

DELEGATED ITEM FILE REPORT – DISCHARGE OF CONDITIONS

Ref: GT

Application No:	3/2009/0712/P
Development Proposed:	Application for the discharge of condition no.2 (programme of building recording and analysis), condition no.3 (scheme to assess nature and extent of contamination), condition no.4 (bat survey and report), condition no.5 (bat/protected survey report), condition no.6 (species/habitat protection and migration measures), condition no.7 (sequence of operations for the conversion), condition no.8 (materials), condition no.11 (construction/paving of new access road), condition no.12 (surfacing/markings of car parking/manoeuvring areas), condition no.16 (scheme for disposal of foul and surface waters) and condition no.17 (scheme for conveyance of foul drainage to a private treatment plant), of planning consent 3/2009/0061P at Higher House, Higher House Farm, Kiln Lane, Paythorne, Lancashire.

CONSULTATIONS: Highway/Water Authority/Other Bodies

LCC Archaeologist – No objections to details provided for Condition no. 2.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

This application seeks the discharge of condition no.2 (programme of building recording and analysis), condition no.3 (scheme to assess nature and extent of contamination), condition no.4 (bat survey and report), condition no.5 (bat/protected survey report), condition no.6 (species/habitat protection and migration measures), condition no.7 (sequence of operations for the conversion), condition no.8 (materials), condition no.11 (construction/paving of new access road), condition no.12 (surfacing/markings of car parking/manoeuvring areas), condition no.16 (scheme for disposal of foul and surface waters) and condition no.17 (scheme for conveyance of foul drainage to a private treatment plant), of planning consent 3/2009/0061P at Higher House, Higher House Farm, Kiln Lane, Paythorne, Lancashire for the proposed conversion of an agricultural building to a holiday cottage and replacement of existing agricultural building with two holiday cottages.

With regards to condition 2 of the approved plans, the Agent has provided a copy of a historic building report prepared by Chris O'Flaherty, a copy of which was forwarded to the LCC Archaeologist for their expert view. Upon receipt of confirmation from the LCC Archaeologist that the report is considered acceptable, I am happy to recommend the discharge of this condition.

With regards to condition 3 of the approved plans, the Agent has provided various documents and reports to enable the Council to assess the potential contamination risk at this site, however having discussed the information provided with the Councils Environmental Health Officer, we concur with the Report's conclusions and recommendation that a further, limited, intrusive soil investigation be carried out in the areas highlighted, before this Condition can be satisfactorily discharged. This detail will have to be dealt with through another application to formally discharge this condition.

With regards to conditions 4, 5 and 6 of the approved plans, the Agent has provided the further bat survey requested as well as the mitigation measures to be incorporated into the

roof structure/void of the new build holiday lets. The information provided is not as initially expected in regards to these conditions, however this is due in no small part to the requirement to remove the asbestos roofs on the buildings as they were considered a health risk. Having discussed the information provided with the Countryside Officer, we are satisfied that the Applicant has acted appropriately and that the detail provided is acceptable in respect of the relevant conditions. As such, I can confirm that the conditions in question can be discharged.

With regards to condition 7 of the approved plans, the Agent has provided a Conversion Appraisal Report to satisfy this condition. Providing the conversion of the building is carried out in accordance with the details provided within this report, I can confirm that this proposal is satisfactory to discharge the condition.

With regards to condition 8 of the approved plans, I refer to the colour photographs supplied by the Agent in regards to the materials to be used. The details supplied are considered acceptable from a visual point of view, and will compliment the existing barn and buildings on site. As such, I can confirm that the details supplied are satisfactory to discharge the condition.

With regards to condition 11 of the approved plans, the Agent has confirmed that the new access road shall be constructed in tarmac and as such providing the road is constructed in accordance with the details submitted on the amended plans dated the 18th of March, I can confirm that this proposal is satisfactory to discharge the condition.

With regards to condition 12 of the approved plans, the Agent has confirmed that the parking spaces shall be constructed in tarmac in accordance with the details submitted on the amended plans dated the 18th of March. As such, I can confirm that this proposal is satisfactory to discharge the condition.

With regards to condition 16 of the approved plans, the Agent has supplied details and plans indicating the foul and surface water drainage the Applicant intends to use. With regards to the foul drainage scheme proposed, it is considered that as the Environment Agency will have the ultimate control on this aspect of the scheme through the approval of the consent to discharge application, the Council are happy to discharge the relevant Conditions providing a copy of the E.A. decisions is forwarded once their decisions is made. There are no concerns with regards to the surface water drainage. As such, I can confirm that the proposed plans are satisfactory to discharge the condition.

With regards to condition 17 of the approved plans, the Agent has supplied details and a plan indicating the private treatment plant and soak away details the Applicant intends to use. Having discussed these details with the Environmental Health Officer, the Council is happy to discharge the condition in question.

On the basis of this, I can formally discharge the details submitted in regards to the above conditions apart from the information in respect of condition 3.

SUMMARY OF REASONS FOR APPROVAL:

N/A

RECOMMENDATION: That the relevant planning condition's be discharged.