

Application for the discharge of a condition regarding planning application 3/2024/1022, allowed on appeal reference APP/T2350/W/25/3364654 on 25 September 2025.

Highcroft, Painter Wood, Whalley Old Road, Billington, Lancashire BB7 9JD.

**Planning Statement**

**Amended in the light of the Council's comments of the 15 Jan 2026**

**19 January 2026**

**(amendments and additions shown in blue)**

**Amended in the light of the further comments of the Council dated**

**28 January 2026**

**(Amendments and additions shown in green)**

**Amended in the light of further comments of the Council dated 11 February 2026**

**Amendments shown in purple**

**Ref: JH.111225.A.2.B**



**Prepared by Hartley Planning and Development Associates Ltd**

The above approval is for partial demolition and partial conversion of an existing 5 bedroom property and new build extension to form a 5 bedroom dwelling on the same site.

The Planning Inspector, when determining the appeal, concluded that *'the plans and drawings show that the proposal does not amount to a new dwelling, but rather the substantial redevelopment of an existing dwelling. Therefore, I have amended the description of development in my formal decision as this is a more accurate and succinct description of what is proposed. The parties have been consulted over this matter and have agreed to this amended description.'*

The Inspector also concluded that *'the proposed development comprises householder development as defined by Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015'*

The appeal was allowed subject to the following condition and for which application is now made for their discharge:-

*'2. The development hereby permitted shall be demolished to ground level and the materials resulting from the demolition shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:*

*i) Within 3 months of the date of this decision a scheme including:*

*a) full specifications of materials to be used on all external surfaces of the development hereby permitted; and*

*b) a detailed surface water drainage scheme*

*(hereafter referred to as the 'site development scheme') shall have been submitted for the written approval of the local planning authority along with a timetable for its implementation.*

*ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.*

*iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.*

*iv) The approved site development scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained.*

*In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined'*

### **Proposed external surfaces**

Colour coded plans are submitted with the application to illustrate the proposed external surfaces, together with details of the proposed brickwork and bronze cladding.

The proposed bronze cladding was a matter of dispute during the appeal process. However, the Inspector concluded as follows: -

*22. The proposed development would be taller with greater massing and would extend further forwards than the existing dwelling. As such, it would be more prominent within the street scene. Even so, its scale and appearance, including overtly modern features such as large, glazed areas, flat-roofs and bronze cladding would be harmonious with the adjacent row of contemporary dwellings, and would therefore contribute to the mixed residential character of Whalley Old Road.*

*23. As such, I conclude that the proposed development would not harm the character and appearance of the area. Accordingly, the proposal would comply with the relevant provisions of Policy DMG1 of the Core Strategy, which amongst other things, requires new development to be sym'pathetic to existing and proposed land uses with particular emphasis placed on visual appearance and relationship to surroundings.*

We assume that 'external surfaces' refer to the building. For the avoidance of doubt, the associated garden land would include a mixture of tarmacadam for the hard surfaces, walling and soft landscaping. For all such areas the Inspector concluded that '*the proposed pathways, formal garden / water feature, and the garden terrace / kitchen garden would extend the amount of hard surfacing, but they would be low-level domestic-scale structures sited within the context of a well-contained existing residential garden. These operations are also proportionate to the proposed extensive areas of soft-landscaped garden*'.

In its response of the 15 January 2026, the LPA has requested as follows: -

*‘ Please can you provide photographs/details of all of the external materials, including the varying brickwork designs/pointing, window frames, copings, glazed balustrade, guttering and downpipe, hardstanding and boundary treatments.’*

In response: -

- Photos and details of brickwork designs/pointing. These are show, both in terms of photographs and their locations on the building in the submitted design details with the original application for the discharge of materials. The mortar for the extensions and alterations would be the same as for the existing and remaining part of the house, with a mix of 1 part cement to 3 parts sand. The details already submitted include those for the proposed zinc cladding. The brick bonding type is shown on the previously submitted details
- Window details, position and type, are shown on the submitted plans and window frame materials (zinc) are also shown on the previously submitted photograph.
- Copings to boundary walling would be natural stone flag.
- The glazed balustrade would be just that - glazed. Is it necessary to show a photo of a piece of glass?
- Hardstanding and boundary treatment: -
  - (A) To be as stated in the details already submitted, tar macadam.
  - (B) Boundary walls – where different to the current boundaries, to be as per the submitted ‘proposed retaining walls and screening (Ref al(05)0205. (And now submitted again)
- Guttering and downpipes – to match the existing and remaining part of the house.

*The LPA has now replied as follows on 28 January 2026 with regard to the external materials condition: -*

*‘Materials :*

- *The sample of the bronze cladding is not sufficient and should be taken in daylight so that we can see the true colour*
- *Please clarify if the guttering will now not have the bronze cladding as per the original application?*
- *Please can you provide a photograph of a sample of the brick – there are concerns that the proposed brickwork colour is not appropriate in colour*
- *Please provide details of all external hard surfacing, not just the driveway e.g. rear patio areas, walkways, kitchen garden, fixings for the glazed balustrade and glazing opacity*
- *Please provide photographs of the natural stone flags*
- *Drawing ref: al(05)0600 does not reference zinc referred to in your statement, please clarify’*

In response: -

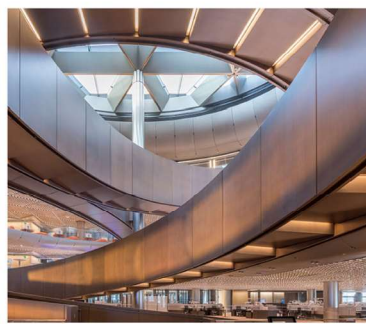
- Following shows the colour of the bronze cladding RAL 1036



NB The Planning Inspector, in her decision letter, concluded that *'bronze cladding would be harmonious with the adjacent row of contemporary dwellings'*

Moreover, the architect to the scheme has replied, in response to the LPA's latest comments that the submitted photograph of the proposed cladding was taken in sunlight conditions.

Furthermore, he has referred to the following examples of its use on other buildings and where its visual effect can be seen: -



revision: date: name:  
P/01 2026.02.02 preliminary first issue

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project  
Highcroft, Billington  
job no.  
2025  
title  
examples of famous buildings constructed from bronze cladding RAL 1026  
scale  
no. 03 A3  
drawing no.  
al(05)0603

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- The guttering would be in the above bronze material, as part of the original application
- The proposed brick would be as shown on the previously submitted 'Samples of proposed external materials'. It would be the only brickwork on the building and so would not have to match any other brickwork on it. It would be a sympathetic colour and type to that approved by the for the houses on the opposite side of the road: as well as the hue of the adjoining terraced houses: -





- 'External hard surfacing, not just the driveway e.g. rear patio areas, walkways, kitchen garden, fixings for the glazed balustrade and glazing opacity'.

When determining the Planning appeal, the Inspector concluded that *'It is not necessary to impose conditions requiring further details of landscaping,*

*retaining wall structures, boundary treatments, fencing, walling and gates or windows, because adequate information is shown on the plans’.*

The information now requested relates to landscaping .

Nevertheless, I can confirm that : -

- The glazed balustrade would be clear glazed with metal fixings (RAL 1036)
- Walkways and the rear patio area would be either tar macadam or surfaced in natural stone paving: -



- My apologies. My reference to zinc should state bronze

### **Surface Water Drainage**

The Planning Inspector has concluded that the appeal approval relates to a householder application. As such, the proposed changes to the house will not change the existing discharge of surface water to the public sewer. Plans and details are submitted to confirm the existing connection and which will continue to be used.

Moreover, the site is in flood zone 1 as shown on the Environment Agency’s flood map. ie the lowest category for flood risk.

The National Planning Policy Framework 2025 (the Framework) at note 63 states that *‘a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a*

*strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other.*

None of the above apply in this case.

So far as sustainable drainage requirements are concerned, the Written Ministerial Statement 2014 (WMS) (submitted as part of the application) states that *' we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate'*.

It adds that *'To protect the public whilst avoiding excessive burdens on business, this policy will apply to all developments of 10 homes or more and to major commercial development. The Government will keep this under review, and consider the need to make adjustments where necessary'*

Thus, the sustainable drainage requirements of this householder development is not subject to the above sustainable drainage requirements. Nevertheless, we have considered the options for draining the site and consider that the preferred alternative is to keep to the drainage arrangements for the existing dwelling.ie drainage to the mains, and as per the drainage plan as already submitted for the discharge of the condition.

As the house is already connected in this way, there is no reason to consider that the householder proposals would have anything other than an immaterial effect to the existing drainage for the house

The LPA has now replied as follows on 28 January 2026 with regard to the drainage condition: -

*Drainage – The proposed scheme involves excavation works, new hardstanding and walls. At the very least, we require evidence to demonstrate that the proposal would result in no greater impact to flood risk than the existing. It is not considered the information submitted demonstrates this.*

In response, we have consulted Michael Pooler Associates, consulting civil and structural engineers. The response from Michael Pooler M.SC. C.Eng. M.I.C.E. F.Cons.E. is submitted to the LPA.

It is his view that any changes to the contours to the garden will not have altered the water table to any significant extent and that the reduction in existing hard surfaces and the commensurate increase in soft surfaces will be a preventative addition to any flood risk, not that he sees that there is any such significant risk

For our part, we can add that the development includes a cut off drain at the top of the slope at the back of the house, as is a normal Building Regulation good practice.

Only approximately 43% of the tarmac associated with the existing access and hard areas would be retained, to be replaced by soft landscaping

Planning condition 2(1)(b) requires the submission of a detailed drainage scheme.

The above submission relating to the garden area supplements our earlier submission indicating the continued drainage of the house to the United Utilities (UU) drain in the highway, as shown on the submitted UU plan.

### **Timetable for implementation**

The surface water connection is already in place. The proposed cut off drain for the garden area would be in place before the winter of 2026

Construction work on the changes to the dwelling are underway. External materials should all be in place within 6 months from the date of the application to discharge the condition.

The LPA has now replied on 11/02/2025 as follows:-

*' Many thanks for your email.*

*I am currently liaising with United Utilities as to the acceptability of the drainage details.*

*With regards to the samples, it is unclear where the proposed brickwork is used in similar properties. The properties on the other side of the road appear to be constructed from stone and the end gable on the terraces appears to be rendered. Are you proposing to match any of the brickwork on the contemporary properties at Painter Wood?*

*With regards to the cladding, we still cannot make a full assessment as to its acceptability from the information provided as the updated sample appears browner than bronze when compared to the photographs of similar cladding submitted. We need to ensure the bronze cladding is appropriate and therefore cannot accept a sample of the colour alone. I would be grateful if you could provide another photograph of the specific cladding shown in daylight conditions. If you are able to provide this further information to assist, I am happy to extend the deadline until 20 February'.*

### **Our response**

We have agreed to the EOT

So far as the proposed brickwork is concerned, we are not proposing the exact same brick as that used opposite, but rather a brick which will assimilate well into the character and appearance of the area (even though the approved dwelling is well hidden and can be regarded as standing on its own design terms).

Nevertheless, the proposed brick would fit well with those external materials of houses in the near vicinity as the above photos show. In addition, of course, there are the houses immediately above it and where their external colours are less restrained, but which the LPA considered were acceptable in the area: -



So far as the bronze cladding is concerned I shall see if I can find further details for you.

Added note of 17 February 2026

Please see the following photograph to show the proposed bronze cladding

