Shaftsbury Avenue is also recommended as a means of improving accessibility to the near-by primary school, a financial contribution is required to implement this because it falls outside the application site. The site is on the route of the Pennine Reach high quality bus service that is currently being implemented by Lancashire County Council. The additional crossing infrastructure set out above should aid access to bus stops and help promote this sustainable travel option.

Concerns have been raised by local residents [Points 31 and 61] about the impact of the development on local roads, parking and highway safety. The Highway Authority recognise that a significant amount of traffic travels along the B6535, but do not believe that congestion is an issue. They have also considered the capacity of the junction of B6535 with Park Road and Whalley Road and are satisfied that there are not any capacity issues at these junctions or further afield in Clayton-Le-Moors [Point 46].

Accident data on the highway network surrounding the development has also been reviewed and the Highway Authority is recommending that measures are taken to reduce vehicle speeds near to the proposed entrance to the replacement sports pitches.

The primary vehicular access would be provided via a new priority controlled junction off Harwood Lane, however an emergency access is also proposed in the vicinity of the corner of Wood Street / Balfour Street. Pedestrian and cycle access would also be afforded from a number of points around Site A. The assessment of Site A is based on the development of 250 houses on 7 hectares of land south of Harwood Lane (B6535). The Highway Authority has assessed the speeds of vehicles travelling along B6525 and recommend that the junction has 45m sight lines, observing that these should be easily achievable from the proposed access.

The Highways Authority advises that the design of the development, when submitted at reserved matters, should be consistent with “Manual for Streets” and Lancashire County Council's compendium “Creating Civilised Streets”, but if planning permission is granted this would be considered at a later date when the reserved matters are submitted.

Car parking within the development should be provided in accordance with Hyndburn Borough Council’s adopted car-parking standards and a condition is recommended in this respect. Although the Council’s Trees and Woodlands Officer has raised concern about the design of the lighting proposed, this matter would be addressed by the Highway Authority when more details are submitted. There is no reason to remove permitted development rights in relation to Site A.

Subject to the development of an appropriate Travel Plan, the access to the site being properly designed and the improvements to infrastructure that are cited as necessary the Highways Authority is satisfied that the development can be supported. A number of conditions are recommended in this respect and off-site highway improvements would need to be implemented
through an appropriate legal agreement. These improvements will help improve the sites connectivity with Great Harwood Town Centre [Point 42].

**The Abattoir**

Housing development is proposed in close proximity to an operational abattoir. One of the fundamental roles of the planning system is to seek to ensure that development is directed to the most appropriate locations and to ensure that future occupiers of developments will not be subject to nuisance or loss of amenity by virtue of pre-existing uses. Understandably, concerns have been raised by local residents [Points 9, 10, 30, 37 and 56] about the proximity of the abattoir to the proposed development on the grounds that future occupiers will be subject to odour, noise and general disturbance from the operations.

The abattoir is currently operated by an international beef processing company that uses the site for the slaughter of cattle. The abattoir is licenced by the Environment Agency under Part A (a) of the Environmental Protection Act and although the licence seeks to control the processes undertaken at the site it does not have conditions attached to it that control the movement of vehicles to and from the site or its operating hours.

Local residents have stated that the Environment Agency has raised concerns over this particular development [Point 12], the views of the Environment Agency are set out in this report and the relationship between the proposed development and the abattoir will now be considered.

As a means of preventing unacceptable risks from pollution, the National Planning Policy Framework states that policies and decisions should ensure that new development is appropriate for its location. NPPF recognises that the effects of pollution on health, the natural environment or general amenity, as well as the potential sensitivity of the proposed development to adverse effects from pollution, should be taken into consideration. Policy Env7 of the Hyndburn Core Strategy also seeks to ensure that the impacts arising by reason of odour will not give rise to unacceptable adverse impacts or loss of amenity and can be properly controlled.

Similarly, saved Policy E10 of the Hyndburn Local Plan requires consideration to be given to the location and nature of the proposed development, including its relationship to existing and other proposed land uses (part A), and the likely level of air, water and other environmental pollution (part F).

As a means of assessing the potential impact of the abattoir on the proposed development, the applicant has submitted an odour assessment as part of the planning application. The methodology used by the assessment is based upon guidance prepared by the Institute of Air Quality Management titled “Guidance on the assessment of odour for planning” that was published in May 2014. This guidance is concerned with assessing the effects of odour on amenity (not health) and advises that for an odour exposure to occur there needs to be an emission source (in this instance the abattoir), a pathway (in this case the air), and a receptor (those who would live in the proposed development).
The guidance recognises that a lack of complaints does not necessarily mean that there is a loss of amenity or nuisance. The abattoir in Great Harwood has existed for many years, and although the land in the vicinity of the abattoir has been developed for a variety of industrial uses, the land to the north and east of the abattoir remains undeveloped, the closest residential property located 110.8m to the north of the abattoir.

The abattoir is a potential source of odour emissions. The abattoir is not within the control of the applicant, its operations are licenced by the Environment Agency. Although the National Planning Policy Framework advises that local planning authorities should assume these regimes will operate effectively, it is still necessary to be satisfied that the development of housing in proximity to a potential source of odour would not harm the quality of life for those who would live in the development. NPPF makes it clear that sustainable development involves seeking positive improvements in the quality of people’s quality of life, including improving the conditions in which people live, work, travel and take leisure.

In terms of the potential pathway, the odour assessment submitted by the applicant has been informed by meteorological data from the Manchester recording station between 2009 and 2013. This indicates that the predominant wind direction is from the south and west, with regular winds from the south west. As the site is located to the north and east of the abattoir, there is potential for the prevailing wind to disperse odours across the proposed development site. The odour assessment submitted by the applicant also indicates that “warm temperatures play a part in odour generation potential” although when submitted the odour assessment did not include any monitoring undertaken on warmer days.

The IAQM guidance indicates that receptors can have different levels of sensitivity to odours. Residential dwellings are considered to be “high sensitivity receptors” where users can reasonably expect enjoyment of a high level of amenity and where people would expect to be present for continuous periods of time, or regularly for extended periods.

Prior to undertaking the odour assessment, the applicant sought advice from the Council’s Environmental Health Officer who advised that triplicate measurements should be undertaken at each site, sniff testing at various points, sampling at various points during the day to account for sporadic emissions, and sampling on different days to account for variations in temperature, wind and weather conditions.

When the planning applications for the development of housing on the site at Wood Street (11/10/0172, 11/10/0291 and 11/13/0405) the Council’s Environmental Health Officer raised concerns about potential impact of odour on future occupiers of the dwellings. This concern

---

17 This is stated in the submitted Odour Assessment under Baseline Meteorological Conditions - “As detailed in Figure 7, the predominant wind direction is from the south and west, with regular winds also from south west and south-east directions in all five years, a profile which is considered to be representative of conditions at the proposed development. As the site is located to the north and east of the abattoir, there is potential for the prevailing wind to disperse odours across the proposed development site.”
was also raised when planning application 11/13/0405 was submitted, the report to Planning Committee stating\(^{18}\):

"The principle issue in respect of this application relates to the proximity of the abattoir building and the resultant impact on the amenities of future residents in respect of odours. The abattoir has closed but could still re-open. The potential for this to happen cannot be ignored. The Council’s Environmental Health section considered that the previous application (11/10/0172) was unacceptable in respect of proximity to the near-by abattoir in that it would be seriously detrimental to the amenities of future occupiers of dwellings.

The applicant has now provided an increased buffer (hence the reduced number of residential dwellings) such that this resubmission application has the support of both the Environment Agency and Hyndburn Environmental Health. The distance to the nearest existing residential receptor, 19 Shaftesbury Avenue to the north-west, is 110.9m. The distance to which the developer will build houses is represented by this line. The view taken by both the applicant’s odour consultant (Royal Haskoning) and Hyndburn Environmental Health is that exposure to odours from the abattoir for the proposed properties would be no worse than the nearest existing dwelling."

The applicant has been advised that if the Council is to consider a reduction in the size of the buffer zone, it is necessary to demonstrate that the abattoir will not give rise to an unacceptable loss of amenity to future occupiers of dwellings by virtue of odour. The planning application is proposing that the buffer zone be reduced to 20m from the abattoir. The odour assessment states that site surveys were undertaken on 25\(^{th}\) September 2014 and 11 February 2015, with further sniff testing also undertaken on 20\(^{th}\) February 2015 and later on 11\(^{th}\) September 2015 (olfactometric sampling undertaken).

The submitted Odour Assessment concludes by recommending that a 20m buffer zone with vegetative planting is included at the site boundary adjacent to the site boundary, to provide with visual screening to aid with public perception, and to aid the dispersion of odours before reaching the closest residential properties. The results of the olfactometric odour monitoring and sniff testing support the proposed 20m buffer distance. The report also concludes by stating that it is considered that the buffer distance of 110.9m is no longer applicable to any residential development on the application site, as it was defined based on the distance from the abattoir to the closest existing receptor and was not based on quantitative monitoring or dispersion modelling.

The Environment Agency and the Council’s Environmental Health Officer have been consulted on the planning application. The Environment Agency state that they have agreed that environmental monitoring of odour will be undertaken on the site to assess if there are likely to be any adverse effects and the findings of that monitoring will be reviewed when they are available.

\(^{18}\) This section of the report to the Council’s Planning Committee is set out in section 1.3 of the Odour Assessment that has been submitted by the applicant, also undertaken by Royal Haskoning.
At the time the planning application was submitted, no odour assessment had been undertaken during warmer temperatures meaning that the impact of odour at that time cannot be assessed [Point 7 raised by local residents]. Since that time, an addendum to the odour assessment has been submitted that included some monitoring on a warmer day. Although this concluded that a 20m buffer was sufficient, the Council’s Environmental Health Officer is not satisfied that this is sufficient to prevent problems arising. Given the concerns about the relationship between the abattoir and the proposed housing, the Council’s Environmental Health Officer has undertaken additional odour monitoring around the abattoir.

This monitoring has confirmed that the offensive odour detected during sniff testing originated from the abattoir. The intensity of the odour diminished up to the most distant assessment point of 50m, where it was minimal. Therefore a 50m odour buffer zone is recommended from the perimeter of the development site to the first residential properties, to minimise the effect of odour on amenity. The Council’s Environmental Health Officer also advises that that past odour complaints implicating the abattoir have arisen from properties just over 100m from the abattoir and therefore circumstances may arise in the future where complaints from the proposed development may arise even with a 50m buffer zone.

In the light of these findings, a minimum buffer distance of 50m is considered necessary by the Council’s Environmental Health Officer to protect the amenity of future occupiers. A condition is recommended in this respect.

**Noise Assessment**

Policy Env7 of the Hyndburn Core Strategy seeks to ensure that the material impacts arising due to factors such as noise will not give rise to unacceptable adverse impacts or loss of local amenity and can be properly controlled in accordance with best practice and recognised standards.

The applicant has submitted a noise assessment in support of the planning application which has considered the potential impact of existing noise sources on the proposed residential development. The assessment has also considered the potential noise impact upon existing dwellings arising from the proposed relocation of football pitches and associated facilities to Site B. The scope and methodology of the assessment was agreed with the Council’s Environmental Health Officer.

The assessment observes\(^{19}\) that “the operation of the abattoir……did not generate high levels of noise for long periods of time. For the majority of the working time noise levels were low, with some constant noise from building services plant (probably fans) at a low level, together with some occasional noise from forklift and other similar loading activities in the external yard.”

The assessment then goes on to state\(^{20}\) that “the highest noise events were caused by diesel engine noise from the arrival and departure of the HGV livestock transporters which, during the survey, occurred on an average of 1 every hour, with the first one at 06:00 hrs.” later observing

\(^{19}\) Noise Assessment undertaken by Miller Goodall dated 16\(^{th}\) June 2015, paragraph 6.1.9.

\(^{20}\) Noise Assessment undertaken by Miller Goodall dated 16\(^{th}\) June 2015, paragraph 6.1.10 and 6.1.12.
that “during the afternoon measurements on 18/9/2014 there was a significant noise from an item of building services plant associated with the abattoir.”

The assessment also notes that properties fronting Harwood Lane could be affected by road traffic noise arising from vehicles using Harwood Lane. As a means of mitigating the impact of noise on the proposed dwellings (reducing noise to a level where the predicted internal and external noise levels fall within World Health Organisation guidelines) the applicant recommends the development of a 2m high acoustic barrier along south-western and northern boundaries of the site. It is also considered necessary to provide acoustic rated building elements to certain elevations of some of the dwellings including enhanced sound insulation, enhanced acoustic glazing and acoustic ventilators for some rooms.

One of the aims of the proposed development is to create a high quality residential development in Great Harwood. This will not be achieved if the properties along the southern and western boundary of the site (in proximity to the abattoir) are enclosed behind a tall acoustic fence and need to incorporate extensive noise mitigation measures into the house design to make them acceptable. Householders should not have to close their windows or stay indoors to avoid potential noise nuisance. Similarly, it is not desirable to separate the proposed houses from the near-by open space through the use of an acoustic fence.

Advice within the National Planning Practice Guidance identifies categorises different impacts of noise, depending upon the degree of impact:

i. Not noticeable
   No effect and no mitigation required.

ii. Noticeable but not intrusive
    Can be heard but no change on behaviour, no mitigation required

iii. Noticeable and intrusive
     Can be heard and causes small changes in behaviour such as turning up television and closing windows some of the time. Mitigation required.

iv. Noticeable and disruptive
    Noise causes material change in behaviour and sleep disturbance. Avoid.

v. Noticeable and very disruptive
   Regular and extensive disturbance from noise leading to unacceptable adverse impacts that should be prevented.

It is evident that the presence of the operational abattoir will have an impact on the proposed dwellings by virtue of noise. When considering internal noise levels, the submitted noise survey states that “The predicted noise levels given above assume that all proposed noise mitigation measures are implemented and the windows remain closed, with background ventilation being provided by the acoustic trickle ventilators.” Although external noise levels are considered to meet World Health Organisation Guidelines the Noise Assessment still recommends the installation of a 2m high acoustic fence at the boundary of the residential properties.

---

21 Noise Assessment undertaken by Miller Goodall dated 16th June 2015, Section 8, Recommended Mitigation Measures.
22 Noise Assessment undertaken by Miller Goodall, para 7.1.15.
Those undertaking the odour assessment confirmed\(^{23}\) that the abattoir was operational “by the consistent deliveries of cattle throughout the day, the presence of process activity which could be heard during the surveys and the presence of abattoir staff members.” This reinforces the concerns expressed by the Noise Survey.

Although the abattoir opens at 06:00hrs it is evident from the noise survey that heavy goods vehicles arrive long before that, the first arriving before 5am. The licence issued by the Environment Agency has no controls over the hours of operation or the times when heavy goods vehicles arrive. Notwithstanding the early arrival of heavy goods vehicles, noise levels increase when the abattoir gates are opened and the animals are unloaded.

For these reasons the Council’s Environmental Health Officer believes that the level of noise that would be experienced at the 20m buffer would be “noticeable and disruptive”, a level of noise that should be avoided when planning for noise sensitive developments such as housing.

When considering the relationship between the abattoir and the proposed housing development it is important that a buffer zone of sufficient width is developed that allows future residents to enjoy their properties without suffering a loss of amenity from odour or noise from the abattoir. The buffer zone should also integrate with the development and function as an area of open space. The applicant has not demonstrated that future local residents would not be subject to disturbance from odour or noise and the proposed 20m buffer zone from the abattoir is considered insufficient.

The Council’s Environmental Health Officer has considered the potential impacts that could arise from the abattoir and believes that no residential development (including gardens) should take place within a 50m buffer zone and that this zone should be landscaped using an earth embankment to further protect residential amenity. A condition is therefore proposed that will achieve this.

This additional width would reduce the number of dwellings that can be constructed on the site by approximately 25\(^{24}\), and although this represents a 10% reduction it is still considered that the site is viable.

The Noise Survey also states that the external noise levels outside the proposed dwellings on Harwood Lane are also predicted to exceed 45 dB L\(_{Aeq}\) during the night, exceeding the World Health Organisation guidelines. Although the measurements were taken from a point 10m from the nearside kerb of Harwood Lane, it is recommended that the properties on Harwood Lane are set back 15m from the nearside kerb to allow the frontage to be landscaped and also provide some additional distance to help mitigate the impact of the road noise on these houses. The development is intended to be a high quality development and the presence of an attractive landscaped strip at the entrance to the development would help achieve this. A condition is therefore recommended to achieve this.

\(^{23}\) Odour Assessment undertaken by Royal HaskoningDHV, Section 3.2.2 penultimate paragraph.

\(^{24}\) This is over and above the 20m buffer zone proposed by the applicant and based on a density figure of 35dph. Site A occupies 7.038ha and the applicant indicates that this can accommodate approximately 250 dwellings (35.5dph)
Flood Risk

Although the majority of the site is within Flood Zone 1, the Environment Agency advise that a small area in the southern part of Site A is within Flood Zone 2 and that this should be referred to in the Flood Risk Assessment. Policy Env4 (i) of the Hyndburn Core Strategy seeks to ensure that new development is directed away from areas at high risk of flooding and incorporates appropriate mitigation against flooding where part of the site is in an area of lower risk of flooding.

This approach is in line with that set out in the National Planning Policy Framework which requires that a sequential test be applied to developments where part, or all, of the site is within Flood Zones 2 and 3 to determine whether there are any reasonably available and suitable alternative sites where there is a lower risk of flooding. The applicant has submitted a Flood Risk Assessment in respect of both sites and this identifies the south west corner of the site to be within Flood Zone 2 (medium probability of flooding). Concerns have been raised by local residents about the adequacy of the Flood Risk Assessment, advising that houses on Lyndon Court have flooded in recent years [Point 28].

In the light of the advice provided at pre-application stage, the southern boundary of the site has been modified to reduce the area of the site, thereby reducing the area within Flood Zone 2. It is also important to note that the flood zone arises from the presence of Harwood Brook, which is in culvert in this location. Notwithstanding this, the area shown within Flood Zone 2 is proposed to form part of a landscaped buffer zone, within which there would be no houses developed, and it is not therefore considered necessary to raise levels above the current modelled flood level.

It is important that run-off from the site is managed in a sustainable manner that does not put further pressure on existing drainage infrastructure. The applicant believes that the development of a Sustainable Drainage System (SuDS) would help to ensure that surface water run-off from the development does not worsen the flood risk. The drainage strategy for the site has been designed to comply with the relevant policy requirements as well as the requirements of the Building Regulations. The Lead Local Flood Authority (Lancashire County Council) is satisfied with the information submitted in respect of Site A and has recommended a planning condition be used to secure the final details of surface water drainage and its maintenance.

Trees, ecology and green corridors

The proposed development of housing on Site A would result in the loss of some trees and the applicant has submitted an Arboricultural Impact Assessment in support of the planning application. The applicant has also undertaken and submitted an extended Phase 1 Ecological Assessment. Concerns have been raised about the loss of trees at the rear of Shaftsbury Avenue [Point 63].
The Arboricultural Impact Assessment advises that there are no protected trees within Site A but there are a number of groups of trees and individual trees within both sites and the Assessment has surveyed these trees and assessed their quality and advised on the extent of trees that would need to be felled by the development. The Assessment finds that the proposed development would not result in the loss of any high quality (category A) trees and moderate quality (category B) trees but would result in the loss of 15 poorer quality trees, 9 groups of trees, 2 partial groups of trees and one hedge. The Assessment believes that the loss of these trees can be adequately mitigated for through the provision of new planting at both Site A and Site B with suitable species in appropriate locations.

The Extended Phase 1 Habitat Survey and Preliminary Ecological Assessment that has been submitted with the planning application includes a survey of both sites. Neither Site A or Site B form part of any sites that are protected for their ecological value and the assessment found no evidence of any specifically protected or otherwise important species within either site [Point 74].

Although there were no confirmed signs of roosting bats [Point 74], the assessment recognises that the margins of both sites are likely to be used for foraging and commuting. Two trees within Site B were recognised as having moderate to high bat roosting potential although further survey work has now been undertaken and no evidence of bats has been found. There are no ponds on site or within 250m of the site boundaries, and no watercourses within or close enough to the site boundaries to be adversely affected. There will therefore be no likely impact on amphibians or aquatic mammals. Similarly, there are no historic records of reptiles within 2km of either site boundary, despite the habitat being broadly suitable in parts, so no impact is considered likely. The submitted Assessment recognise that a small number of breeding birds are likely to occur on the site and that the development will result in an initial but relatively minor loss of breeding habitat.

The National Planning Policy Framework advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity through the application of a number of principles. Policy Env2 of the Hyndburn Core Strategy seeks to protect and develop ecological resources, it also recognises that the level of protection afforded to ecological and geological resources will depend upon their level of importance and vulnerability.

The proposed development of Site A will not result in the loss of any protected trees, trees of high quality and will not have an adverse impact on protected species. The Council’s Trees and Woodlands Officer is satisfied that the development will not result in the loss of any protected or significant trees and that trees can be replaced at a ratio of 3:1. Details of potential “green corridors” through the site and since the application is in outline form this can be taken into consideration in the more detailed design of the site. A condition is recommended in this respect. Similarly, details of the design of new housing in relation to building dependent species would be more appropriately addressed at reserved matters stage.

25 Trees subject to Tree Preservation Orders. The site is not within a Conservation Area, a designation that also affords protection to trees.
Although the Trees and Woodlands Officer has also requested details of lighting this aspect of the development would normally be addressed by the Highway Authority under the s.38 agreement and it is not considered appropriate to remove permitted development rights in this instance.

The proposed development of Site A will not result in the loss of any protected or significant trees and there is adequate scope to compensate for the loss of trees and vegetation through the provision of on-site landscaping.

**Contaminated Land**

The applicant has submitted a Phase 1 Preliminary Risk Assessment (PRA) alongside the planning application to determine the extent of any contamination that may be present. The PRA includes site reconnaissance and considers the site history, geology, hydrogeology, hydrology, a mineral search and landfill search. Although the PRA recognises that most of the site has remained undeveloped (with the exception of that part of the centre of the site that benefits from having planning permission for housing) since 1848 mapping, a number of potential contamination sources have been identified which may pose a risk to site users.

In the light of these findings there would be a need to undertake a more detailed Phase II Survey and the Council’s Environmental Health Officer has recommended that a condition be attached in this respect.

**Coal Mining**

The applicant has submitted a Coal Mining Risk Assessment alongside the planning application. These reports are normally required where a proposed development is within a “Development High Risk Area”, areas which based on Coal Authority records where the potential risks associated with land stability and other safety risks associated with former coal mining activities are likely to be greatest, a point raised by local residents [Point 38]. The submitted report is based upon guidance provided by the Coal Authority.

Policy Env4 (j) of the Hyndburn Core Strategy requires contaminated land, land stability and other risks associated with coal mining to be considered and, where necessary addressed through appropriate remediation and mitigation measures. The central and southern areas of the site are shown to be within a Development High Risk Area which is further noted as an area of “Probable Shallow Workings”. Notwithstanding the areas identified at risk, a risk across the site has been assumed. The PRA concludes that the site may be at risk from “Probable Shallow Workings” and that further investigation work is undertaken on the site comprising the drilling of rotary boreholes across the site.

The Coal Authority concurs with the findings of the Coal Mining Risk Assessment Report that has been submitted and has no objection to the proposed development subject to the imposition of appropriate planning conditions that require intrusive site investigation works to be undertaken prior to the commencement of development to establish the extent of any coal mining legacy issues on the site. Depending on the outcome of those investigations, it may
then be necessary to undertake remedial works or consider the detailed layout of development on the site.

The design of the proposed development

The planning application that has been submitted in relation to the residential development on Site A is outline with all matters reserved. If planning permission is granted it will be necessary for the “reserved matters” to be submitted within the timescale provided and to meet the requirements of the relevant conditions. It is recognised that Lyndon Court is at a lower level than the land at Lyndon Playing Fields and there is a need to ensure that new housing developed along this boundary is not over-bearing. Similarly, there are also a number of bungalows abutting the east side of Lyndon Playing Fields and the relationship between the proposed dwellings and these properties also needs to be carefully considered.

Whilst the layout and type of dwellings proposed is normally considered at reserved matters stage, in this instance the submitted details propose that bungalows would be developed in proximity to the existing bungalows on Lyndon Court [Point 51]. A condition is proposed to secure this [Point 64]. Although residents have raised concerns that the proposed 3 storey houses/flats will overlook Lyndon Court/Lyndon House sheltered housing [Point 14], care will be taken at reserved matters stage to ensure that the design and relationship between the proposed development and that existing is acceptable [Point 3].

Similarly, concerns have been raised that over development would have an oppressive impact on surrounding dwellings for the elderly in terms of loss of light, privacy, visual amenities, noise, health and well-being [Points 25 and 60]. The Council has an adopted Design Guide that seeks to ensure new residential development does not have an adverse impact on existing residential property and these matters will be considered at reserved matters stage in the event that planning permission is granted.

Other issues raised in consultation responses in relation to Site A not considered above

Local residents have raised concerns that some sections of the community are being favoured by the Council for the relinquishment of a 25 year lease on Lyndon Playing Fields [Point 13]. This is not a matter that is material to the determination of the planning application and if local residents believe the Council is not conducting itself in accordance with relevant standards then they should use the Council’s complaints process. Planning law makes no provision for the determination of planning applications by referendum [Point 64].

Concerns have been raised about the development having a detrimental impact on property prices [Point 54]. This matter is not material to the determination of the application. It has also been pointed out that large numbers of local residents have objected to the proposed development [Point 55] and that Government Policy now gives weight to the wishes of the community [Point ], however, it is the materiality of the point being raised that should be taken into consideration, not the weight of objection.
Local residents have also raised concerns that the Council will not achieve Market Value for Lyndon Playing Fields under the proposed “closed arrangements” with the developer [Point 22 and 53]. Whether the Council achieves market value, and the Council’s relationship to the applicant or developer, are not material to the determination of this planning application. Local residents also believe that the capital receipt should be invested in Great Harwood [Point 58], however, the means by which the Council invests any receipt falls outside the consideration of this planning application.

The proposed development will not have an unacceptable impact on dog walkers [Point 76]. There is no reason to believe that the proposed development will attract people that force existing residents to move away from the area [Point 78].

The relationship between the Council and the developer is not material to the determination of this application except insofar that the planning application should be determined by Planning Committee [Point 64]. Although concerns have been raised in relation to a potential conflict of interest [Point 68] the planning application is being determined in accordance with the relevant statutory provisions.

The local residents believe that work on the Lyndon Playing Fields Site should only start when a substantial number of dwellings have been built and sold in the Wood Street area [Point 24] and that the site should not be accessed from Harwood Lane [Point 33]. No concerns have been raised by the Highway Authority in relation to the adequacy of the site entrance on Harwood Lane and it would not be desirable to have the main access in proximity to an operational abattoir [Point 67]. On sites of this scale, it would be normal practice to commence work at the entrance to the site and develop the site in a number of phases. A condition is recommended that requires details of the phased development of the site to be submitted prior to the commencement of development of Site A.

Concerns have been raised that developers will “cherry pick” Lyndon Playing Fields and the vast majority of the land left derelict [Point 23]. Provided the relationship between the abattoir and the site is properly planned and the amenity of future residents is adversely affected there should be no reason why the entire site should not be developed in accordance with the conditions recommended.

Although concerns have been raised about the degree and extent of public consultation undertaken [Points 32 and 39], it is important to distinguish between that which is a statutory requirement, for example the need for the Council to publicise the application and notify local residents, and non-statutory consultation that may be undertaken by the applicant. In this instance the Council believes that it has undertaken the required statutory consultation.

A potential increase in crime has also been raised [Point 66] as a reason for objection. By itself, new development should not give rise to an increase in crime in an area, nonetheless, it is important to ensure that the development takes into consideration the recommendations of the Architectural Liaison Officer where appropriate. This can be conditioned as part of an outline planning permission.
Residents believe that the proposals are too open to challenge from street wise developers who will create plans to build what they want for monetary gains and not what is suitable for Great Harwood [Point 26]. It is important to recognise that developers will only develop schemes that are profitable, however, in doing so they will need to develop the site to a high standard in accordance with the conditions attached to a grant of planning permission in the event that planning permission is granted.

Local residents have also questioned why planning permission was granted for supermarkets in Great Harwood [Point 45]. The details of these permissions are available on the Council’s website. Site A is well related to the shops and services in Great Harwood Town Centre. The playing fields are owned by the Council, it was not a gift to the people of Great Harwood [Point 72].

**Conclusion – Site A**

Subject to the development of the replacement sports pitches, the provision of an adequate buffer zones and the conditions recommended, there are no substantive policy objections to the development of housing on this site. This is an outline planning application and further details would therefore be submitted at reserved matters stage and in accordance with the conditions recommended. The site is within the urban area of Great Harwood, it is in an accessible location and the applicant is setting out a range of measures that compensate for the loss of open space.

**Site B** The development of a building to accommodate changing facilities; playing pitches; associated access roads; car-parking; low-level lighting, fencing; and landscaping on 4.9ha of land north of Harwood Lane (A6535) and west of Whalley Road (A680), Great Harwood.

The second part of the development (Site B) is to the north east of Site A and comprises 4.9ha of land to the north of Harwood Lane. At its closest point, Site B is just over 100m to the north east of Site A, although it is recognised that the pitches and changing facilities will be a further distance. The application for the development of the proposed new sports facilities has been submitted in full to allow the replacement pitches to be constructed and delivered prior to the development of the existing playing field site, Site A. This is to allow continuity of sporting activity, with no displacement or negative impact to current users.

In policy terms the site is located outside the urban boundary (Policy H2 of the Local Plan) and is within an area designated as Green Belt. The Key Diagram26 within the Core Strategy also recognises that this area is within the Green Belt.

**Green Belt**

National Planning Policy Framework advises27 that once Green Belt boundaries have been defined, local planning authorities should plan positively to enhance the beneficial use of the

---

26 Hyndburn Core Strategy, Figure 8 on page 35 and Figure 22 on page 82.
27 National Planning Policy Framework, paragraph 81.
Green Belt, such as looking for opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. Although concerns have been raised about the future development of housing on this site [Points 44 and 50], as long as the site remains in the Green Belt this would not be supported by policy.

Paragraph 89 of NPPF advises that the construction of new buildings in the Green Belt should be regarded as inappropriate, however, one of the exceptions to this are the provision of appropriate facilities for outdoor sport, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The adequacy of the replacement pitches

The scale and design of the proposed changing room building is considered to be appropriate for the proposed use and its presence would make a positive beneficial difference to the quality of the sports / recreation facilities being proposed. The proposed development also includes access roads and car-parking which are ancillary to the development of the sports pitches and which are required to provide a high quality sporting facility. The proposed pitches and associated infrastructure represent a significant improvement to that currently provided\(^\text{28}\) which does not provide car-parking and has no changing facilities.

The playing pitches at Site B are not only proposed to compensate for the loss of the pitches at Lyndon Playing Fields but have been designed to better meet the future needs of the club. The pitch configuration at Lyndon Playing Fields has most recently been marked out with one junior and three mini soccer pitches, meaning that the pitch sizes do not support older junior and youth football and do not offer progression to open age football.

The proposed pitches are based on a needs assessment and in the light of that assessment the following pitches are proposed at Site B:

- A full size senior natural turf football pitch for use of matches. This will enable older youth teams through to adult teams to compete on the same site.
- Youth, junior and mini pitches. Supporting different age ranges and formats of football from under 8 through to under 13.

In addition, a club house and changing facilities are also proposed with parking for approximately 45 vehicles. The development of a facility that better reflects the needs of the club and community is likely to be more sustainable in the longer term.

The development of the pitches will be funded by the developer and there is a requirement to have the pitches available for use prior to the commencement of the housing development at Site A. Whilst the proposed plans make provision for the development of a building to house the changing facilities, it is understood that this is over and above that needed to compensate for the loss of Lyndon Playing Fields. Planning obligations (s.106 agreements) should only be sought where they are necessary to make the development in planning terms and although the proposed building forms an important element of the proposed sports facility the Council cannot

\(^{28}\) Although planning permission had been granted for the development of changing facilities and car-parking on land adjacent to Lyndon Playing Fields.
require the developer to provide it because it would be considered “planning gain”. The building is therefore likely to be funded by the club that leases the facility.

Sport England has directed that a number of planning conditions be imposed should the local authority be minded to grant planning permission. The effect of these conditions is to ensure that the pitches are developed to the required standard. The applicant has submitted an Open Space Report in support of the planning application and this believes that the development will result in a significant capital investment in new sports facilities for Hyndburn, a level of investment that is likely to be generated from any other form of proposal. The report adds that the facilities will contribute to helping Hyndburn increase and maintain its sport participation levels, through taking a structured, sustainable and high quality approach to sports facility provision and sports development.

The Council's Playing Pitch Assessment and Strategy 2011 – 2016 used the Sport England Toolkit to examine the quantity and quality of sports pitches across Hyndburn. The Assessment advised that in Great Harwood there were surpluses in adult, mini and 9v9 pitches at peak times, although there were deficiencies in other areas of Hyndburn. The Strategy identified the need to improve the quality and availability of changing room facilities although it noted that there were proposals to develop changing facilities at Lyndon Playing Fields (although these have not been implemented).

**Access and accessibility**

One of the main concerns that has been raised by local residents concerns the accessibility and suitability of the proposed replacement pitches [Points 17, 18, 43, 49 and 59]. When considering the acceptability of the proposed sports pitches, the Highway Authority consider both access points to be acceptable in terms of their location provided they have adequate visibility splays (40m). It is recognised that the proposed sports pitches are on the north side of Harwood Lane / Harwood Old Road whilst the greater residential populous (including the new development) are on the south side. There is currently no pedestrian crossing available to help people cross the road in this location, and given that the proposed development will increase traffic flows, it is considered imperative that a suitable pedestrian crossing facility is provided to facilitate safe access. This can be secured through the use of a planning condition and appropriate legal agreement.

It is also recognised in the submitted Transport Assessment that there is no continuous footway provision linking the north of Harwood Lane with the proposed open space and sports facility, a point that has also been raised by local residents [Points 18 and 43]. This improvement will also be required in order to facilitate safe access to the site.

Within the sports ground, the access roads should be wide enough to allow two cars to pass or have sufficient passing bays. Recognising that pedestrians may use this stretch of road, measures to reduce the speed of vehicles are also recommended. The separate pedestrian access from Harwood Lane between the public open space and changing facility should be upgraded to a shared cycle / pedestrian access. Insufficient manoeuvring space is shown for mini-buses and this will need to be amended. It is also recommended that the entrance to the
car park is moved closer to the changing facility. The number of car-parking spaces proposed is considered acceptable given the nature of the facility.

Although the Transport Assessment does not consider the traffic generated by the new sports pitch, the Highways Authority is satisfied that the potential increase in vehicle movements from the sports pitches is unlikely to be detrimental to network access or capacity and should have no impact upon safety provided the mitigation measures described are introduced. In order to make the development acceptable in highway terms the following infrastructure improvements are required:

- The provision of a zebra pedestrian crossing for Harwood Lane including accommodation works to existing road markings and parking bays;
- The provision of a continuous footway link to the sports facility / public open space along the north of Harwood Lane as identified by the applicants Transport Assessment;
- The provision of road junction modification at the junction of Harwood Lane and Harwood New Road to reduce entry speeds into Harwood Lane including accommodation works to existing road markings;
- The provision of a build out at the easterly end of Harwood Lane to discourage drivers from travelling against the one way system as identified in the applicants Transport Assessment.

These improvements can be controlled through the use of appropriate planning conditions.

Trees and Ecology

Although there are only a few trees on the site of the proposed pitches, the tree survey indicates that it will be necessary to remove a small number of trees to accommodate one of the junior pitches. The ecological survey has identified two trees within Site B that have the potential to accommodate roosting bats and as a consequence has recommended that further survey work is undertaken to determine the presence or absence of roosting bats.

All bats are protected by law and these trees should not be removed until such time that the position with bats has been clarified. A condition is proposed that reflects this position and if these trees need to be retained it would be necessary to change the layout of the pitches and ensure the trees are adequately protected. Although the Council’s Trees and Woodlands Officer has advised that the planning application should not be determined until such time that this matter has been addressed, it is considered that the arrangement of the pitches could be re-aligned in a manner that provides for the retention of the trees should this be necessary. A condition is therefore recommended in this instance.

An area of land within Site B has also been identified to be set aside for ecological compensation, although no details of the way in which this area will be developed or planted have been submitted. The Trees and Woodlands Officer has raised concerns about the scale of this area and its relationship to surrounding areas, nonetheless it could contribute towards the development of a more varied and interesting area and a condition is therefore recommended that requires further details to be submitted and approved.
**Landscape and Visual Impact**

The applicant has submitted a landscape and visual impact assessment in support of the proposed development of Site B. This concludes that in landscape terms, the development of Site B would give rise to a moderate landscape effect in respect of landscape character and moderate effect in terms of landscape designation. Whilst it recognises that there would be elements of change, the nature and extent of the change would only be to the immediate area and would not change the overall character of the wider area.

Similarly, in terms of its visual impact, the assessment believes that the development of the site would not give rise to any significant visual effects. The near-by properties along the south west boundary of the site would only experience minor changes in their view due to the open nature of the proposals. The development would not give rise to adverse visual effects or significant environmental effects given the wider landscape setting and context in which it lies.

**Lighting and security**

Local residents advise that Lyndon Playing Fields provides a safe environment for all children and elderly people for gentle exercise, sport and family recreation and that there has never been an incident of anyone being attacked or approached in an inappropriate manner because the site is well lit by surrounding street lights and overlooked by properties [Point 17]. They believe that the agricultural show ground site is unacceptable for the proposed use for a variety of reasons: that it is dark on winter evenings; that it is too remote for children to play or the elderly to walk to; that it is unsafe for children to play unaccompanied; it is not lit, and to access the site it is necessary to cross two roads [Points 15 and 18].

The site proposed for the replacement pitches (Site B) is in close proximity to the existing pitches and although Lyndon Playing Fields does benefit from being overlooked by near-by houses the lack of enclosure on the proposed pitches does not make the location unacceptable. Site B is accessible by a variety of means and ultimately will be developed to provide a high quality sports venue for the benefit of Great Harwood. Neither Sport England nor the Architectural Liaison Officer from Lancashire Constabulary have questioned the appropriateness of the site or raised concerns about personal safety. Furthermore, the one of the key benefits of the proposal identified by the Open Space Report was the provision of a “safe and accessible multi-pitch sporting facility” as well as a significant gain in sports pitch provision. It is recognised that the proposed replacement pitches are on the opposite side of Harwood Lane to the housing and the Highway Authority has made recommendations that will improve accessibility.

Local residents have questioned why the Council has not explored other options for the football club, other than that being offered by the developer, claiming this is not ethical use of public money [Point 21]. Planning policy requires that in circumstances where playing pitches are proposed for development the applicant should compensate for their loss. It is clearly important that the replacement pitches proposed are not only to the required standard but also in an

---

29 Open Space Report by Anna Kocerhan, Section 6.4, The key benefits of the proposal.
accessible location, however, there is no requirement for the developer (or the Council) to have considered a range of alternative locations. Whether or not this amounts to an ethical use of public funds is not material to the determination of this planning application.

**Drainage and Flooding**

Concerns have been raised by local residents about flooding on the site and photographs have been submitted that show parts of the site under water. It is clearly important that the pitches themselves effectively drain and can continue to be used during periods of wet weather. The Flood Risk Assessment that has been submitted by the applicant does not raise any significant drainage issues, advising that surface water arising from the southern part of the site could discharge into an open watercourse, whilst the rest of the site would connect into the existing land drain system.

The Lead Local Flood Authority (LLFA) objects to the development and recommends refusal of planning permission until an amended Flood Risk Assessment and Sustainable Drainage Strategy are submitted which meet Paragraph 103 of the National Planning Policy Framework and Planning Practice Guidance paragraph 80 have been submitted to the local planning authority. There is no reason why this information cannot be submitted and agreed with the LLFA prior to the commencement and rather than simply refuse planning permission for this reason, a condition is recommended in line with the advice provided.

The applicant has also failed to submit robust evidence within the Flood Risk Assessment and Drainage Strategy to the local planning authority demonstrating why higher priority discharge points for the runoff destination of surface water are not reasonably practicable in line with Planning Practice Guidance. This information must also be submitted and agreed prior to the commencement of development.

Although the Architectural Liaison Officer (ALO) has made a number of recommendations in respect of the security of the changing facilities building, these would normally be addressed at the building regulations stage. Recognising the site is in the Green Belt, the applicant is proposing a less intrusive style of lighting than that suggested by the ALO and for the same reason a post and rail fence (rather than a steel mesh security fence) is proposed. If it becomes necessary to consider additional lighting then the need, design and acceptability of that lighting would need to be considered on its merits against the policies of the development plan.

**Health and amenity**

One of the aims of the Hyndburn Core Strategy is to improve the quality of health of the residents of Hyndburn. There are a wide range of health inequalities in the Borough and the policy framework seeks to create an environment that will support health and well-being and provide support for people to make healthy choices more easily. The development of high quality sports and recreation facilities in Hyndburn is one of the ways that can contribute towards this and as such this weighs in favour of the proposed development. It is recognised that the development of the playing pitches could involve considerable earth works and a
condition is therefore recommended to ensure these works do not have an unacceptable adverse impact on local amenity.

**Great Harwood Show**

Questions have been raised about the future of the Great Harwood Show [Points 57 and 75]. The proposed playing pitches are located on land that is used for the Great Harwood Show and it is understood that the show will go on.

**Conclusion – Site B**

Subject to the conditions recommended below, the proposed replacement pitches comply with the policies of the development plan and should therefore be supported. The provision of the pitches would provide a high quality sports venue with sustainable pitches that have been designed to serve the community for the foreseeable future. There is a need to improve the accessibility of the site by extending the footway and proving a pedestrian crossing. It is recognised that further work is needed in respect of surface water drainage and a condition is recommended to ensure the site is properly drained.

There is a need for high quality sports pitches and facilities across Hyndburn as a means of helping to improve the health of residents and the proposed development will make a positive contribution towards this.

**The legal agreement under s.106 of the Town and Country Planning Act**

As part of the development proposals the applicant has proposed a s.106 agreement that would cover a number of matters:

- A contribution of £18,000 to enable Lancashire County Council's Travel Planning Team to provide a range of services as outlined above (Travel Pan).
- The establishment of a management company to manage open space, and the children’s play area, within the site for the duration of the development.
- To provide for the continued use of the sports pitches for a minimum period of time.
- To provide waste / recycling bins for all new properties.

One of the difficulties associated with the Council owning a portion of the site is that it is not legally possible for the Council to enter into a s.106 agreement with itself. It is therefore likely that the Council may need to enter into separate contractual arrangements for the management of open space within that part of the site which it owns, or the s.106 would need to be varied to cater for the new owner. A condition is recommended that would secure this.

**Does the development as a whole (Site A and Site B) represent Sustainable Development?**

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered
up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.\textsuperscript{30}

Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations and it is therefore necessary to consider whether the proposed development represents sustainable development in line with the requirements of the National Planning Policy Framework.

From an economic perspective, the proposed development is within the urban boundary and, subject to implementation of a number of transport improvements, will be within easy reach of the shops and services within Great Harwood Town Centre, thereby making an important contribution to the local economy. The development of 250 new houses, over 50% of that planned for Great Harwood in the Core Strategy, will increase spend and economic activity in the area. It will also provide a significant boost to the local house building / construction sector that has been depressed over recent years.

The provision of good quality new housing plays an important role in supporting local communities, particularly in areas where there are large numbers of older terraced housing and a poor choice of housing available. It helps to ensure people remain in the Borough and will also help to attract people into the area. The proposed development is making adequate provision for affordable housing, helping to increase the choice of housing available to those who are unable to access the housing market. There is a need to develop new housing in Great Harwood and one of the aims of national planning policy is to boost significantly the supply of housing. Part of this area was identified as having potential for housing development by the Hyndburn Core Strategy and although a development brief has not been prepared there is still an obligation to determine the planning application that has been submitted.

Although concerns have been raised about the potential impact of the development on local infrastructure and services, the number of dwellings proposed is consistent with the housing needs identified by the Hyndburn Core Strategy. Since the Core Strategy was developed Great Harwood has witnesses the development of a new health centre and the Pennine Reach high quality bus scheme is in the process of being implemented. This will provide high quality public transport connections to local centres and nearby employment sites.

It is recognised that a significant level of concern has been raised about the loss of the playing fields and open space at Lyndon Playing Fields, however, a key part of these proposals is their replacement and improvement at a near-by site. Subject to some improvements to allow pedestrians to safely access the replacement site (Site B) it is considered that the replacement pitches are in a safe and accessible location. The development of the sports pitches, changing rooms and car-park / access is consistent with Green Belt policy. Sport England support the proposed development subject to the replacement sports pitches being available for use prior to the commencement of development, thus addressing the key policy objectives in relation to the loss of the playing fields.

\textsuperscript{30} National Planning Policy Framework, paragraph 49.
The presence of an operational abattoir in close proximity to the site raises a variety of economic, social and environmental concerns. If housing is located too close to the abattoir there is a danger that the properties will not sell and, if they do, that the occupants will be subject to unacceptable adverse impacts on their amenity by virtue of odour and / or noise. Although the applicant believes that a 20m buffer zone is adequate, this view is not supported by the Council’s Environmental Health Officer who has recommended a 50m buffer zone, a figure that is based on an independent assessment of odour. It is not considered reasonable to expect residents to keep their windows closed or rely on a variety of mechanical ventilation systems to reduce the impacts associated with the abattoir to an acceptable level. The buffer zone would need to be landscaped and incorporate measures to mitigate noise.

The proposed development is not in proximity to any sites of ecological importance and would not affect any protected or significant trees. There is sufficient land within the two sites to compensate for the loss of trees that would arise, for example as part of the landscaping within the buffer zone. There is a high pressure gas main in the vicinity of the site and it will be necessary to ensure that the Building Proximity Distances are adequately protected.

Although concerns have been raised in relation to the proximity of the proposed development to existing development, the application is in outline form and the relationship between existing housing and that proposed will be addressed at a later stage. It is recognised that there are bungalows adjacent to the site, and that there are some level differences between the site and neighbouring properties, and it will be necessary to ensure that the detailed design of the housing respects this.

Subject to the conditions recommended and subject to the applicant entering into a s.106 agreement the proposed development is considering to represent sustainable development and is consistent with the policies of the development plan and should therefore be supported.

**Recommendation:**

i. That outline planning permission be granted for residential development on 7ha of land south of Harwood Lane (Lyndon Playing Fields) and land adjacent to Wood Street, Great Harwood (Site A), subject to the applicant entering into a legal agreement under s.106 of the Town and Country Planning Act to secure the items set out in the report and in accordance with the conditions set out below for Site A, and;

ii. That full planning permission be granted for the development of a building to accommodate changing facilities; playing pitches; associated access roads; car-parking; low-level lighting, fencing; and landscaping on 4.9ha of land north of Harwood Lane (A6535) and west of Whalley Road (A680), Great Harwood (Site B), subject to the applicant entering into a legal agreement under s.106 of the Town and Country Planning Act to secure the items set out in the report and subject to the conditions set out below for Site B, and;

iii. That the Chief Planning and Transportation Officer be given delegated authority to amend, add or remove planning conditions and negotiate the terms of the
proposed s.106 agreement in consultation with the Director of Legal Services and
the Chair and Vice-Chair of Planning Committee.

Planning conditions recommended for Site A – Outline permission for residential
development

1. The development hereby approved shall be commenced before the expiration of three
years from the date of this permission or two years from the approval of the last of the
reserved matters as defined by Condition 3 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review
unimplemented permissions and to comply with Section 92 (as amended) of the Town &

2. The development shall be carried out in accordance with the following submitted
documents, and any subsequently approved reserved matters, unless expressly
modified by the conditions attached to this permission:

(a) The planning application forms, Design and Access Statement, Planning
Statement, Statement of Community Involvement and additional information
received by Hyndburn Borough Council on 7th July 2015 including the following
documents:
Desk Based Coal Mining Risk Assessment dated June 2015
Aboricultural Impact Assessment
Extended Phase 1 Ecological Survey and Preliminary Ecological Impact
Assessment, Land South of Harwood Lane, Great Harwood, dated June 2015.
Flood Risk Assessment and Outline Drainage Strategy, Land South of Harwood
Lane, Great Harwood (Site A), dated June 2015.
Phase 1 Preliminary Risk Assessment, Land South of Harwood Lane, Great
Harwood, dated June 2015.
Transport Assessment and Travel Plan, Proposed development of land south of
Harwood Lane and North of Harwood old Road, Great Harwood, dated June
2014.
Residential Travel Plan Framework, Proposed residential development land
south of Harwood Lane and North of Harwood Old Road, Great Harwood, dated
June 2015.
Arboricultural Impact Assessment, land south of Harwood Lane and land north of
Harwood Old Road, Great Harwood, Lancashire, dated June 2015.

(b) Submitted drawing no 1138-AP-01B Location Plan, dated June 2015
Submitted drawing No. 1138-AR-01A Existing Site Layout Site A, dated June
2015.
Submitted drawing No 10921.L04 Rev A Proposed Housing Height, dated
03/06/15.
Submitted drawing No 10921.L01 Rev A Site Analysis – Opportunities and
Constraints, dated 03/06/15
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

Reserved Matters

3. a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
   - (i) layout;
   - (ii) Access
   - (iii) scale;
   - (iv) appearance, and;
   - (v) landscaping.

   b) The reserved matters shall be carried out as approved within two years of their final approval.

   c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

   Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

Development of Site B prior to the commencement of Site A

4. No development shall commence at Site A until the playing pitches, access, fencing, low-level lighting and car-parking developed under this permission at Site B have been completed in accordance with the approved details and are available for use.

   Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with the National Planning Policy Framework, Policy HC2 of the Hyndburn Core Strategy and Policy L2 of the Hyndburn Local Plan.

Buffer Zone

5. Notwithstanding the submitted details, no residential development (including gardens) shall take place within 50m of the edge of the site boundary on Wood Street and Balfour Street.

   Reason: In the interests of good design and to protect the amenities of future occupiers of housing in proximity to the abattoir, in accordance with the National Planning Policy Framework, Policy E10 of the Hyndburn Local Plan and Policy Env7 of the Hyndburn Core Strategy.

Phased Development
6. Prior to the commencement of development a scheme and programme for the phased development of the site shall be submitted to, and approved in writing by, the local planning authority. The submitted scheme and programme shall include the following:
   i. Details of the phased development of the site including the timing of the development of each Zone;
   ii. Details of the phasing of the landscaping of the site and a plan indicating those areas where advanced landscaping will be implemented;
   iii. Details of the implementation of the site access and off-site highway works;
   iv. Details of the implementation of the drainage works.

The development shall be implemented in accordance with the approved scheme and programme.

Reason: To provide for the phased development of the site, to protect local amenity and to ensure the off-site highway works are undertaken, in accordance with policies Env6 and Env7 of the Hyndburn Core Strategy and the National Planning Policy Framework.

Levels

7. Prior to the commencement of development, details of all existing and proposed levels across the site, including finished slab levels of all proposed buildings, shall be submitted to the Local Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

Reason: No details of these matters have been submitted with the application and bearing in mind the topography of the site and to accord with Policy Env 7 of the Hyndburn Core Strategy.

Construction Method Statement

8. No development shall commence, 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, measures and plans shall be adhered to throughout the construction period. The Statement shall provide for:
   i. the parking of vehicles of site operatives and visitors;
   ii. loading and unloading of plant and materials used in the construction of the development;
   iii. storage of plant and materials used in the construction of the development;
   iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
   v. wheel washing facilities and their use. The approved facilities shall be installed before any engineering or construction work commences on site and shall be retained and used for the full construction period. The roads adjacent to the site shall be mechanically swept as required during the full construction period;
vi. measures to control the emission of dust, dirt and other pollutants during construction, i.e., a Dust Management Plan. Should any equipment used to manage dust on site fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced;
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
vii. the measures to be taken to prevent contamination;
viii. the measures to be taken to control and mitigate noise and vibration. This shall include an assessment of the impact of the proposed development on neighbouring sensitive premises which shall address the potential for any noise nuisance to occur which may impact on local amenity during construction. The assessment shall identify all control measures necessary to control the impact of the nuisance;
ix. Routes to be used by vehicles carrying plant and materials to and from the site;
x. Measures to be taken to ensure that construction and delivery vehicles do not impede access to adjoining properties;
xii. As assessment of all piling operations with regard to noise and vibration in accordance with BS 5228 Code of Practice for noise and vibration control applicable to piling operations, and;
xii. No burning of waste construction material on site

*Reason: To protect local amenity and to prevent pollution, and in order to comply with Policy Env 7 of the Hyndburn Core Strategy, Saved Policy E10 of the Hyndburn Local Plan and the National Planning Policy Framework.*

**Site profiling preparation and construction phase**

9. Site preparation / profiling and construction shall be undertaken in accordance with the following:
   
i. Deliveries to and from the site shall only take place between 0800 and 1800hrs Monday to Friday and between 0800 and 1300hrs on Saturdays.
   
ii. Deliveries shall not take place on Sundays and bank holidays.
   
iii. Construction works on the site shall only take place between 0800 and 1800hrs Monday to Friday and 0800 and 1300 on Saturdays.
   
iv. Works shall not take place on Sundays and bank holidays.
   
v. All works should be undertaken in accordance with BS 5228:2009.

*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, in accordance with Policy Env7 of the Hyndburn Core Strategy and Policy E10 of the Hyndburn Local Plan.*

**Contaminated Land**
10. Prior to the commencement of development a scheme and programme that includes the following components to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing, by the local planning authority:

i. A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

ii. As advised in JPG Geoenvironmental Report of August 2014, a site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The site investigation shall address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, on services and landscaping schemes, and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.

iii. The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

v. On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Strategy (iv).

vi. The works shall be undertaken prior to the occupation of the units.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. The desk study provided satisfies part (i) of the above condition, and recommends further intrusive site investigation.

Reason: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990 in accordance with Policy Env7 of the Hyndburn Core Strategy, Policy E10 of the Hyndburn Local Plan and the National Planning Policy Framework.

11. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the
local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Coal Mining Legacy

12. Prior to the commencement of development a scheme and programme that includes the following components to deal with the risks associated with the potential legacy associated with former coal mining activities shall be submitted to, and approved in writing, by the Local Planning Authority:
   i. a scheme of intrusive site investigation works, including ground gas monitoring;
   ii. the submission of a report setting out the findings of the intrusive site investigation works and ground gas monitoring;
   iii. the submission of a scheme of remedial works, and;
   iv. details of the implementation of those works.
The approved scheme and programme shall be carried out in accordance with the approved details.

Reason: In order to establish the extent to which the site is affected by former coal mining activities and to ensure development takes place on stable ground, in accordance with the National Planning Policy Framework and Policy Env4 (j) of the Hyndburn Core Strategy.

Landscaping

13. Prior to the commencement of development a satisfactory programmed landscaping scheme which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, willfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.
Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with Policy Env 7 of the Hyndburn Core Strategy

Ecology and Green Corridors

14. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

Reason: In order to avoid adverse impacts on nesting birds and to comply with the Wildlife and Countryside Act 1981 (as amended), Policy Env 2 of the Hyndburn Core Strategy and the National Planning Policy Framework.

Protection of Trees during Construction

15. No vehicles, equipment or materials may enter the site, and no construction work may commence on site until protective fencing has been erected around the trees to be retained on site. All existing trees shown on the plans hereby approved as being retained on site shall be protected by fencing in accordance with BS5837:1991 ‘Trees In Relation To Construction’, in accordance with a scheme and specification which shall have been submitted to and approved in writing by the local planning authority. Within the protected area(s) there shall not be carried out or permitted, during the construction period, any building or other operations, parking or passage of vehicles, or storage of building or other materials or any other object.

Reason: To ensure that the trees on the site are protected during construction works in the interests of local amenity, and in order to comply with saved Policy E3 of the Hyndburn Borough Local Plan and Policy Env 7 of the Hyndburn Core Strategy.

Bats

16. Prior to the commencement of development of each phase, details of the measures to protect and encourage bats, including the provision of bat boxes, shall be submitted to, and approved in writing by, the local planning authority.

Reason: To compensate for the impact on bats and to comply with Policy Env2 of the Hyndburn Core Strategy and the National Planning Policy Framework.

Highways

17. Prior to the commencement of development, a scheme and programme for the delivery of the following works shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall provide for the following:
i. Provision of a Cycle Path on east side of C635 Heys Lane / Queen Street roundabout linking Park Road with Station Street (when combined with the item below).

ii. Provision of a cycle by-pass improvement at the junction of Station Road and Hameldon View.

iii. Provision of toucan crossing across the C635 Heys Lane via a section 278 agreement;

iv. Provision of a footpath connection to Shaftsbury Avenue, and;

v. The on-site cycle ways to be provided.

The highway works and cycle ways shall be implemented in accordance with the approved details.

Reason: To ensure that the site is accessible by different modes of transport and in accordance with Policies HC1 and T2 of the Hyndburn Core Strategy, Policy E10 of the Hyndburn Local Plan and the National Planning Policy Framework.

18. Prior to the commencement of development a Framework Travel Plan shall be submitted to the Local Planning Authority and approved in writing. The plan shall include measures for the management of car use and on-site car parking and a strategy to secure and sustain decreases in car use for travel to, from and at work and increases in car sharing, public transport use, cycling and walking. The Plan shall specify a plan period and contain relevant surveys, reviews and monitoring mechanisms and identify targets, timescales, phasing programme and management responsibilities. The provisions of the approved Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

Reason: To encourage and promote sustainable modes of transport and reduce reliance on the use of the car, in accordance with the National Planning Policy Framework and Policy Env4 of the Hyndburn Core Strategy.

19. No part of the development hereby approved shall commence until a scheme and programme for the construction of the site access and the emergency site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. The site access and emergency site access shall be constructed in accordance with the approved details.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

20. No part of the development hereby approved shall be occupied until the approved scheme referred to in the condition above has been constructed and completed in accordance with the approved scheme and programme, without prior agreement from the Local Planning Authority.
Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

Drainage and Flooding

21. Prior to the commencement of development, a scheme and programme of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme and programme shall include the following details:

i. Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;

ii. The drainage scheme should demonstrate that the surface water run-off must not exceed greenfield run-off rates (to be agreed with LLFA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

iv. Flood water exceedance routes, both on and off site;

v. A timetable for implementation, including phasing where applicable;

vi. Site investigation and test results to confirm infiltrations rates;

vii. Details of water quality controls, where applicable.

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

Reason: To prevent flooding, to protect water quality and to provide for surface water to be drained in a sustainable manner, in accordance with the NPPF and Policy Env 7 of the Hyndburn Core Strategy. Although the Lead Local Flood Authority is satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk.

Fence/wall details

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with our without modification) details of the position, type and height of all fencing and walls to be
erected on the site shall be submitted to and approved in writing by the local planning
authority prior to installation.

Reason: In the interests of good design and the visual amenities of the area, and in
order to comply with Policies Env 6 and Env 7 of the Hyndburn Core Strategy and the
National Planning Policy Framework.

Design of development

23. The house types developed at the site shall provide the following mix:
   - Detached housing: Not less than 26%
   - Semi-detached housing: Not less than 49%
   - Terraced: Not less than 5%
   - Bungalows: Not less than 8%

Reason: To provide for a greater choice and quality of housing and to comply with
Policy H1 of the Hyndburn Core Strategy and the National Planning Policy Framework.

Affordable housing

24. Prior to commencement of development a scheme and programme for the provision of
   affordable housing as part of the development shall have been submitted to and
   approved in writing by the local planning authority. The affordable housing shall be
   provided in accordance with the approved scheme and shall meet the definition of
   affordable housing in Annex 2 of the National Planning Policy Framework or any future
guidance that replaces it. The scheme shall include:
   i. the numbers, type, tenure and location on the site of the affordable housing
      provision to be made which shall consist of not less than 20% of the total number
      of houses to be developed. The affordable housing shall be “pepper potted”
      around the site;
   ii. the timing of the construction of the affordable housing and its phasing in relation
       to the occupancy of the market housing;
   iii. the arrangements for the transfer of the affordable housing to an affordable
       housing provider[or the management of the affordable housing] (if no RSL
       involved);
   iv. the arrangements to ensure that such provision is affordable for both first and
       subsequent occupiers of the affordable housing; and
   v. the occupancy criteria to be used for determining the identity of occupiers of the
      affordable housing and the means by which such occupancy criteria shall be
      enforced.

Reason: In order that the proposal accords with Policy H2 of the Hyndburn Core
Strategy and the National Planning Policy Framework.

Design on Harwood Lane – set back from highway
25. No houses shall be developed within 15m of the southern (near-side) kerb of Harwood Lane and this area (except where it is crossed by the access road and footpaths) shall be landscaped and maintained as a landscaped area for the duration of the development. Prior to the commencement of development a scheme and programme for the landscaping of this and the maintenance of the landscaping for the duration of the development shall be submitted to the Local Planning Authority for approval in writing. The approved scheme and programme shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the occupiers of the new development from noise disturbance, and to comply with Saved Policy E10 of the Hyndburn Local Plan, Policies Env6 and Env7 of the Hyndburn Core Strategy and the National Planning Policy Framework. It is recognised that the access road into the site will cross this landscaped strip.

**House Sizes**

26. The sizes of the houses development at the site shall not be less than that set out within the Technical Housing Standard – National Described Space Standard (or a successor to this document) published by the Department for Communities and Local Government.

Reason: To ensure the development comprises high quality well designed family housing and will provide for a greater choice and quality of housing and to comply with the aims, objectives and Policy H1 of the Hyndburn Core Strategy and the National Planning Policy Framework.

**Bungalows**

27. That part of the site adjacent to the properties on Lyndon Court shall only be used for the development of single storey housing (bungalows).

Reason: In line with the proposals set out in the Illustrative Masterplan (Fig 7.0.3 Housing Mix) and to protect the amenity of near-by residents to comply with Policies Env6 and Env7 of the Hyndburn Core Strategy.

**Management of Open Space**

28. Prior to the commencement of development a scheme and programme for the management of open space within the site for the duration of the development shall be submitted to, and approved in writing, by the Local Planning Authority.

Reason: In the interests of good design and to protect local amenity in accordance with Policies Env6 and Env7 of the Hyndburn Core Strategy and the National Planning Policy Framework.

**Public Art**
29. No development shall commence until scheme and timetable for the provision of on site public art has been submitted to and approved in writing by the Local Planning Authority. The public art shall be provided in accordance with the approved details and timetable and thereafter retained.

*Reason: In the interests of providing high a quality environment taking into account the NPPF and Policy Env 6i of the Hyndburn Core Strategy.*

**Bin Storage**

30. No development shall commence until a scheme and programme for the provision of bins for all properties and design details setting out the means by which they will be stored has been submitted to and approved in writing by the Local Planning Authority. The bins shall be provided prior to occupation of the dwellings and the approved bin storage scheme shall be implemented prior to first use/occupation of the development hereby approved and thereafter retained.

*Reason: In the interests of visual amenity and to accord with Policies Env6 and Env 7 of the Hyndburn Core Strategy and*

**Samples of Materials**

31. Prior to the commencement of the development hereby approved, samples of the external roofing and facing materials (including colour or render, paintwork and colourwash) shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details/samples

*Reason: To ensure the use of appropriate materials, in the interests of the visual amenities of the locality and in order to comply with Policies Env 6 and Env 7 of the Hyndburn Core Strategy.*

**Play Area**

32. Prior to the commencement of development a scheme and programme for the development of the Children’s Play Area shall be submitted, and approved in writing, by the Local Planning Authority.

*Reason: To ensure the Children’s Play Area is developed to an acceptable standard and in accordance with Policies HC1 and Env6 of the Hyndburn Core Strategy and the National Planning Policy Framework.*

**Site B** That full planning permission be granted for the development of a building to accommodate changing facilities; playing pitches; associated access roads; car-parking; low-level lighting, fencing; and landscaping on 4.9ha of land north of
Harwood Lane (A6535) and west of Whalley Road (A680), Great Harwood, subject to the following 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, Design and Access Statement, Planning Statement, Statement of Community Involvement and additional information received by Hyndburn Borough Council on 7th July 2015 and the following documents:
       - Land North of Harwood Old Road Drainage Strategy, dated June 2015
       - Flood Risk assessment, Land North of Harwood Old Road (Site B), Great Harwood, dated June 2015.
       - Open Space Report, Land South of Harwood Lane and north of Harwood Old Road, dated June 2015.
       - Transport Assessment and Travel Plan, Proposed development of land south of Harwood Lane and North of Harwood old Road, Great Harwood, dated June 2014.

   (b) Submitted drawing No 1138-AP-01B Location Plan, dated June 2015
       - Submitted drawing No 1138-AF-01B Existing Site Layout Site B, dated June 2015.

*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. The new playing fields and changing pavilion shall be provided in accordance with the details set out in the planning application, and drawing no. 10921.L01 rev A and made available for use before the commencement of development at Site A Lyndon Playing Fields.

*Reason:* To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Policy HC2 of the
Hyndburn Core Strategy, Saved Policy L2 of the Hyndburn Local Plan and paragraph 74 of the National Planning Policy Framework.

4. The changing pavilion hereby permitted shall not be constructed other than in accordance with The Football Foundations Technical Guidance Note 3 – Changing Accommodation.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy HC2 of the Hyndburn Core Strategy, Saved Policy L2 of the Hyndburn Local Plan and paragraph 74 of the National Planning Policy Framework.

5. The playing field and pitches shall be constructed and laid out in accordance with the Drawing No. 10921.L01 rev A and with the standards and methodologies set out in the guidance note “Natural Turf for Sport” (Sport England, 2011).

Reason: To ensure the quality of pitches is satisfactory and to accord with Policy HC2 of the Hyndburn Core Strategy, Saved Policy L2 of the Hyndburn Local Plan and paragraph 74 of the National Planning Policy Framework.

6. Within 9 months of the date of this permission, a schedule of playing field maintenance including a programme for implementation for a minimum period of five years starting from the commencement of use of the development has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. Following the commencement of use of the development the approved schedule shall be complied with in full.

Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Policy HC2 of the Hyndburn Core Strategy, Saved Policy L2 of the Hyndburn Local Plan and paragraph 74 of the National Planning Policy Framework.

7. No development shall commence, 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, measures and plans shall be adhered to throughout the construction period. The Statement shall provide for:
   i. the parking of vehicles of site operatives and visitors;
   ii. loading and unloading of plant and materials used in the construction of the development;
   iii. storage of plant and materials used in the construction of the development;
   iv. wheel washing facilities and their use. The approved facilities shall be installed before any engineering or construction work commences on site and shall be retained and used for the full construction period;
   v. measures to control the emission of dust, dirt and other pollutants during construction, i.e., a Dust Management Plan. Should any equipment used to manage dust on site fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced;
vi. a scheme for recycling/disposing of waste resulting from construction works;

vii. the measures to be taken to control and mitigate noise and vibration. This shall include an assessment of the impact of the proposed development on neighbouring sensitive premises which shall address the potential for any noise nuisance to occur which may impact on local amenity during construction. The assessment shall identify all control measures necessary to control the impact of the nuisance;

viii. Routes to be used by vehicles carrying plant and materials to and from the site;

ix. As assessment of all piling operations with regard to noise and vibration in accordance with BS 5228 Code of Practice for noise and vibration control applicable to piling operations, and;

x. No burning of waste construction material on site

,*Reason: To protect local amenity and to prevent pollution, and in order to comply with Policy Env 7 of the Hyndburn Core Strategy, Policy E10 of the Hyndburn Local Plan and the National Planning Policy Framework*

8. No part of the development hereby approved shall commence until a scheme and programme for the construction of the site access, site roads and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980. The scheme and programme shall include the following:

i. Details of the construction of the site access/egress points which shall make provision for visibility splays measuring 2.4m x 40m and which shall include details of nearby hedges and fences;

ii. Details of the construction of a continuous footway link to be provided linking the north side of Harwood Lane with the proposed sports pitches, as set out at paragraph 3.3.6 of the submitted Transport Assessment and Travel Plan dated June 2014;

iii. Details of a pedestrian (zebra) crossing to be provided across Harwood Lane to facilitate safe access to be sports pitches. The submitted details shall include details of the accommodation works to the existing road markings and parking bays;

iv. Details of the road junction modifications at the junction of Harwood lane and Harwood New Road to reduce entry speeds into Harwood Lane including the accommodation works to existing road markings;

v. Details of a build out at the eastern end of Harwood Lane to discourage drivers from travelling against the one way system as identified at paragraph 3.2.4 of the submitted Transport assessment and Travel Plan dated June 2014. The details shall include the accommodation works needed to the existing road markings and parking bays.

The highway works shall be implemented in accordance with the approved details.

*Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on*
site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

9. No part of the sports facility element of the development shall be commenced until the visibility splays measuring 2.4 metres by 45 metres to the west are provided, measured along the centre line of the proposed vehicular access. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

_Reason:_ To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Quality of Development Policy and Transport Policy in the Local Plan.

10. The car parking spaces, access roads and manoeuvring areas shall be completed and marked out in accordance with the approved plans, before the sports pitches hereby permitted become operative and shall be permanently maintained thereafter.

_Reason:_ To allow for the effective use of the parking areas and the associated sports pitches in accordance with Policy HC2 of the Hyndburn Core Strategy, Saved Policy L2 of the Hyndburn Local Plan and paragraph 74 of the National Planning Policy Framework.

11. Prior to the commencement of development a scheme and programme of lighting for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme and programme shall be implemented in accordance with the approved details.

_Reason:_ In the interests of local amenity and to protect the openness of the Green belt in accordance with National Planning Policy Framework and Policy Env 7 of the Hyndburn Core Strategy and Policy E10 of the Hyndburn Local Plan.

12. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

_Reason:_ In order to avoid adverse impacts on nesting birds and to comply with the Wildlife and Countryside Act 1981 (as amended), Policy Env2 of the Hyndburn Core Strategy and the National Planning Policy Framework.

13. Prior to the commencement of development a scheme and programme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme and programme shall include details of hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection and maintenance for the duration of the development. The approved scheme shall be
implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

*Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with Policy Env 7 of the Hyndburn Core Strategy.*

14. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

*Reason: In order to avoid adverse impacts on nesting birds and to comply with the Wildlife and Countryside Act 1981 (as amended), Policy Env2 of the Hyndburn Core Strategy and the National Planning Policy Framework.*

15. Prior to the commencement of development, a scheme and programme of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme and programme shall include the following details:
   a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
   b) The drainage strategy should demonstrate that the surface water run-off does not exceed the pre-development greenfield runoff rate (evidence to be provided).
   c) Evidence of water run-off destinations (considering the hierarchy contained within – PPG paragraph 80) and why higher priority discharge points for the runoff destination of surface water are not reasonably practicable in line with Planning Practice Guidance.
   d) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
   e) Flood water exceedance routes, both on and off site;
   f) A timetable for implementation, including phasing as applicable;
   g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
   h) Details of water quality controls, where applicable, and;
The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason:** To prevent flooding, to protect water quality and to provide for surface water to be drained in a sustainable manner, in accordance with the NPPF and Policy Env 7 of the Hyndburn Core Strategy.

**Informatives – These apply to Site A and Site B.**

1. Subject to conditional control and the applicant entering into a s.106 agreement, the proposal is considered to represent sustainable development and is providing adequate replacement sports pitches, it is acceptable in terms of amenity and would not cause demonstrable harm to highway safety or any other matter of acknowledged importance. For these reasons it accords with local and national planning policies cited below at informative 6.

2. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.

3. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
   (b) You or your agent or any other person responsible for implementing this permission should inform Development Control immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

4. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

(b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

5. The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by this Department's Building Control Section (Tel: 01254 380194). You must ensure that all necessary permissions are obtained BEFORE starting work, otherwise abortive expense may be incurred.

6. The following policies of the Hyndburn Borough Local Plan, Hyndburn Core Strategy and National Planning Policies are considered to be relevant:

**National Planning Policy Framework**
- Achieving sustainable development
- The presumption in favour of sustainable development
- Core planning principles
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 9 Protecting Green Belt Land
- Section 10 Meeting the Challenge of Climate Change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment

**Decision taking**

**Hyndburn Core Strategy**
- Policy BD1 The Balanced Development Strategy
- Policy H1 Housing Provision
- Policy H2 Affordable Housing
- Policy HC1 Green Space and facilities for Walking and Cycling
- Policy HC2 Leisure, Health and Culture
- Policy HC3 The Design of Residential Roads
- Policy HC4 Community Benefits / Planning Obligations
- Policy Env1 Green Infrastructure
- Policy Env3 Landscape Character
- Policy Env4 Sustainable Development and Climate Change
- Policy Env6 High Quality Design
- Policy Env7 Environmental Amenity
- Policy T1 Improving Connectivity
- Policy T2 Cycle and Footpath Networks
- Policy GH1 Housing in Great Harwood
7. National Grid has identified that it has apparatus in the vicinity of the proposed development. The contractor should contact National Grid before any works are carried out to ensure that our apparatus is not affected by any of the proposed works. Further details are set out in the consultation response.

8. National Grid does have a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity of Site A, Rodger Hey-Burnley (indicated in orange). The intended work is in the vicinity of our pipeline, which is laid in a legally negotiated easement to which certain conditions apply.

The BPD (Building Proximity Distance) for the Rodger Hey-Burnley Pipeline is 15.5 metres. The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission. This is the standard adopted by National Grid and endorsed by the Health and Safety Executive (HSE).

9. In relation to Site B, It is recommended that the drainage assessment and improvement scheme is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England’s technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and the Football Foundation’s design guidance note no 4.

10. The applicant is advised that a public right of way crosses Site A and this must not be diverted, obstructed or closed without the relevant consent. The applicant should contact Lancashire County Council Highways, Willows Lane Depot, Accrington, BB5 0RT to obtain a closure order under the appropriate legislation.

11. For the avoidance of doubt, the response from the Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here:

12. The response from the Lead Local Flood Authority does not grant the applicant permission to connect to the highway drainage network.