

Application Recommended for Approval
Hapton with Park Ward

APP/2012/0434

Full Planning Application

Variation of conditions 1, 4, 5, 6, 11, 14 and 20 of outline planning permission APP/2010/0713 to allow the development to be progressed on a phased basis and, in particular, to enable an early start to be made on phase one, which involves the formation of the vehicular access to the site from Station Road, together with off-site highway works.

LAND AT THE JUNCTION OF STATION ROAD AND GREEN LANE PADIHAM

Background:

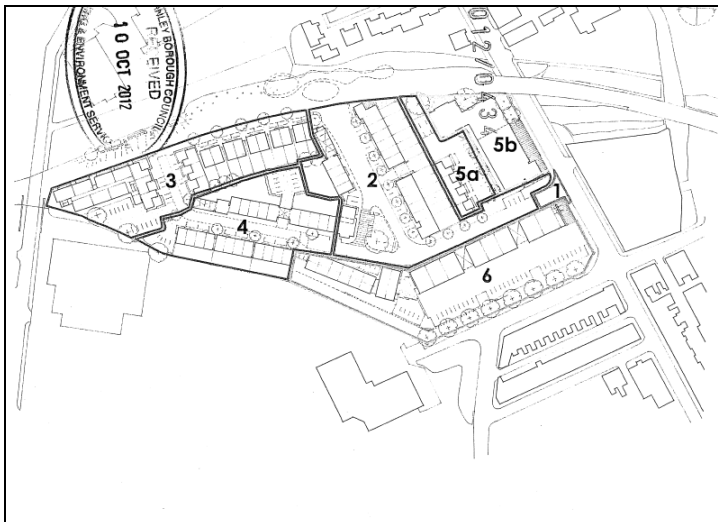
Outline planning permission was granted in March 2011 for a mixed use scheme incorporating employment units, D1, a category 2 sheltered housing scheme and up to 100 residential units, including details of access, with all other matters reserved.

The applicant has secured funding from the Get Britain Building (GBB) scheme and the development must start before the end of the year to qualify for the funding.

There are several pre-commencement conditions on the outline consent, several of which require the development to submit information before development starts. The applicant has insufficient time to prepare the details for the whole development, submit the reserved matters application and then start the development.

The purpose of the application is to allow the wording of the conditions to be varied in such a way that the development can continue in a phased manner without having to provide the full details for each phase. This would allow an early start on site to satisfy GBB. This application does not discharge any of the conditions

Phase 1 would be the access and highway works which were included on the outline consent. The following phases would be the residential elements with the sheltered housing and employment uses in the last phases.



Submitted phasing plan

No objections have been received.

Summary of Reason for Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

EW6 - Economic Improvement Areas

GP1 - Development within the Urban Boundary

GP4 - Mixed Use Development

GP7 - New Development and the Control of Pollution

H1 - Land for new housing development

H2 - The sequential release of further housing land for development

Site History:

APP/2009/0489 – Outline application for the erection of 136 houses and apartments together with elderly persons sheltered housing scheme – permission refused (appeal dismissed)

APP/2010/0713 – Mixed use development incorporating employment units, D1 unit 100 dwellings and a sheltered housing scheme was granted outline planning permission in March 2011 subject to conditions

Consultation Responses:

No objections have been received.

Planning and Environmental Considerations:

The development remains as approved with the only change being to allow the development to be carried out in a phased manner. Reserved Matters would still have to be submitted in the normal way but they would be submitted only in respect of each phase to be developed where necessary.

Condition 1 currently reads:

1. Approval of the details of the layout, scale and appearance of the buildings and the landscaping of the site (the reserved matters) shall be obtained from the local planning authority in writing before any development starts.

It is proposed to read:

1. The development hereby permitted shall be implemented in phases, in accordance with the phasing scheme shown on drawing ref 4012_0010_0001, unless otherwise approved in writing by the local planning authority. Approval of the details of the layout, scale and appearance of the buildings and the landscaping of the site (the reserved matters) for each of the Phases 2-6 shall be obtained from the local planning authority in writing before any development starts on each phase respectively.

Condition 4 currently reads:

4. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved..

It is proposed to read:

4. The development of each phase hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved in respect of that phase.

Condition 5 currently reads:

5. A phasing programme plan for the development, which demonstrates that the delivery of the employment uses on the site are maximised in conjunction with the residential development, shall be submitted to and approved by the local planning authority before any development starts. The site shall be developed in accordance with the approved programme and phasing plan to the satisfaction of the Local Planning Authority.

It is proposed to read:

5. A phasing programme plan for the development, which demonstrates that the delivery of the employment uses on the site are maximised in conjunction with the residential development, shall be submitted to and approved by the local planning authority before any development startson Phase 3 (as indicated on the approved phasing scheme drawing). The site shall be developed in accordance with the approved phasing programme plan to the satisfaction of the Local Planning Authority.

Condition 6 currently reads:

6. No part of the development hereby approved shall commence until a scheme for the construction of the site access points and off site works of highway improvement has been submitted to and approved in writing by the local planning authority

It is proposed to read:

6. No part of the development hereby approved shall commence until a scheme for the construction of the site access point off Station Road and off site works of highway improvement at the junction of Station Road and Green Lane have been submitted to and approved in writing by the local planning authority. In addition no part of each phase of the development hereby approved shall commence until a scheme for the construction of any other site access point thereto has been submitted to and approved in writing by the local planing authority.

Condition 11 currently reads:

11. The development shall not begin until:
 - a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;
 - b. An investigation has been carried out in accordance with the approved strategy;
 - c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

It is proposed to read:

11. No part of Phases 2-6 shall be begun until:
 - a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;
 - b. An investigation has been carried out in accordance with the approved strategy;
 - c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of Phases 2-6 of the development is brought into use.

Condition 14 currently reads:

14. No development approved by this permission shall start until a scheme for the provision of a Sustainable Urban Drainage Scheme for each phase respectively has been submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved details, to the satisfaction of the local planning authority.

It is proposed to read:

14. No development on each of the Phases 2-6 of the development approved by this permission shall start until a scheme for the provision of a Sustainable Urban Drainage Scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved details, to the satisfaction of the local planning authority.

Condition 20 currently reads:

20. No development shall start until a noise assessment of the noise likely to affect the residential development has been submitted to and approved in writing by the local planning authority. The noise assessment shall take into account noise sources which are deemed to be significant on the site. The assessment shall identify all noise attenuation measures which may be determined appropriate to reduce the impact of noise on the residential properties. Once approved in writing all noise control measures shall be implemented as set out in the assessment and thereafter retained.

It is proposed to read:

20. No development shall start on Phases 3 and 4 of the development hereby approved until a noise assessment of the noise likely to affect the residential development has been submitted to and approved in writing by the local planning authority. The noise assessment shall take into account noise sources which are deemed to be significant on the site. The assessment shall identify all noise attenuation measures which may be determined appropriate to reduce the impact of noise on the residential properties. Once approved in writing all noise control measures shall be implemented as set out in the assessment and thereafter retained.

There is no planning reason why the development should not be carried out in phases and the conditions satisfied in respect of each phase as the development progresses. It will allow an early start on site to secure the funding, where otherwise it is unlikely to have come forward in the current economic climate.

Recommendation:

That the variation of conditions as set out above be approved.