

Development Control Committee
Meeting to be held on 12th August 2020

Electoral Division affected: Great Harwood, Rishton and Clayton Le Moors
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Hyndburn Borough: application number LCC/2020/0026
Provision of a new single storey building to provide an overnight short – break unit for adult with disabilities, vehicle parking, external lighting columns and landscaping following demolition of existing school.
North Cliffe School site, Blackburn Old Road, Great Harwood

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Executive Summary

Application - Provision of a new single storey building to provide an overnight short – break unit for adult with disabilities, vehicle parking, external lighting columns and landscaping following demolition of existing school.

North Cliffe School site, Blackburn Old Road, Great Harwood

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials, landscaping, ecology and highway matters

Applicant's Proposal

The application is for a new single storey building to provide a respite care unit for adults. The building would provide 8 bedroom places for adults staying at the unit (all with attached assisted bathroom / wet room facilities), 1 bedroom for supervisory staff together with ancillary dining and kitchen areas, office and reception facilities, communal lounge area, medicine room and laundry room. One of the adult bedrooms would be included within a self-contained flat with its own kitchen and dining facilities

The total floor area of the new building would be 665m². The new building would be L shaped with maximum dimensions of approximately 36 metres by 32 metres with a pitched roof with a maximum height of 6 metres to the ridge line. The external elevations of the building would be constructed from red facing brick with buff cast stone quoins to the corners. The windows and doors would have powder coated aluminium frames coloured matt white. The roof would be covered with dark grey concrete roof tiles with matt white soffits and black rainwater goods.

An area measuring 9 metres by 29 metres immediately to the south of the building would be laid out as a garden area with paving, various planters and a covered seating area. Beyond the formal garden to the south, an area of the former school playing field measuring 36 x 23 metres would be excavated to form a shallow basin for surface water mitigation purposes.

To the north side of the building would be a car park with 18 spaces, a drop off area and a turning head for emergency and service vehicles. The car park would be created from the existing school car park but with the addition of 3 no. 4 metre high lighting columns to illuminate the car park area.

External lighting would be provided to the front of the building and also around the car park area.

Description and Location of Site

The application is located on the site of the former Northcliffe Special School which closed in 2011. The site is accessed via a short access road off Blackburn Old Road, a C class road in the Cliffe area of Great Harwood, approximately 1km north of the town centre.

Until recently, the site was occupied by a number of single storey, flat roofed buildings forming the former school complex. However, the buildings were demolished in early summer 2020. The existing tarmac playground and car parking area to the north of the school buildings and further play areas to the south have been retained. The land in this area falls from Blackburn Old Road towards the south and the school buildings occupied a flat site excavated into the hillside. This resulted in the school buildings being below the natural land levels in the north of the site with the playing field to the south being raised above the surrounding land level.

The nearest houses to the site are located on Ridgeway to the west, Blackburn Old Road to the north and North Cliffe to the east. There are a number of trees on the boundaries of the school site particularly adjoining the properties on Blackburn Old Road and Northcliffe.

The land to the south of the school is located within the Green Belt. Parts of the existing playgrounds and ancillary school buildings marginally impinge on the Green Belt.

Background

The site is a former special school.

Planning permission was granted in March 2020 for the construction of a children's respite care centre on an adjacent part of the former Northcliffe school site. (ref LCC/2019/0070)

Planning Policy

National Planning Policy Framework : Paragraphs 11, 47 – 48, 54 -55, 108 – 109, 118,127 – 130, 143 – 146 and 174 - 175 are relevant with regard to the presumption in favour of sustainable development, determining applications, planning conditions, transport considerations, using brownfield land, achieving well designed places, Green Belt and habitats and biodiversity

Hyndburn Borough Local Plan – Development Management Policies

Policy GC1 Presumption in favour of sustainable development
Policy GC 2 Infrastructure, planning Obligations and CIL
Policy DM8 Delivering Schools and Early Learning
Policy DM14 Housing with care for older people and people with disabilities
Policy DM17 Trees Woodlands and Hedgerows
Policy DM18 Protection and Enhancement of the natural environment
Policy DM19 Protected Species
Policy DM20 Flood Risk Management and water resources
Policy DM26 Design quality and materials
Policy DM29 Environmental Amenity
Policy DM32 Sustainable transport, traffic and highway safety
Policy DM34 Development in the Green Belt and countryside area

Consultations

Hyndburn Borough Council: - No objection. However, the Borough Council's Ecologist is concerned that the applicant has submitted a bat roost potential survey but not a presence / absence survey. Hyndburn's Ecologist considers that the presence / absence survey is required before the application can be determined.

LCC Highways Development Control: Highways note that planning permission already exists for a children's respite care unit on this site and that the current application is for an additional building on the same site to operate alongside the children's unit. Highways state that the car parking on site must be managed to ensure that there is no overspill car parking onto Blackburn Road and that further information in relation to the maximum numbers of staff and visitor expected on site at any one time should be submitted to allay any concerns. Highways consider that if each facility is to be run independently then it may be beneficial to have a person responsible for dealing with any issues arising from the shared parking facilities or that the parking facilities allocated to each facility should be identified on the ground. Highways request that conditions be imposed to reflect those attached to permission in relation to parking restrictions on Blackburn Old Road and the provision of on – site car and cycle parking.

Natural England: No comment to make.

Lead Local Flood Authority: No observations received.

United Utilities: No objection. 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. A condition should be attached to any approval requiring details of the drainage scheme to be submitted which should be in accordance with the

Standards for Sustainable Drainage Systems. In the event that surface water drainage is to the public sewer, the flow rates should be restricted to 14.5l / second.

LCC Ecology Advisor: Comments were previously made in relation to application LCC/2019/0070. A comment is made in relation to tree T30 as identified in the applicant's tree survey. Unless this tree can be retained, further surveys will be required to establish the presence / absence of bat roosts prior to the determination of the application. If the County Council is minded to approve the application conditions should be attached to :

- Prevent any demolition works to the existing school building proceeding until a protected species licence has been obtained from Natural England
- Ensure the protection of vegetation to be retained.
- Require the submission of a habitat creation / landscaping plan

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter.

One representation has been received objecting to the application on the basis that the new development is completely out of keeping with existing surrounding land uses, that noise and light pollution will cause disturbance and that the proposed detention centre will be a threat to the surrounding houses. It is further maintained that vehicle movements into and out of the site will cause further disruption.

A further representation has been received which does not object to the application but which asks a number of questions regarding the use, design and scale of the building and proximity to the nearest houses.

Advice

The planning application is for a short break unit for adults who have a range of physical and mental disabilities and would provide respite care for families and unpaid carers. The county council is the provider of respite care services and currently provides short break services for adults aged 18 or over from eight facilities around the county. Of these, five operate from purpose built premises and the remaining three are refurbished domestic properties.

The Hyndburn and Ribble Valley overnight short break service is currently provided from two of the refurbished domestic properties: 98/110 Gloucester Avenue in Accrington and 12 Croasdale Drive in Clitheroe. These properties are currently used by seventy four families and individuals who use the service. However, both of these properties are two storey buildings which create issues given the disabilities of many of the users of the service. The converted properties also do not offer the full range of facilities offered by the other five purpose built respite units and therefore have greater difficulty in achieving 'outstanding' ratings when inspected by the Care Quality Commission.

The building would provide accommodation for up to 8 adults at any one time and would be staffed 24 hours a day. The staff are employed by the County Council to meet the needs of the adults who will use the service to meet personal and physical

care needs and to provide activities that can be enjoyed by residents including the use of a sensory room, lounge area and outdoor garden space.

Paragraph 47 of the National Planning Policy Framework requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan policies for this site are contained in the Hyndburn Development Management Plan Document. The main planning issues to consider are the design of the new building including its relationship to the adjacent houses and protection of their amenity, highway safety, drainage, impact on the Green Belt and issues relating to ecology / landscaping.

It should also be noted that planning permission was previously granted on this site for a children's short break unit. It is intended that the proposed adult unit would be operated alongside the children's unit and that residents would progress from the children's unit to the adult unit once they pass the age of 18. Siting the two buildings on a single site also allows a number of facilities including car parking, waste and surface water drainage provision to be shared.

Design and Local Amenity

Paragraph 118 of the National Planning Policy Framework states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. The application site is a former school site and the proposals would assist in returning the site to a beneficial use which currently does little to enhance the local environment in this area.

Policy DM26 of the Hyndburn Development Management Plan Document relates to design quality and materials and requires that new development will be expected to consider a number of factors in overall scheme design including reinforcing locally distinctive patterns of development, the relationship between new development and its surroundings, height and massing and impact on views and materials and lighting.

The site was formerly used as a special school and was comprised of a single storey, flat roofed structure together with assorted outbuildings. All of the existing structures have recently been demolished to allow the construction of the proposed children's centre building. The new adult respite care building would be located towards the western side of the former school site adjacent to the children's unit and on the same floor level as the former school.

The nearest houses to the application site are located on Ridgeway to the west of the proposed building and on Blackburn Old Road to the north. There are also houses on Northcliffe to the east but the permitted children's centre building would lie between the proposed building and Northcliffe. The land in this area falls from north to south and the existing school site has been constructed using a cut and fill technique to create a flat site. This has resulted in the floor level of the former school buildings being approximately 4.5 metres lower than the houses on Blackburn Old Road and approximately 5 metres lower than Ridgeway.

The nearest property to the proposed building is at no. 5 Ridgeway. The separation distances between the new building and this property would be approximately 11

metres to the garden boundary and 17 metres to the property itself which would be slightly closer than the existing school building. The houses on Blackburn Old Road would be around 60 metres distant compared to 53 metres to the existing school. The proposed building would be constructed on the same floor level as the existing school. Whilst it would be a single storey structure, it would have a pitched roof to a ridge height of 6 metres, approximately 2 metres higher than the roof line of the existing school. Although there may be some loss of outlook compared to the existing situation, particularly to the houses on Blackburn Old Road and Ridgeway, it is considered that the separation distances are sufficient and given the changes in elevation between the nearest houses and the proposed building, there would be no unacceptable overlooking or shadowing impacts.

The building would be constructed from red brick with artificial stone quoins with a concrete tiled roof similar to the materials proposed for the children's unit building. The building is located at the end of an access road leading from Blackburn Old Road and is therefore screened from the existing properties which front the surrounding roads and the site is not prominent in the street scene. The existing properties do not have any particular local vernacular or predominant architectural style and it is considered that the proposed design and materials are acceptable in this location and would match those materials already approved for the adjacent children's unit building.

A local resident has raised concerns that the use of the site as a 'detention centre' will create risks for local residents. It should be noted that the building is not designed for the rehabilitation of criminals or treatment of addiction problems. Due to their disabilities and health issues, the adults staying at the site would need supervision and care at all times and access to and from the building would be controlled by staff. For these reasons the concerns of the local resident in this respect are unfounded and the development would not give rise to any amenity impacts by way of noise especially compared to the previous use of the site as a school.

A plan was submitted with the application for the children's unit building which showed the parking spaces and location of lighting columns around the external areas. The current application is accompanied by a plan showing the same car parking layout of 18 car parking spaces which is considered to be sufficient to meet the requirements of both buildings. As set out in the previous application, new lighting is proposed around the car park area comprised of 6 x 4 metre high lighting columns and 6 x 1 metre high lighting bollards. The previous proposals were accompanied by a lighting assessment which showed the predicted light spill to the properties would be minimal and largely restricted to the garden areas where they immediately adjoin the boundary with the application site. The lighting would be fitted with PIR movement detector controls so that it would only be fully illuminated when movement within the external areas is detected and would be dimmed to 10% of maximum output at other times. The representation from a local resident raises concerns about the impact of the lighting on the amenity of local residents but the impacts of this aspect of the development were considered during the determination of the previous application and were considered acceptable. Provided that a condition is attached to any permission requiring the lighting to be installed and

operated in accordance with the submitted scheme, the lighting proposals are considered acceptable.

Highways

Paragraph 108 of the National Planning Policy Framework requires that development proposals should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

The site is accessed off Blackburn Old Road by means of a short access road. The use of this access was considered acceptable to serve the permitted children's unit. Development of the adult unit would increase the volume of traffic using the access but given that the building would only accommodate a maximum of eight residents together with staff, the increase would not be significant particularly when compared to the previous use of the site as a school.

Blackburn Road is subject to a 30 mph restriction but LCC Highways note that there is a history of accidents in this area due to excessive speed. However, Highways do not raise any objection subject to the removal of the existing 'school keep clear' markings on Blackburn Old Road and their replacement with 'no parking' double yellow lines. This would help to retain visibility for traffic emerging onto Blackburn Old Road from the site access.

Policy DM32 of the Hyndburn Local Plan addresses sustainable transport issues and requires that all development proposals should actively encourage and prioritise sustainable travel modes and should meet the local parking standards.

Although the site is not particularly accessible by public transport, it should be noted that the users of the proposed building would be disabled and are therefore very unlikely to be able to use public transport and would be brought to the site in cars or specially adapted vehicles. The proposals would provide 16 car parking spaces together with two disabled spaces. Whilst the parking provision would be significantly above the levels in the policy of one space per 5 bedrooms and 1 space per 10 for visitors and staff, the parking spaces already exist at the site being a refurbishment of the former school parking area. It would be unreasonable to request that the existing parking spaces are removed to meet the levels in the standards. The proposal is therefore considered acceptable in relation to Policy DM32.

Taking into account the above issues, the proposals are considered acceptable in terms of highways issues subject to conditions being imposed regarding the parking restrictions on Blackburn Old Road and the remarking of the car park and provision of secure cycle storage.

Ecology / Landscape

The National Planning Policy Framework requires that development is visually attractive as a result of good landscaping and should contribute to enhance the natural environment by minimising impacts and providing net gains for biodiversity (paragraphs 127 and 170). Policies DM17, DM18 and DM19 of the Hyndburn

Borough Development Management policies require that the natural environment will be protected from damage and that proposals that would have an adverse impact on species of principle importance will not normally be permitted and that suitable mitigation measures be required where impacts would occur. Policy DM17 requires that development proposals must seek to avoid the loss of existing trees and where tree loss cannot be avoided, compensatory planting should occur at a ratio of at least 3:1.

The application site has a number of trees, both adjacent to the existing school buildings and on the boundaries of the site. The application is accompanied by a tree survey which identifies the trees to be removed and their quality. There are no significant trees on the boundary of the site that require removal in order to construct the proposed building although there are a low number of small ornamental trees that are located around the former school buildings and which have been removed as part of the demolition of that structure. None of these would be important in providing screening and landscaping to the new building when seen from the nearest residential properties. The planning application is accompanied by an outline landscaping plan which shows the general location of new planting around the building and especially in the former playing field area to the south of the proposed building. The landscaping works would be sufficient to properly landscape the building and subject to the details of the landscaping works being the subject of a planning condition, the development is acceptable in relation to Policy DM17.

The site is not subject to any ecological designations. An ecological survey (which included an emergence survey for bats) was undertaken as part of the planning application for the adjacent children's unit. The survey identified that the existing school building contained two bat roosts and that these roosts would be lost upon the building being demolished. A bat licence was therefore obtained from Natural England prior to the building being demolished and a number of bat boxes were erected on trees around the site to provide replacement bat roosting habitat. As the existing school building has already been demolished under the provisions of a European Protected Species licence, the comments from Hyndburn Borough Council's Ecologist are not supported. The proposal for the adult unit does not raise any ecological issues beyond those that have already been considered.

Provided that conditions are imposed regarding landscaping it is considered that the development is acceptable in terms of landscape and ecology considerations and complies with Policies DM17, 18 and 19 of the Hyndburn Borough Development Management policies.

Green Belt

The existing school site straddles the Green Belt boundary and some of the existing school playground and part of a two - classroom teaching block used to be located within the Green Belt prior to their demolition. The new adult short stay unit would be outside of the Green Belt but some elements of the garden area together with the surface water mitigation area would lie within the Green Belt. Paragraph 145 of the National Planning Policy Framework states that new buildings within the Green Belt should be regarded as inappropriate except for the complete redevelopment of previously developed land which would not have a greater impact on the openness

of the Green Belt than the existing development. In this case, the proposed development would only affect a very small area on the edge of the Green Belt and would not have a greater impact on the openness of the Green Belt than the existing development. The proposal is therefore considered acceptable in terms of paragraph 145 of the National Planning Policy Framework.

Surface water

Policy DM20 of the Hyndburn Borough Development Management Policies DPD requires that all major development proposals set out how surface water will be dealt with in accordance with a hierarchy set out in the policy and that every option should be investigated before discharging surface water into a public sewer. Surface water from the site currently drains to a public sewer. The policy requires that proposals should seek to reduce the overall level of flood risk through the appropriate use of sustainable drainage techniques.

As part of the planning application, a flood risk assessment has been prepared which examines the surface water implications of both the children's unit and proposed adult unit and investigates how the surface water can be managed. There is no water course in close proximity to the site and management by soakaway does not appear possible due to the ground conditions. Therefore it is proposed that disposal of surface water will continue to be by way of the public sewer. This is the least preferable means of discharge according to the hierarchy listed in Policy DM20. However, to mitigate the rates of discharge, it is proposed to construct a surface lagoon in the field immediately to the south of the building which will allow temporary storage of storm flows to minimise the rates of discharge to the sewer. The lagoon would also create an interesting landscape feature and ecological habitat. United Utilities have raised no objection to the application subject to any permission being subject to a condition requiring details of the drainage measures and limiting the flows to 14.5 l / second. Provided that the details of the drainage system are the subject of a planning condition, the proposals are considered acceptable in relation to surface water / flooding and comply with Policy DM20.

Conclusions

The proposed development would involve the reuse of previously developed land to provide a facility required for the provision of modern, high- standard respite care. The new building would be acceptable in relation to design and the amenities of local residents and would have no unacceptable impacts on highway safety, ecology or the openness of the Green Belt. The proposal is therefore considered acceptable in terms of the policies of the National Planning Policy Framework and the Hyndburn Borough Development Management Policies.

In view of the scale, location and purpose of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 28th April 2020

b) Submitted Plans and documents:

Drawing A211 Rev C - Proposed Site Plan
Drawing A216 Rev B - Proposed Site Section
Drawing A221 Rev E - Proposed Ground Floor Plan
Drawing A261 Rev C - Proposed Elevations
Drawing L100 Rev C - Proposed Landscape Plan
Drawing 6820 EP - Proposed External Lighting Plots

c) All schemes and programmes approved in accordance with this permission.

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with policies DM17, DM18, DM19, DM26, DM29, DM32 and DM 34 of the Hyndburn Borough Local Plan.

3. The building materials used for the external elevations and roof of the building shall conform to those shown on drawing A261 Rev C.

Reason: In the interests of the visual amenities of the area and to conform with Policy DM26 of the Hyndburn Borough Development Management Policies DPD.

4. The external lighting shall conform to the design shown on drawing 6820 EP Rev D - Proposed External Lighting Plots and shall be operated in accordance with the details of that drawing at all times.

Reason: In the interests of local amenity and to conform with Policy DM26 of the Hyndburn Borough Development Management Policies DPD.

5. The building shall not be brought into use until parking restrictions on Blackburn Old Road have been implemented in accordance with a scheme and programme to be first submitted and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:-

- a) The removal of the existing 'school keep clear' markings from the carriageway surface
- b) A drawing showing the lengths of Blackburn Old Road that are to be subject to parking restrictions to safeguard visibility for vehicles emerging from the access into the site.

Reason: In the interests of highway safety and to conform with Policy DM32 of the Hyndburn Borough Development Management Policies DPD.

6. Prior to the development being brought into use the car parking including disabled spaces and secure cycle parking shall be provided and laid out as shown on drawing A100 Rev C - Proposed Landscape Plan.

Reason: In the interests of highway safety and sustainable transport and to conform with Policy DM32 of the Hyndburn Development Management Policies DPD.

7. The trees shaded in green on drawing L100 Rev C - Proposed Landscape plan shall be retained and protected from damage using fencing or other suitable means of demarcation during construction work.

Reason: In the interests of local amenity and to ensure the retention of important landscape features and to conform with Policy DM17 of the Hyndburn Borough Development Management Policies DPD.

8. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall include details of the following:-

- a) Details for the construction of the surface water lagoon to the south of the proposed building including details of total storage capacity and measures to limit outflows from the lagoon to 14.5 l/ seconds.
- b) Details for the reuse or disposal of the excavation materials arising from the construction of the lagoon and landscaping of the areas used for such materials if they are retained on site.
- c) Details of drainage routes to demonstrate that the proposed lagoon will accept surface water flows from the proposed building and the building approved under planning permission LCC/2019/0070.

The surface water drainage shall be installed in accordance with the approved scheme prior to the building being brought into use and shall be maintained in fully operational condition at all times.

Reason: In the interests of surface water control and preventing flooding and to conform with Policy DM20 of the Hyndburn Borough Development Management Policies DPD.

9. Within six months of the date of this permission, a scheme and programme for the landscaping of the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the following:
- a) Details of the ornamental planting to be carried out around the building.
 - b) Native tree and hedge planting to be undertaken in the field to the south of the building to mitigate for the trees that are removed as part of the development. The mitigation planting shall be undertaken at a ratio of 3:1 for the trees that are removed. The details shall contain information on the location of planting works, sizes, types and species to be planted, planting techniques and protection measures.
 - c) Details for the restoration of all land within the Northcliffe school site that is outside of the footprint of the new development.

The new planting works and land restoration shall be undertaken not later than the end of the first planting season following the development being brought into use.

Reason : In order to secure the proper landscaping of the site and to conform with Policies DM17 and DM26 of the Hyndburn Borough Development Management Policies.

10. No construction development, delivery or removal of materials shall take place outside the hours of:

08.00 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM26 of the Hyndburn Borough Development Management Policies.

11. Measures shall be taken at all times during construction works to minimise the generation of dust.

Reason: In the interests of the amenities of local residents and to conform with Policy DM26 of the Hyndburn Borough Development Management Policies.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Local Government (Access to Information) Act 1985 List of Background Papers

None

Reason for Inclusion in Part II, if appropriate

N/A