

**Application Recommended for Delegation to
Approve subject to s106 Agreement**

OUT/2020/0366

Hapton With Park Ward

Town and Country Planning Act 1990

Outline application up to 50,000m² B1 b&c, B2 and B8 industrial units (with associated offices/ mezzanines) and earthworks/ infrastructure with all matters reserved (13 hectares). Proposal affects Public Footpath No. 12 (Hapton) Accrington Road Burnley BB11 5QJ

Applicant: Eshton Investments Limited

Background:

This is an outline application with all matters reserved for the development of an allocated employment site of 13.5ha on undulating pasture land on the south side of Accrington Road within 0.7km of Junction 9 of the M65. The proposed site bounds the western edge of Network 65 where the existing buildings occupied by Glen Dimplex are located.

Application site bounding Accrington Road



Application site from where PF 12 enters the site



View in an easterly direction towards Network 65



View in a westerly direction towards Hapton



Western approach to site
(in vicinity of 62& 64 Accrington Road)



Undulating topography within the application site
(looking eastwards towards Network 65)



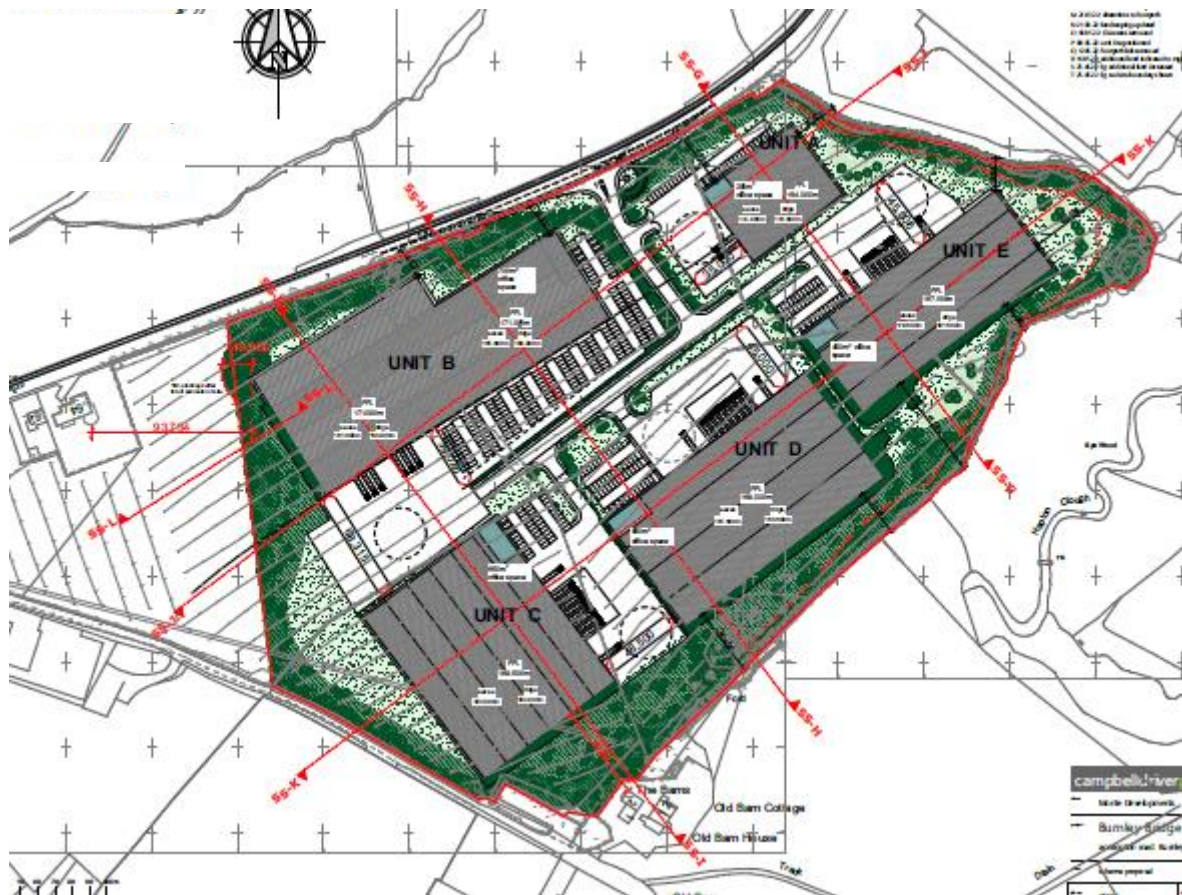
The south east boundary of the site bounds fields and Old Barn Farm (comprises five dwellings) which adjoins the southern corner of the site. To the western boundaries is a farm access shared by Public Footpath No. 11 and Quarryfield Farm which is screened by trees and two houses (nos. 62 and 64) that front Accrington Road which are approximately 60m (from garden boundary) to the application site. Beyond Accrington Road, the north side of the site consists of fields (which form part of designated Green Belt) and a network of public footpaths that extend up to the East Lancashire Rail Line, the Leeds & Liverpool Canal and the M65.

The submitted scheme has all matters (Access, Appearance, Landscaping, Layout and Scale) reserved for subsequent approval. The outline proposal is to establish the principle of the development for the amount and type of development that is being proposed on the application site. The proposed amount of development is up to 50,000sqm of gross floorspace of buildings for the following employment uses:

- Classes B1c - Light industrial use - where processes can be carried out in any residential area – following changes to the Town and Country Planning Use Classes Order 1987 this now falls within the newly created Class E (gii)
- Class B2 – General Industry
- Class B8 – Storage and distribution

A Masterplan and further drawings have been submitted to demonstrate how a development of up to 50,000 sqm could be accommodated on the application site. The application is also supported by a variety of assessments and surveys, including a Landscape and Visual Assessment, a Landscape and Ecology, Landscape Strategy, Noise Assessment, Air Quality Assessment, Breeding Bird Survey, Biodiversity Survey, Net Gain Assessment, Archaeology Assessment, Flood Risk Assessment, Transport Assessment and Travel Plan, Phase I Environmental Assessment (land contamination), Design and Access Statement, Arboricultural Report and Supporting Statement.

Scheme proposal for illustrative purposes



The site is undulating and elevated from Accrington Road and would extensive earthworks involving cut and fill. Higher land along a central ridge would be reduced in height (by up to 7m) and fill would be graded back into the lower parts of the site. The approach is it to remodel the land without the need for any import or export of material.

Burnley's Local Plan (July 2018)

SP1 – Achieving sustainable development

SP3 – Employment land requirement 2012-2032

SP4 – Development strategy

SP5 – Development quality and sustainability

SP6 - Green infrastructure

EMP1/5 – Employment allocations (Land south of Network 65)

HE4 – Scheduled monuments and archaeological assets
NE1 – Biodiversity and ecological networks
NE3 – Landscape character
NE4 – Trees, hedgerows and woodland
NE5 – Environmental protection
CC4 – Development and flood risk
CC5 – Surface water management and sustainable drainage systems
IC1 – Sustainable travel
IC2 – Managing transport and travel impacts
IC3 – Car parking standards
IC4 – Infrastructure and planning contributions

Material Considerations

Developer Contributions Supplementary Planning Document (SPD) (Adopted December 2020)

Air Quality Management: Protecting Health and Addressing Climate Change
Supplementary Planning Document (SPD) (Adopted December 2020)

The National Planning Policy Framework (2021)
National Design Guide (2021)

Site History:

ESR/2020/0136 – Environmental Impact Assessment Screening Opinion for outline application for B1(b and c), B2, B8 development. Decision (June 2020) determined that Environmental Assessment is Not Required.

Consultation Responses:

Responses below are summarised from comments that have been received. A full copy of comments from consultees is available to view on the Council's web site.

Highways England

Following requests for further information and analysis, Highways England (HE) offer no objection to the application. HE has considered the amount of committed development in the local area and trip distribution of traffic resulting from the proposed development and then assessed how this would affect the capacity and operation of the A56/A679 Interchange, and the M65 Junction 9 North and South roundabouts. The capacity assessments for the M65 Junction 9 Southern roundabout show that Accrington Road East would exceed absolute capacity in the opening year. To mitigate this, the applicant proposes to increase the entry width of this arm by 0.6m. With this improvement, HE has carried out further testing (a sensitivity test) that shows that the uplift in traffic from the proposed scheme can be accommodated. HE conclude that the traffic impact of the development on the Strategic Road Network would not likely to be severe and therefore offers no objection.

LCC Highways

Following further requests for information which have been received and assessed, LCC Highways have no objections to the proposed development and is of the opinion that it would not have a severe impact. This conclusion has taken account of the impact of additional traffic on the recently approved Rosegrove junction as well as a new junction to serve the development on Accrington Road, the A679/A56

interchange, the A679 Manchester Road/Hameldon Road crossroads, Junction 9 M65 southern roundabout (Accrington Road/Bentley Wood Way) and Junction 9 M65 northern roundabout (A679/Magnesium Way).

The new industrial site is located off the A679 Accrington Road and sited between the A56 (Trunk Road) to the west and Junction 9 of the M65 to the east. The outline application is submitted with all matters reserved. The application indicates that the site access will be taken from the A679 with the construction of a new access with 3.5m running lanes and a 3.5m central reserve, the principle of which would be acceptable. Pedestrian movements would be accommodated by the installation of pedestrian refuges to the east and west, connecting to a new footway construction on the south side of Accrington Road to the site entrance. To the east of the site, it is indicated that the Public Right of Way (Footpath no. 12) would be diverted. This would be acceptable but care will need to be taken to ensure that there is visibility for crossing pedestrians on Accrington Road. There is no specific cycle access provision indicated and it would be necessary for cyclists to use the A679 Accrington Road. The final access design should make provision to enhance cycle safety in the vicinity of the new access junction. The proposed site has limited connections to local infrastructure and residential settlements such that there would be a reliance on private transport means and public transport. A contribution would be required to improve the service by increasing bus frequencies during peak hours.

LCC Highways has no objection to the outline application subject to the following measures being secured:-

- Roundabout alterations (at Junction 9 of M65/Accrington Road)
- New bus stops in both directions close to the proposed site entrance
- Bus service contribution of £60,000 per annum over 5 years (to be used to expand the frequency of services to make it attractive/viable to support sustainable travel to and from the site).

LCC Public Rights of Way (PROW) Officer

Footpath Hapton 12 (12-7-FP12) is directly affected by the proposal and would require a Diversion Order and Footpath Hapton 11 (12-7-FP11) runs directly adjacent to the site. The tests an criteria for assessing an application for a Diversion Order (under s257 of the Town and Country Planning Act 1990) include consideration as to whether the disadvantages or loss likely to arise as a result of the stopping up of the right of way to the public and persons with property that adjoins or is near to the right of way should be weighed against the advantages of the proposed Order. The Diversion Order must be made and Confirmed before the development is commenced in so far as it affects the public rights of way. The detail of the exact alignment of the new route, the construction and specification and any associated works would need to be agreed before a diversion order application (under s257) is made. The PROW Officer summarises the specifications and likely improvements that will be required for a right of way and conclude that their comments are not an objection to the planning application but they reserve the right to submit representations or an objection to any future application for a Diversion Order.

Ramblers Group – Burnley and Pendle

A proposed diversion shown on the submitted plans would be acceptable. The plans show this meandering through a wooded area to the south and east of the development which should, eventually, enhance the route from its junction with Accrington Road to the north east edge of Old Barn. The developer will need to apply

for a temporary closure to FP12 and for the proposed diversion. As this site is an allocated employment site, provided the access road to Old Barn from Accrington Road which is also Public Footpath No.11 (12-7-FP11) is kept open and safe for walkers during construction and beyond, and the above proposed diversion of FP12 is brought in as soon as possible, then there are no objections to the planning application.

To complete the line of FP12, the stile at the NE corner of the site will need replacing (preferably with a gate) and the access to the south side will require a stile replacement with a gate and a replacement footbridge over the stream and into the wood leading to Old Barn.

Local Lead Flood Authority (LCC)

No objection subject to conditions to require the following:-

- The development to be in accordance with the principles set out within the Flood Risk Assessment and Drainage Strategy;
- A final surface water sustainable drainage strategy;
- A Construction phase surface water management plan; and,
- An Operation and Maintenance Plan & Verification Report of the constructed Sustainable Drainage system.

United Utilities

The proposals are acceptable in principle. Conditions are requested to require a further detailed scheme, to require foul and surface water to be drained on separate systems and to require a management and maintenance plan for sustainable drainage system.

Historic Environment Team – Archaeology (LCC)

There are no heritage assets recorded on the Lancashire Historic Environment within the red-line boundary of the proposed development, but it is thought to lie within the limits of the former Hapton Deer Park, depicted on Speed's 1610 map of Lancashire. The Archaeological Desk-based Assessment (WYAS Archaeological Services, May 2020) that accompanies the application has identified areas of potential archaeological interest on LiDAR images of the site, primarily along a ridge running east-west in the centre of the site. A first stage of mitigation, in the form of a geophysical survey of the site, has been recommended (see p. 23). It is highly likely that this would be considered to require, as a minimum, a second stage of intrusive field evaluation in the form of trial trenching. Depending on the results of these works further detailed archaeological excavation may then also be considered appropriate. Reference is also made to a number of probably post-medieval dry-stone wall field boundaries which will be removed as part of the development. They may contain features of interest such as gate posts, stiles and sheep throughs, and if so they would merit a record of them being made prior to their removal.

On the basis of the information submitted, I am not of the opinion that any surviving archaeological remains that might be encountered on the site are likely to be of such significance that they would be a constraint to development of the site, but rather that they should be preserved by record, i.e. through a programme of archaeological excavation, recording and its appropriate reporting and archiving. A condition to require a programme of post-permission archaeological assessment of the site is recommended.

Greater Manchester Ecology Unity (GMEU)

Initial comments affirmed the need for a breeding bird survey to be undertaken as well as a Defra Biodiversity Metric to calculate Biodiversity Net Gain (BNG). Following the submission of the requested surveys and information, GMEU affirm that the breeding bird survey is accepted and this aspect of the planning policy of Burnley Local Plan (EMP1/5 Local Plan 2018) has been fulfilled and the BNG calculation achieves a net gain (subject to a detailed plan and locally native planting and seeding specification). GMEU note that the BNG may need to be re-calculated based on revisions to plans [this can be secured through a condition to ensure that the outcome remains a positive net gain]. In respect of other ecological matters, GMEU state that hedgerows, trees and scrub provide suitable nesting sites for birds in which case any vegetation clearance should avoid the bird breeding season. A re-assessment for bats in respect of ash trees (BTN3/FTN3) and the mature alder trees at BTN2 will be required prior to the commencement of site clearance associated with implementation of a full scheme or any clearance required for ground investigations/enabling works. The site is drained to the north via a culvert under Accrington Road into a small valley which runs through open countryside and towards the Biological Heritage Site – Bentley Wood Green. It is recommended that the landform and mature ash (BTN3) are protected and retained if at all possible [the mature ash trees on the boundary are indicated to be retained]. If this is the surface water outfall point within the Reserved Matters application then any modification/lining of the culvert will need to be considered for bat roosting if currently stone-lined. Given the site topography and the need for earth moving to create development platforms a Construction Environmental Management Plan (CEMP) to demonstrate how water quality will be preserved during construction is necessary. All retained features of biodiversity value; trees, scrub, existing grassland and drystone walls should be adequately protected with high visibility fencing during construction and retained features should be identified within the RM submission. A suitable lighting scheme including light spillage calculations should be supplied at RM to identify both highways and any proposed security lighting where it may affect the proposed wildlife corridor and public footpath habitat creation.

Burnley Wildlife Conservation Forum (BWCF)

Initially objected to the scheme on the basis that it would increase urban sprawl and remove pastures that are used for foraging by upland breeding bird species. Since the objection was made the applicant has carried out breeding bird surveys and Biodiversity Net Gain (BNG) Assessment. The BWCF is no longer taking part in consultations on planning applications in which case the new information has not been reviewed by them. As such, no weight can be given to their original comments which are not based on the full surveys and information that is now available.

Environmental Health

Following the submission of an updated noise assessment, noise from fork lift trucks and HGV delivery noise have been considered. The applicant has not addressed the cumulative impact on the basis of this being an outline application without detailed information. It is noted that building industrial units adjacent to the existing residential neighbours will result in noticeable noise which would probably be in the form of acoustic events, occasional bangs, crashes, sounds of reversing beepers, etc. and may have a low level noise associated with plant. The submitted noise assessment has addressed some of these issues whilst other aspects cannot be assessed until detailed design and intended use is known. Conditions are recommended to require details of the design, layout and orientation of buildings to inform an assessment of the noise emanating from the use of the development and any mitigation measures that are required to protect the amenity of occupiers of nearby noise sensitive

properties. A further condition is recommended to ensure that noise from the development expressed as a rating level in accordance with BS4142 does not cumulatively exceed the existing background levels (as stated in the noise assessment) by more than 5dB.

In respect of air pollution, an addendum to the submitted Air Quality Assessment has been received. Further assessment and details will be required to ensure that there are no adverse impacts. Conditions are recommended to require assessments for each phase of the development which will take account of the specific detailed plans and the cumulative impact of the development. Further conditions are recommended to control noise and dust during the construction period and to require the provision of Electric Vehicle Charging points.

A condition to require a lighting scheme for the full site is also recommended in order to protect nearby neighbours from adverse lighting and to minimise light pollution.

Contaminated Land Officer

The submitted Phase I Land Contamination Assessment identifies that there are potential significant pollution linkages which require further investigation. A condition to require a land investigation and risk assessment as well as a remediation scheme and monitoring where necessary, is recommended.

Hapton Parish Council

The public footpath must be left intact and the height of the units need to be considered. Access is not good and traffic speed needs to be reduced.

Publicity

30 letters of objection were originally received. A further 9 letters of objection were received following a re-consultation on changes to the submitted Masterplan. A summary of the objections is provided below:

- Amount of traffic and heavy goods vehicles on an already dangerous road, will be unsafe
- Only one slip road at Jn 9 , will lead to more traffic on country roads and A679
- The footway along the A679 is narrow, worse in summer months when hedgerows grow and crumbling into the adjacent field in places and , not suitable for more pedestrians and additional HGV's would be a danger to its users
- Many vehicles break the speed limit
- Difficulties in accessing property and turning onto the A679 from Manchester Road due to traffic and traffic speeds and poor visibility due to overgrown hedges
- Bad accidents near Network 65 several times a year
- Local road networks cannot cope with traffic from existing industrial use
- The TA over relies on the improvements at the Rosegrove junction and suggests a second TA should be carried out once these works area completed
- Infrastructure is unsafe for another junction on A679
- Pedestrians find it difficult to cross this road, including school children crossing for school bus
- More traffic will be unsafe for families with children
- Affect on PF 12 – a lovely walk through open countryside, affect on mental health, well-being

- Loss of open countryside, attractive undulating landscape, breathtaking views from area
- Will be a blot on the landscape, an eyesore, spoil the entry into Hapton, a small rural area spoilt by constant creeping of industrial units
- Hapton is losing its village identity
- Huge negative visual impact
- Hapton and surrounding areas have enough large storage facilities which can be viewed from far away
- Units of an unspecified height would be visible locally but also from outside the area
- Object to building on greenfield site when there are available brownfield sites nearby
- Buildings will be visually overbearing and destroy the visual amenity of the surrounding area
- Question what are the engineering works to form the landscaped bund and its impact
- There are plenty of empty units, for example at Network 65, Rossendale Avenue, Farrington Road, Billington Road etc. These should be upgraded first using the existing infrastructure.
- Will cause environmental damage, pollution, noise, dust, smells and fumes
- Would have loading bays near to residential property
- Increase in light pollution
- Potential increase in crime in the area
- May include unsociable hours of working
- Loss of privacy and peaceful enjoyment of home
- Loss of agricultural land
- Land is waterlogged , will lead to run-off and flooding on local roads and into fields opposite
- Removal of land that provides natural flood defence will divert more rainfall to rivers and lead to serious flooding in Padiham and other towns/villages downstream
- Loss of wildlife and natural habitat
- Has been a pair of breeding curlews in the fields every year and home to numerous birds of prey and herds of deer
- Ancient burial grounds have been discovered during local archaeological digs
- Will cause overlooking of property, have negative impact on enjoyment of house and garden
- Loss of privacy for adjacent residents, adverse impact on views
- Removal of landscape bund will exacerbate concerns over its visual impact and exposure
- Thick landscape screening and complementary building colours should be used
- Effect of loss of sunlight on opposite fields
- The proposal would not be a benefit to the local area and have unfilled vacancies in Burnley

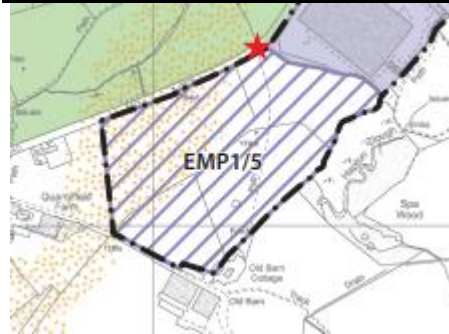
Planning and Environmental Considerations:

Principle of Proposal

The site falls within the Development Boundary as identified on the Policies Map of Burnley's Local Plan where Policy SP4 identifies Burnley as a focus for development.

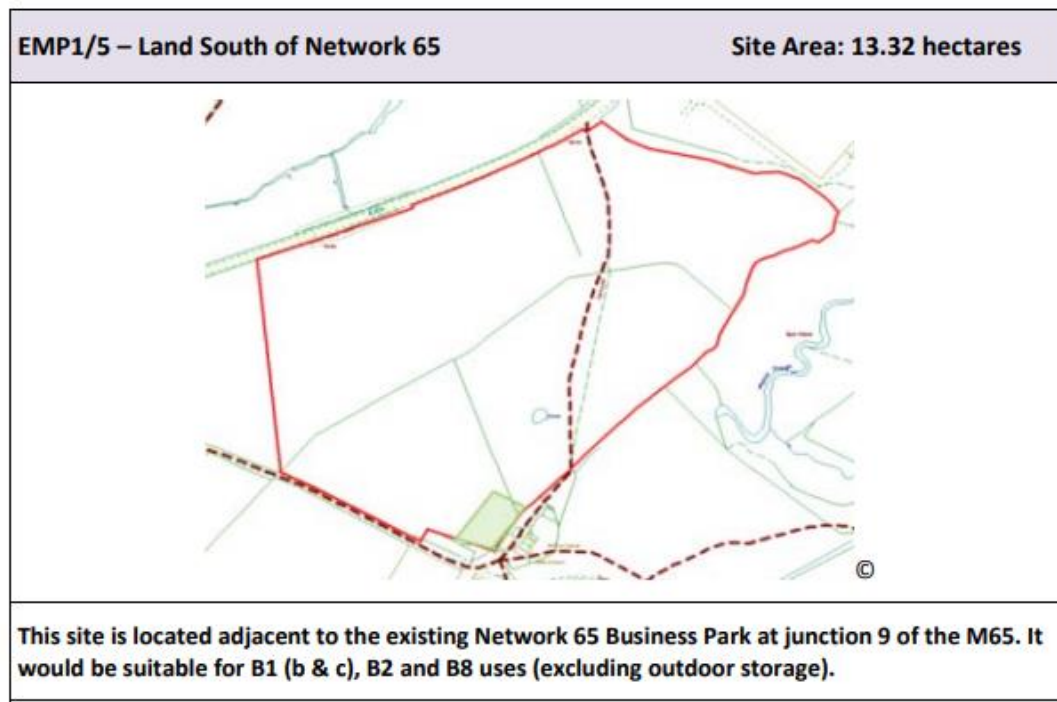
Policy SP3 sets out the employment land requirement over the 20 year period of the Plan 2012-2032 where it states that Burnley will deliver at least 66ha of employment land within this period. It calculates a residual requirement of 27.87ha to be met by site allocations and states that the employment land requirement will be provided for in line with the overall Development Strategy in Policy SP4. Policy EMP1 sets out the sites that have been chosen to deliver the employment land, the largest of which is the application site which is a greenfield site to the south side of Network 65.

Extract from Policies Map (West)



Policy EMP1/5 allocates the site (13.32ha) for employment development (uses B1 b&c, B2 and B8). It is a key employment land allocation, amounting to approximately 40% of all the employment land allocations.

Policy EMP1/5 – Extract from Burnley`s Local Plan



The red dotted line that crosses the red edge site allocation is an existing Public Footpath (no.12).

Policy EMP1/5 contains Additional and Site Specific Policy Requirements and Design Principles to take into account. These include the site`s prominence and gateway location (marked by a red asterisk on the Policies Map) that requires consideration to its landscape setting; that no built form should be allowed within the green hatched area (shown on the plan above) in order to protect nearby residential properties; the need for screen planting at the south western, south eastern and northern boundaries to reduce impact on the adjacent residential properties and surrounding landscape;

need for sustainable drainage and reference to a small area of Flood Zones 2 and 3 (along Hapton Cough to the south edge of the site); the need for walking and cycling facilities to connect with Network 65; the potential need for contributions towards highway improvements; the presence of Protected Species and Priority Habitat that forms part of the Lancashire Ecological Network for grassland; and, the presence of the Medieval Hapton Deer Park close to the site and potential for archaeological interest in the site.

The current outline proposal is for Class B1 b & c (amended to Class E gii & giii), Class B2 and B8 use on the land. The proposed uses are, in principle, in accordance with the employment allocation of the site. The amount of development and form of development should however be assessed against the site specific considerations summarised above and other material considerations are discussed below.

Amount of development

The Masterplan submitted with the application has been amended since first submitted but remains for illustrative purposes only all matters, including the layout of buildings, are reserved for subsequent approval. The purpose of the illustrative Masterplan is to demonstrate that the amount of development would be acceptable. A Parameters Plan has also been submitted to establish the maximum footprint of buildings and the maximum eaves and ridge heights.



The maximum footprint would be 47,500sq and the maximum eaves and ridge height would be 10m and 12.5m respectively for units fronting Accrington Road and 12m and 14.5m respectively for units on the southern side of the site. The additional floorspace (up to a total of 50,000 sqm) would be made up of partial mezzanines floors for associated office space. Plans and cross sections have also been submitted to demonstrate how level plateaus would be created for the proposed units. These will be considered further in respect of the visual impact of the development and its impact on neighbouring properties.

Visual impact of development

Policy EMP1/5 acknowledges that this is a prominent site, it also marks a gateway location between the urban and rural area. Policy NE3 expects development to respect and where possible, enhance and restore landscape character. Policy SP5 states that where a development is at a Key Gateway (as identified on the Policies Map), it should address this through either a landmark building, landmark tree planting, public art or a carefully designed gentle transition from countryside to town. A Landscape and Visual Assessment has been submitted with the application.

Current approach to the site from Jn 9 M65 View from Hapton approach



The views of the open countryside currently open up on the approach from Jn 9 of the M65 close to the Glen Dimplex building that is partially visible through the site's frontage planting.

The site sits within the Calder Valley landscape and is elevated from Accrington Road and has an undulating topography that creates higher ridges of land, particularly more centrally to the eastern side of the site. This portrays a prominent tract of land in its immediate surroundings. The site which presently forms part of the countryside is also prominent from higher land on the network of public footpaths on Hameldon Hill. The proposed cut and fill operations to provide a series of level plateaus would significantly change the character of the site, from an open pastoral scene to an engineered site and urban appearance. In principle, this level of change has already been accepted by allocating the land for employment purposes. Notably, the Inspector's Report following the Examination of the Local Plan states (at Para 76); "The green field sites atand on land south of Network 65 (EMP1/5) would represent significant extensions of the existing built-up area into the countryside and would clearly have some impact on the character and appearance of the area". Within this context, therefore, that the proposal will alter the appearance of the site, the development should be tailored to respect its gateway location that would make it a new edge between the rural and urban area and mitigate its visual impact.

An illustrative landscape plan has been submitted to demonstrate how planting would be used to screen the development and reduce its visual impact.

PROPOSED DEVELOPMENT

50734 1st Avenue

UNIT A

UNIT B

UNIT C

UNIT D

UNIT E

The Barns

Old Barn Cottage

Old Barn House

Legend

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Applicant's visual impression from Hapton direction



To provide level areas of land for buildings, the submitted plans indicate that a planted embankment would front Accrington Road which would partially screen the development from Accrington Road. Subject to detailed plans and specifications, it would be possible to respect the transitional nature of the site from the rural to urban area with appropriate depth and type of native tree planting. This would need to be demonstrated as part of a Reserved Matters application. The plans and details that have been submitted show that it would be possible to achieve this subject to the parameters that have been set on the maximum footprint and height of buildings.

The illustrative landscape plan also provides hedgerows and planting within the site and a wide tract of planting along the route of the proposed diverted public right of way. This would be assessed in details in a Reserved Matters application.

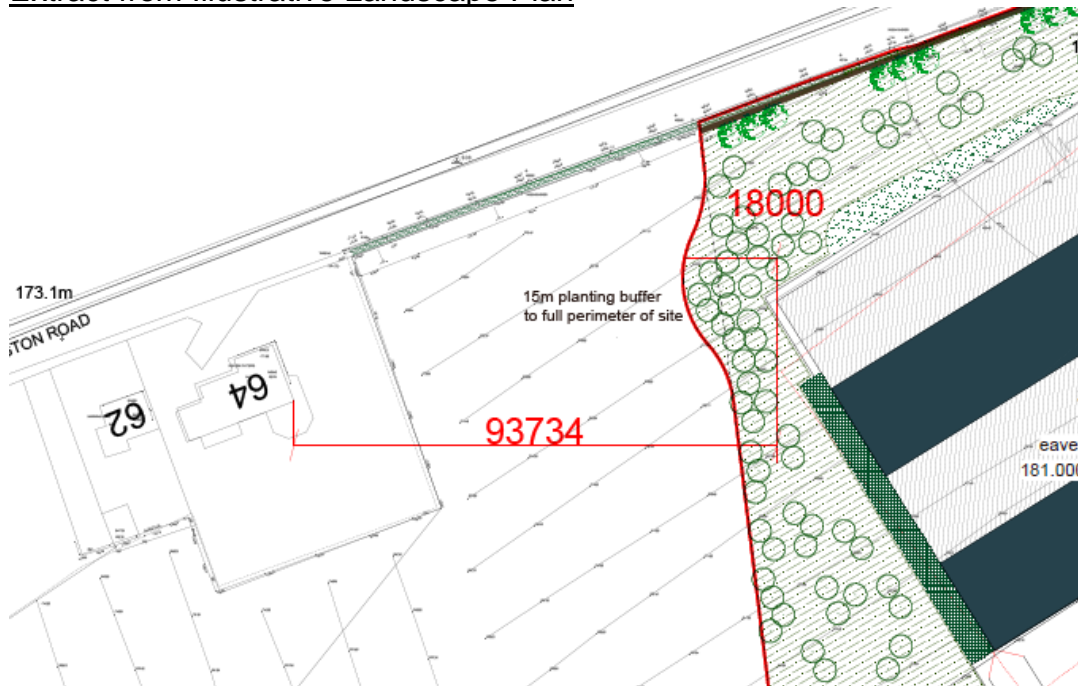
The applicant has been able to demonstrate that whilst this is a prominent area of land, the parameters that are proposed for the amount of development and its size/height would suitably control the visual impact of the development and provide sufficient scope for effectively screening the development. Subject to conditions to control the form of development and landscaping in future Reserved Matters applications, the proposed outline scheme is capable of providing an acceptable visual impact on the landscape and local area.

Impact on Residential Amenities

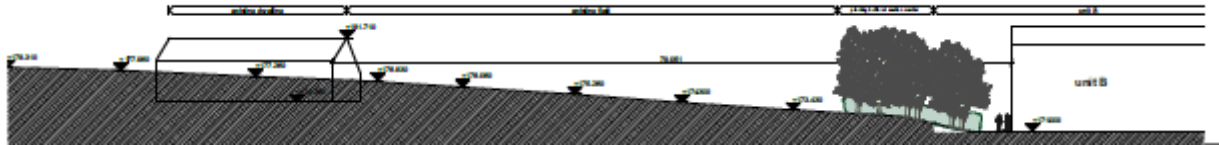
Policy SP5 states that development should ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users.

There are a number of isolated neighbours in the vicinity of the site. The closest ones are at 64 and 62 Accrington Road to the west of the site and at Old Barn Farm where there are five properties to the south side of the site. In respect of the former, the applicant has further amended the illustrative proposal (and the red edge Location Plan) to illustrate the visual mitigation that would be afforded by a minimum 15m native woodland buffer.

Extract from Illustrative Landscape Plan



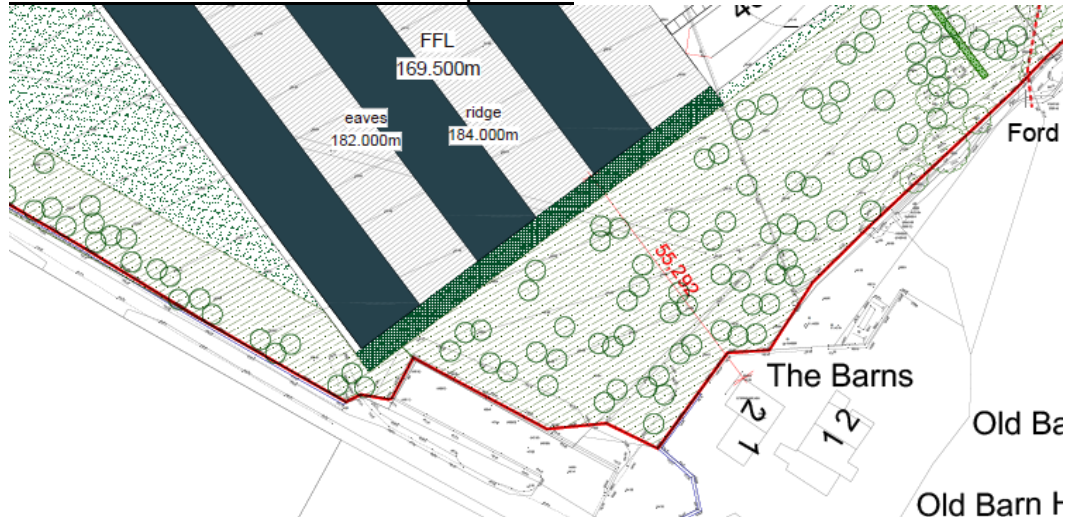
The extended area of native woodland planting would be necessary to provide effective screening for the existing nearest neighbouring property on Accrington Road. The indicative section below:



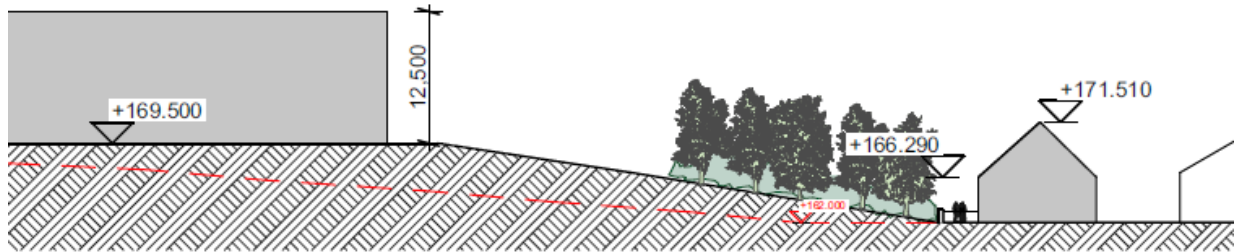
The houses on Accrington Road are on slightly higher land which together with the distance between buildings (approximately 90m) and an adequate depth of woodland planting (shown to be around 15m depth), the proposal would be capable of satisfactorily mitigating its visual impact.

The five neighbouring properties at Old Barn Farm site lower than the levels of the application site where the site levels are likely to be raised by the grading back of higher land.

Extract from Illustrative Landscape Plan



The extract above indicates how the rectangular area referred to in the policy allocation would be undeveloped and surrounded by further landscaping. The distance between buildings is indicated as approximately 55m. The indicative section below displays the relationship between the development and the residential properties:



It is acknowledged that the views of the fields that are currently experienced would be removed by the proposal. With adequate spacing and sufficient appropriate tree planting, it would however be possible to satisfactorily mitigate the impact.

The proposed employment uses would generate noise, both environmental through traffic and deliveries and internal, through industrial processes or use of equipment. A noise assessment has been submitted with the application and whilst this shows that it is possible to limit noise to acceptable levels, it is not known at this stage what the orientation of buildings or service yards would be or the type of use and its potential to generate noise. Further noise assessments will therefore be necessary for each individual use and building. Some parameters for controlling noise are also recommended as conditions. With these provisions, it would be possible to effectively safeguard the living conditions of the occupiers of neighbouring properties and the proposal would not therefore conflict with Policy SP5.

Impact on Traffic and Highway Safety

Policy IC1 states that development schemes should, as appropriate to their nature and scale, be located in areas well served by walking, cycling and public transport, should maximise opportunities for the use of sustainable models of travel, and provide for safe pedestrian, cycle and vehicular access to, from and within the development, including adequate visibility splays.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

A Transport Statement (TS) has been submitted with this application to assess the impact of traffic from the development on nearby junctions, including Junction 9 of the M65 and the Rosegrove signalised junction. Further Technical Notes were produced to respond to further requests for information from Highways England and LCC Highways. Access is a Reserved Matter, in which case no details for the proposed junction and development are being considered. The illustrative Masterplan indicates a new access from Accrington Road would serve the proposed development. A Public Footpath (No.12) that crosses the site is indicated to be diverted around the eastern and southern edges of the site up to a stile and bridge where the footpath enters an area of woodland to the south side of the site.

In respect of the principle of access to the site, Highways England consider that the type and amount of traffic that would be generated by the outline proposal can be accommodated on the Strategic Road Network subject to a minor widening of an arm of the southern roundabout at Junction 9. LCC Highways has considered the impact of the development on the nearby junctions and local highway network and conclude that it would be acceptable subject to the improvements to the southern roundabout and to improvements to sustainable travel by enhancing the current bus service that passes the site. A request is made for a contribution of £300,000 (£60,000 over five years) which would be used to improve the frequency of the current no. 9 service to make it an effective offer for employees to use to travel to and from work. The applicant has agreed to the request which will require a s106 Agreement. New bus stops on each side of Accrington Road would serve the site, details of which would be agreed with the local highway authority as part of a s278 Agreement.

Policy EMP1/5 seeks to encourage improvements to cycle and pedestrian facilities to connect the site with the adjoining Network 65. A direct link between the two sites would be difficult to achieve due to the positioning of the existing Glen Dimplex building. There is however an informal path through an adjacent field that could connect the application site to Public Footpath no.11 that enters the Network 65 site. It has not been possible as yet to identify the owner of the field in order to explore the possibility of forming a footpath connection. The applicant has agreed however, in principle, to using part of the agreed sustainable transport monies for creating this route if it can be agreed with the landowner in the future. The applicant also agrees to improving Public Footpath no. 12 that would be diverted within the application site to a Public Bridleway if this was requested in the future.

Proposed route of diversion of FP12 (east side of site)



In respect of the proposed diversion, the indicative plans show that the alternative route would be well landscaped. The Ramblers Group and LCC do not consider, at this stage, that there would be an objection to the proposed diversion. A diversion would however require a formal Order which would be a separate application.

The applicant has also been requested to improve the existing Public Footpath where it exits the site into an area of woodland. This would involve replacing the stile and constructing a new bridge. The applicant has agreed to these works which can be secured by condition.

With the foregoing provisions, the travel impacts of this outline proposed development would be acceptable and would comply with Policies IC1 and IC2.

Impact on ecology

Policy NE1 states that all development proposals should, as appropriate to their nature and scale, seek opportunities to maintain and actively enhance biodiversity in order to provide net gains where possible as well as protecting Protected Species, Priority Habitat and local and regional sites and maintaining Ecological Networks. In addition, Policy SP6 seeks to protect and enhance the borough's green infrastructure.

The western portion of the application site is part of an Ecological Network for grassland, in which case it is important to maintain the connectivity between habitat areas. Biological Heritage Sites (BHS) at Thorny Bank Clough is located 360m to the south of the site and Bentley Wood Green BHS is a similar but slightly further distance to the north of the site. The site lies within the Impact Risk Zone for the South Pennines Moors SSSI and Special Area of Conservation which is located approximately 8.5km to the east although the proposed development does not fall within any of the risk zone categories and as such has no identified impact. The main area of assessment is the presence of breeding birds and an assessment of Biodiversity Net Gain.

Policy EMP1/5 refers to the need for breeding bird surveys. These have been correctly carried out since the application was originally made and found no evidence of this activity at the application site. GMEU accept the findings and have made recommendations for conditions to protect birds during the nesting season and to protect wildlife during construction. GMEU is satisfied that the applicant has been able to demonstrate a net gain in biodiversity. This would be possible through an extensive areas (approx. 5ha) of native tree and shrub planting and rich species grassland. This will enable the connectivity to be maintained within the Ecological Network. This will, however, require further detailed assessment for which a condition is recommended.

Conditions are recommended to require a locally native planting and seeding specification; to require the use of drystone walls within the hard landscaping aspects of the scheme; to require a Landscape and Ecological Management Plan (LEMP) to demonstrate the management of the biodiversity net gain features for a period of 25 years including identifying the resourcing and responsibility elements of the management proposals; to prevent vegetation clearance in the bird nesting season; a re-assessment of bat activity at any trees that may be affected by the development; to control any changes to the lining of the culvert to the north of the site in case of bats using the culvert; a CEMP to protect features of biodiversity value such as trees, scrub, existing grassland and drystone walls and to control water quality and silt through the construction period; and, a lighting scheme to ensure sensitive lighting near to habitat areas. With these provisions, the proposal would adequately protect wildlife and the biodiversity of the site and the wider area, including the Ecological Network that crosses part of the site. The proposal therefore complies with Policy NE1.

Economic benefits

It is anticipated that the development will directly generate between 650 and 1,400 jobs. When broader supply chain and Indirect job creation is taken into account, this rises

to between 935 and 2,000 jobs. The applicant estimates that this will generate between £44m and £95m of Gross Value Added (GVA) for the local economy in every year of operation. The applicant is in active discussions with two occupiers who are very keen to take space on this site. These are both manufacturing occupiers, who between them would generate 600 of those jobs. This reflects the importance of this site to Burnley's economy and growth and is a material planning consideration.

Other issues

A condition is required to require a programme of archaeological investigation and recording.

A land contamination investigation is required to consider any pathways for pollutants that may affect the site.

An Air Quality Assessment has been carried out and whilst it indicates that the proposed development would not significantly affect air quality, there is a need for further assessments to be carried out for each building/phase of the development.

The site falls within Flood Zone 1 which is least vulnerable to flooding. Hapton Clough to the south side of the site is within Flood Zones 2 and 3. The Local Lead Flood Authority and United Utilities are satisfied that the site can be adequately drained in a sustainable manner, the details of which will be required by condition.

The development would be constructed to comply with the Very Good rating of BREEAM which would provide a highly energy efficient development and comply with Policy SP5.

Conclusions

The outline proposal is made for employment uses with all matters reserved. The principle of the development would accord with the Council's strategy and allocation of employment land. Objections to the proposal have been considered but the issues that have been identified, in respect of transport, highway safety, ecology, drainage and residential amenities can be satisfactorily managed, controlled and mitigated by conditions. Further details of the development will be subject to subsequent approval through the approval of Reserved Matters. The proposed development would also be accompanied by economic benefits to the economy and local population. The proposal therefore complies with the Council's Development Plan and there are no material considerations that would indicate otherwise.

Recommendation: Delegate to the Head of Housing and Development Control to approve subject to the applicant entering into a section 106 Agreement to secure contributions to public transport improvements and provide for public footpath links/improvements

Conditions

1. Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins within any phase in accordance with an approved Phasing Plan and Strategy, and the development shall be carried out as approved.

Reason: The permission is an outline planning permission.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority no later than five years from the date of this permission.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.

4. No development of any kind, including vegetation clearance, shall be commenced until a Phasing Plan and Strategy to identify the sequence and the spatial phasing of development to include earthworks, ground works, access, infrastructure, landscaping and built development, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved Phasing Plan & Strategy unless any variation to it is otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To assist the phasing of the construction of a major development on a large site and to ensure its effective delivery, in accordance with Policies EMP1/5, SP5 and NE5 of Burnley's Local Plan (July 2018).

5. The development hereby permitted shall be carried out in accordance with the following approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

6. An application for the approval of Reserved Matters shall, in accordance with the approved Phasing Plan and Strategy, be accompanied with details of existing and proposed land levels and cut/fill operations which shall not lead to an import or export of soil/material from the site. The development shall thereafter only be carried out in accordance with the approved details.

Reason: To ensure that these details are satisfactory in respect of the visual impact on the landscape and to ensure that all existing soil and material is dealt with effectively on site to avoid unnecessary transportation, in accordance with Policies NE3 and NE5 of Burnley's Local Plan (July 2018).

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any statutory instrument revoking and re-enacting those Orders, the development hereby permitted shall be for employment uses falling within Class E gii and giii

(former Class B1 b&c), Class B2 and Class B8 only and shall not be used for any other purposes.

Reason: To ensure the satisfactory implementation of the proposal and safeguard employment development and provision, in accordance with Policy EMP1/5 of Burnley's Local Plan (July 2018).

8. Any landscaping scheme submitted for the approval of Reserved Matters shall provide a landscape buffer around the site's perimeter that, notwithstanding detailed specifications and species, is broadly in accordance with that indicated on submitted illustrative Planting Plan, drawing number 4884-01RevF.

Reason: To ensure adequate and appropriate landscaping to mitigate the visual impacts of the development on a prominent site, in accordance with Policies EMP1/5 and NE3 of Burnley's Local Plan (July 2018).

9. All planting, seeding or turfing comprised in the approved details of landscaping to be approved as a Reserved Matter shall be carried out in the first planting and seeding seasons following the first occupation of the approved development within phase of the development or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

Reason: In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings and contributes to biodiversity enhancement, in accordance with Policies EMP1/5, NE1 and NE3 of Burnley's Local Plan (July 2018).

10. Any application for the approval of Reserved Matters shall not exceed the maximum parameters for the building footprint (up to 47,500sqm) and eaves and ridge heights as specified on the submitted Development Parameters Plan, drawing number 014-B, received on 4 May 2022.

Reason: To ensure the satisfactory implementation of the proposal, having regard to the visual prominence and transitional nature of the site between the rural and urban area, in accordance with Policies EMP1/5, SP5 and NE3 of Burnley's Local Plan (July 2018).

11. No development shall take place until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall conform to current guidance and best practice as set out in BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations; or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority:
 - a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and

b) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

No unit shall be first occupied until a Verification report (produced by the suitably qualified person) to evidence that all remediation works, as applicable, have been carried out in accordance with the approved remedial strategy, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to deal appropriately and safely with the risks posed to the public and future occupiers of the development as a result of previous uses of the site and land in the surrounding area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

12. Prior to the commencement of any development including any vegetation clearance, a revised assessment of Biodiversity Net Gain (BNG) as a result of the development of this site and mitigation, together with details of how it would be achieved through a scheme of biodiversity enhancement measures, shall be submitted to and approved in writing by the Local Planning Authority. Subsequent applications for the approval of Reserved Matters shall be accompanied with details that support and accord with the approved BNG assessment. The approved scheme shall be carried out and completed in accordance with the approved Phasing Plan & Strategy prior to any unit in each phase being first occupied.

Reason: To protect the integrity of biodiversity at the application site and locality in line with the expectations of the National Planning Policy Framework and in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

13. Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall provide details for the following:-
- a) description and evaluation of the features to be managed;
 - b) ecological features and constraints that may influence management;
 - c) aims and objectives of management;
 - d) appropriate management options and prescriptions for management actions;
 - e) a work schedule (including an annual work plan capable of being rolled forward over a five year period);
 - f) details of the body or organisation responsible for implementation of the plan;
- and,
- g) on-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan for a period of not less than 25 years will be secured by the developer with the management company or body responsible for its delivery. The Plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented. The approved LEMP shall thereafter be carried out and adhered to at all times.

Reason: To ensure that the planting and biodiversity assets and mitigation measures that are present and deployed on the site are effectively managed to ensure their long term protection and benefits to biodiversity, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

14. Prior to the commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which shall provide details for the following measures:
- i) to identify and provide protection measures for any features of biodiversity value that may be affected by the development;
 - ii) measures to control the movement of silt and water quality (including details of cut-off drains and strategic use of silt curtains);
 - iii) details of the construction lighting to be designed to avoid light spillage onto trees and areas of habitat.
- The agreed measures shall be implemented prior to any site clearance or development being commenced and retained in their entirety for the duration of the development until its completion.

Reason: To protect wildlife and the biodiversity of the site and its surroundings, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

15. No change to the lining of the culvert from the site northwards shall be made unless details of a bat inspection and the proposed changes have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect bats which are protected species and may potentially occupy the culvert, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

16. No development shall be commenced until a scheme for the means of protecting the trees and hedges to be retained on or adjacent to the site, in accordance with BS 5837 (2012), including the protection of root structures from injury or damage prior to and during the development works, has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also provide for no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees or hedges. The approved scheme of protection measures shall be implemented in its entirety before any works are carried out, including any site clearance work, and thereafter retained during building operations until the completion of the development.

Reason: To ensure adequate protection for the long term health of trees/hedges which should be retained in the interests of the visual amenities and biodiversity of the site and its surroundings, in accordance with Policy NE4 of Burnley's Local Plan (July 2018).

17. No vegetation clearance, removal of trees or site works shall take place during the bird nesting season between the 1st March and 31st August inclusive in any year unless a qualified ecologist has inspected the area no more than 24 hours prior to the works/removal and provides written confirmation to the Local Planning Authority that no nests or breeding birds will be affected by the development.

Reason: To ensure that nesting birds which are protected by the Wildlife and Countryside Act 1981 are not harmed by the development, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

18. No development shall be commenced until an updated inspection for bats by a suitably qualified bat specialist or ecologist of the trees to be removed or affected by the development has been carried out and submitted to and approved in writing by the Local Planning Authority within a period not exceeding six months prior to the tree works taking place. In the event that the survey finds evidence of bats at the site, no development shall take place until appropriate advice has been taken and any necessary licence has been obtained or mitigation measures agreed.

Reason: To ensure the appropriate surveys are up to date and reliable, in order to protect bats which are protected species, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

19. An application for the approval of Reserved Matters shall provide a detailed external lighting plan to identify both highways and security lighting that may affect habitat areas, trees and landscaping. This shall include specifications of luminaires and light contour plans and be designed in accordance with the guidance notes of the Institute of Lighting (01/2021 obtrusive lighting and 08/2018 wildlife sensitive lighting). The development shall thereafter be carried out in accordance with the approved details of external lighting only and shall be retained at all times. No additional external lighting or variance to the approved scheme shall be carried out at any time without the prior written permission of the Local Planning Authority.

Reason: To protect wildlife, including protected species, which is sensitive to lighting, in accordance with Policy NE1 of Burnley's Local Plan (July 2018).

20. Each Reserved Matters application shall be accompanied by a Noise Assessment that shall be carried out in accordance with BS4142 to assess the noise emanating from the use of the development relating to that Reserved Matters application together with cumulative noise from the whole of the development relating to this outline application. The submitted Noise Assessment shall detail any mitigation measures that are required to protect the amenity of occupiers of nearby noise sensitive properties. The approved mitigation measures shall be implemented in full prior to the completion or first use (whichever is the sooner) of the development relating to the Reserved Matters application and shall be retained at all times. The development shall thereafter only be carried out and operated in accordance with the details and recommendations of the approved Noise Assessment.

Reason: To ensure an informed and detailed assessment of the impacts of the development on noise to nearby receptors in order to control and mitigate the effects of the development to safeguard the amenities of nearby residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

21. Noise from the development expressed at a rating level (in accordance with BS4142:2014+A1(2019)) shall not cumulatively exceed the existing background level by more than 5 dB based on the Existing Background levels identified in the Dragonfly Consulting acoustic report ref: DC2153-R1v4, dated 13 May 2021.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

22. No development, including an site clearance or ground works, shall be commenced until details of wheel cleaning facilities to be provided during site excavation, preparation and construction have been submitted to and approved in writing by the Local Planning Authority. The approved wheel cleaning facilities shall thereafter be installed and operational before any development commences and shall be retained in working order throughout all phases of the development. All vehicles leaving the site shall use the wheel cleaning facilities.

Reason: In order to minimise the amount of mud, soil and other materials being deposited on the highway, in the interests of highway safety and visual amenity, in accordance with Policy 1C1 of Burnley's Local Plan (July 2018)

23. Prior to the commencement of any development including vegetation clearance and ground works, a scheme specifying the measures to be made to control noise and dust emanating from the site during construction works shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme should include details of the construction methods to be employed and the equipment to be used. The approved measures to control and noise and dust shall be carried out in their entirety at all times until the completion of the development.

Reason: To ensure that the proposed construction work does not cause nuisance and disturbance to neighbouring occupiers, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

24. Each Reserved Matters application shall be accompanied by an assessment of the impacts of the proposed development on air quality. The assessment shall be based on the details in the Reserved Matters applications and the scope of the assessment shall incorporate (but is not limited to):
- A review of the cumulative impacts of the development on the air baseline air quality identified in submitted Air Quality Assessment reports ref: J0457/1/F1 and J0457/2/F1
 - A detailed assessment of traffic emissions impacts arising from the detailed plans
 - A detailed assessment of the potential industrial impacts from any ClassB2 use that may emit key air quality pollutants to atmosphere
 - Identification of mitigation measures.

For the avoidance of doubt, where a Reserved Matters application is made in several tranches, each reserved matters application shall consider the cumulative impact of all air quality emissions identified in previous reserved matters applications. Any mitigation measures within the approved assessment shall be carried out, implemented in full and retained at all times.

Reason: In the interest of residential amenity and to satisfactorily mitigated any impacts of the development on air quality, in air pollution, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

25. For all remaining areas of the site where habitat sensitive lighting is not required in accordance with Condition 18 above, a programme for the lighting of the proposed

development shall be submitted to and approved in writing by the Local Planning Authority prior to development above ground works being commenced within any approved phase of the development. The scheme and programme shall include details of:

- a) Location, type and intensity of lights.
- b) Types of masking or baffle at head.
- c) Type, height and colour of lighting columns.
- d) Number and size of lighting units per column.
- e) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on nearby properties.

No other lighting other than specified in the approved lighting scheme shall be constructed or installed at any time.

Reason: To safeguard the amenities of the occupiers of surrounding residential properties and to minimise light pollution on a site with rural surroundings, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

26. Each Reserved Matters application for any phase of the development shall be accompanied by details of Electric Vehicle Charging (EVC) Points to be provided within that phase. The submitted details shall include the specification, number and location of the EVC points. The approved EVC points shall thereafter be fully installed and available for use prior to any unit within that phase being first brought into use and shall be retained at all times thereafter.

Reason: To encourage the use of electric vehicles in order to reduce emissions and tackle climate change, in accordance with Policy IC3 of Burnley's Local Plan (July 2018), the Council's Air Quality Management SPD (December 2020) and the National Planning Policy Framework.

27. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological works. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site, in accordance with Policy HE4 of Burnley's Local Plan (July 2018).

28. An application for the approval of Reserved Matters for any phase of the development shall be accompanied with details of how the BREEAM rating of 'Very Good' will be achieved within that phase. The development of that each phase shall only be carried out in accordance with the approved detailed specifications and measures to achieve the 'Very Good' BREEAM rating and no building shall be first brought into use within any phase until a verification report has been submitted to and approved by the Local Planning Authority to evidence that the required standard has been met.

Reason: To ensure that the scheme achieves a high standard of sustainability, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

29. Prior to the commencement of development, a scheme for the detailed design of the proposed site access and off-site works of highway improvement that shall include

improvements to the southern roundabout at Junction 9 of the M65 and bus stops either side of Accrington Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and completed in its entirety in accordance with the approved Phasing Plan & Strategy before any unit in each phase is first occupied.

Reason: To cater for the additional traffic that would be generated by the development and to ensure that satisfactory access is provided to the site and is made safe for all highway users and satisfactory provision is made to encourage use of public transport, having regard to sustainable travel and highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

30. No development shall take place within any approved phase, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number
- Details of the parking of vehicles of site operatives and visitors
- Details of loading and unloading of plant and materials
- Arrangements for turning of vehicles within the site
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures
- Measures to protect vulnerable road users (pedestrians and cyclists)
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction
- Measures to control the emission of dust and dirt during construction
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works
- Construction vehicle routing
- Delivery and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure that the safety and amenities of occupiers of neighbouring properties and users of the local highway are satisfactorily protected, in accordance with Policies NE5 and IC1 of Burnley's Local Plan (July 2018).

31. Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Where permission is sought for works to be carried out outside the hours stated, requests in writing must be made with at least seven days' notice to the Local Planning Authority.

Reason: To safeguard the residential amenities of the local area, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).

32. Prior to the commencement of built development, details of the design and implementation of a surface water sustainable drainage scheme, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and completed in accordance with the approved scheme prior any unit within each phase of the development being first occupied. The approved drainage scheme shall be retained at all times thereafter.

Reason: To ensure the adequate drainage of the site and to reduce the risk of flooding, in accordance with Policies CC4 and CC5 of the Burnley's Local Plan (July 2018).

33. The approved development shall not be first occupied in any approved Phase until a Verification Report and Operation and Maintenance Plan for the approved surface water drainage system for the lifetime of the development within that approved Phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed, retained, maintained and managed at all times in accordance with the approved plan.

Reason: To ensure adequate and appropriate funding, responsibility and maintenance mechanisms are in place for the lifetime of the development, in order to ensure the appropriate drainage of the site and to reduce the risk of flooding, in accordance with Policies CC4 and CC5 of the Burnley's Local Plan (July 2018).

34. Prior to the commencement of any development, details of how surface water and pollution prevention will be managed during the construction process shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented at all times during the construction of the development until its completion.

Reason: To manage any risks from pollution and flooding arising from construction activities on site, in accordance with Policies NE5 and CC4 of Burnley's Local Plan (July 2018).

35. Foul and surface water shall be drained on separate systems and a scheme for the disposal of foul water shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of built development above ground level. The approved scheme shall be implemented in full and completed prior to any dwelling being first occupied. The foul water drainage scheme shall thereafter be retained at all times in the future.

Reason: To ensure the site can be adequately drained and to prevent pollution of groundwaters, in accordance with Policy NE5 of the Burnley's Local Plan (July 2018).

36. Prior to the commencement of built development above ground level, details of the boundary treatment to be used on the perimeter of the site shall be submitted to and approved in writing by the Local Planning Authority. The

details shall provide for the retention of the drystone wall to the site's frontage and the retention of hedge boundaries. The boundary treatment shall thereafter be implemented and completed prior to the completion of the development. No other or additional boundary treatment shall be installed or constructed without the prior written approval of the Local Planning Authority.

Reason: To ensure an acceptable appearance to the edge of the development, in the interests of visual amenities, in accordance with Policy SP5 of the Burnley's Local Plan (July 2018).

37. Prior to any unit being first occupied, improvements shall be carried out to replace the stile and bridge on Public Footpath No. 12 at its southern exit from the application site which shall be in accordance with a detailed scheme that shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the footpath is suitably improved to cater for its increased use as a result of the development, in accordance with Policy IC1 of the Burnley's Local Plan (July 2018).

JF
27th May 2022