

Proposed development: Full Planning Application for Change of use of 2 x barns at Hob Lane Farm to a single attached dwelling with integral garage, including building works

**Site address:
Hob Lane Farm Barns
Blackburn Road
Turton
Bolton
BL7 0PU**

Applicant: Djemel & Jennifer Salah-Bey-Carr & Cain

**Ward: West Pennine
Councillors:
Cllr Colin Rigby
Cllr Jean Rigby
Cllr Julie Slater**

SUPPLEMENTAL REPORT



1.0 BACKGROUND

- 1.1 Members will recall that at the January Committee meeting, Members supported the resolution to approve this application. Planning permission was granted in relation to the proposed development subject to the conditions listed in paragraph 4.1 of the main report (attached).
- 1.2 With regards to Condition No.11, it has been recognised by the Council's ecological advisor, they provided the incorrect wording in relation to further bat surveys and when the conversion works commence. Paragraphs 3.5.54 of the main report make reference to "*If conversion works have not commenced by February 2021 Members are recommended to condition the submission of an updated survey.....*", and Condition No.11 in paragraph 4.1 supported this by referring to March 2021. The Council's advisor has stated this should have been **February 2022**, as the submitted report (Bat activity Survey section 2.9) indicates that the survey results will be valid for 2 years in this case.
- 1.3 The February 2022 timescale is applied so that if work has not started by the beginning of the Y2 survey season, the updated work can be commissioned in a timely manner.
- 1.4 Condition No.11 has been revised accordingly.

2.0 RECOMMENDATION

- 4.1 **To note the change in the date with regards to Condition No.11 of planning application 10/20/0996.**

11. Best practice guidance indicates that the results of bat surveys are only valid for a limited period (1 - 2 years) as the suitability of structures for bats can alter over time. If demolition has not occurred by February 2022, then an updated bat survey is to be submitted prior to the commencement of any work on site, including 2 activity surveys during the maternity season. The update survey should include the details of any additional mitigation over and above what has already been provided. The additional details should subsequently be implemented.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

3.0 CONSULTATIONS

- 3.1 GMEU, Ecological Consultants: 28th January 2021:

Gavin,

That is perfectly ok contacting me, that is the service GMEU provides to our client districts.

It is my mistake and the wording should have been February **2022**, as the report (Bat activity Survey section 2.9) indicates that the survey results will be valid for 2 years in this case. The February timescale is applied so that if work has not started by the beginning of the Y2 survey season, the updated work can be commissioned in a timely manner.

Apologies for the oversight – think we have all lost a year in the recent past. Please communicate this to the applicant and attach a resurvey condition to any permission as identified above.

Teresa

Teresa Hughes
Senior Ecologist
Planning
Planning and Transport

**4.0 CONTACT OFFICER: Gavin Prescott, Planning Manager
(Development Management)**

5.0 DATE PREPARED: 28th January 2021

**PARAGRAPH 4.1 OF COMMITTEE REPORT RELATING TO PLANNING
APPLICATION 10/20/0996 PRESENTED TO THE 21st JANUARY 2021 PLANNING
& HIGHWAYS COMMITTEE MEETING.**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the commencement of development hereby approved, samples of all external walling, roofing materials, and their colour to be used in the construction of the building works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document

3. Prior to commencement of the demolition and construction hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement 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
- III) storage of plant and materials used in constructing the development
- IV) the erection and maintenance of security hoarding along the site boundary
- V) wheel washing facilities
- VI) measures to control the emission of dust and dirt during demolition and construction
- VII) a scheme for recycling/disposing of waste resulting from demolition and construction works
- VIII) measures for the control of noise and/or vibration caused by construction methods

REASON: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the neighbouring properties, in order to protect the visual amenities of the locality, in order to ensure highway safety, and to comply with Policies 8, 10, and 11 of the Blackburn with Darwen Borough Local Plan Part 2.

4. The developer shall install at least one of the electric vehicle charging points demonstrated on the site plan with a Type 2 connector and minimum rating of 3.7kW 16A.

REASON: In accordance with Paragraph 110 of the National Planning Policy Framework 2019 and Policy 9 of the Local Plan Part 2, the NPPF stating that developments should be designed to enable charging plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The condition also implements the Council's Air Quality Advisory Note and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality.

5. Any gas fired boiler installed at the development to heat the dwelling shall not emit more than 40mg NO_x/kWh.

REASON: In accordance with Policy 9 of the Local Plan Part 2 and the Council's Air Quality Advisory Note and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality.

6. The findings of the approved site investigation work, including an appropriate assessment of risks to both human health and the wider environment, arising from contaminants in, on or under the land (including ground gas) will be submitted. Where unacceptable risks are identified an updated CSM, remedial options appraisal and detailed remediation scheme shall be presented for approval. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON FOR THE PROPOSED CONDITION: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

7. Prior to the commencement of the permitted use, the developer must submit two copies of a comprehensive validation report to the LPA for written approval. The report shall demonstrate effective remediation in accordance with the agreed remediation scheme. All the installed remediation must be retained for the duration of the approved use and the LPA periodically informed in writing of any ongoing monitoring and decisions based thereon as appropriate.

REASON: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

8. Prior to the commencement of the permitted use, the developer must submit two copies of a comprehensive validation report to the LPA for written approval. The report shall demonstrate effective remediation in accordance with the agreed remediation scheme. All the installed remediation must be retained for the duration of the approved use and the LPA periodically informed in writing of any ongoing monitoring and decisions based thereon as appropriate.

REASON: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

9. Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the LPA should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the LPA. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON: To protect the health of future occupiers of the site in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

10. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer is to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The scheme is to be implemented in accordance with the surface water drainage hierarchy outlined above.

REASON: In order to facilitate sustainable development in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

11. Best practice guidance indicates that the results of bat surveys are only valid for a limited period (1 - 2 years) as the suitability of structures for bats can alter over time. If demolition has not occurred by March 2021 then an updated bat survey is to be submitted prior to the commencement of any work on site, including 2 activity surveys during the maternity season. The update survey should include the details of any additional mitigation over and above what has already been provided. The additional details should subsequently be implemented.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

12. All birds are protected whilst nesting (Wildlife & Countryside Act 1981) and commencement of work should avoid the breeding season (April - August inclusive) as recommended in the submitted Bat, Barn Owl and Nesting Bird Survey Report.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

13. Given the high suitability of the site for roost presence, a demolition/working construction methodology is proposed in the 'Bat Presence Survey' Report (Braithwaite High Access Services Ltd). Sections 6.4 (Mitigation) and 6.7 (Enhancement) are to be implemented in full.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

14. Sections 4.1.4 and 4.1.5 of The Protected Species Survey April 2020 (Dunelm Ecology) provide the outline of options for mitigation and how the conversion works could be undertaken. Sections 4.1.4 and 4.1.5 are to be implemented in full.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

15. Prior to the commencement of the development hereby approved, details are to be submitted to and approved in writing by the LPA regarding how a new breeding location could be incorporated into the built conversion, potentially within the 'void' shown on the second storey plan. Failing this a justification is to be provided as to how this is not suitable and alternative provisions identified and specified in a location elsewhere. Details of the 2nd owl box to be located on the tree as shown on Plate 6 of The Protected Species Survey April 2020 (Dunelm Ecology) are also to be provided.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

16. If external lighting is proposed an outdoor floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

REASON: To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

17. No works to the application buildings, including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording to level 2-3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the buildings and their features into context. This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and 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 buildings/site in accordance with the NPPF 2019 and Policy 39 of the Local Plan Part 2.

18. There shall be no site operations on any Sunday or Bank Holiday nor on any other day except between the following times:

Monday to Friday 08:00 – 18:00 hours

Saturday 09:00 - 13:00 hours

Any variation of the above hours restriction must be approved in writing by the Planning Authority.

REASON: To ensure appropriate hours of site work to minimise noise during the construction phase in accordance with Policy 9 of the Local Plan Part 2.

19. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no development of the type specified in Classes A, B, C, D, E and F of Part 1 of that Schedule and Classes A and B of Part 2 of that Schedule shall be carried out unless planning permission has been granted first.

REASON: Due to the restricted nature of the site, whilst the dwelling as approved is acceptable, any further extensions or alterations normally permitted under the above provisions may in this case conflict with the interests of adjacent properties or the amenity of the area generally in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

20. Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10/11/40 of the Blackburn with Darwen Borough Local Plan Part 2.

21. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings numbered 2235.01.402 rev P9, 401, 303 rev P6, 302 rev P6, 301, 203 rev P5, 204 rev P2, 202 P1, and 201, received 21st October 2020, as amended by drawings numbered 203 rev P6 (as corrected on 21st December 2020), 302 rev P7, 303 rev P7 and 402 rev P9 (as corrected 21st December 2020) received 7th December 2020.