



**REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER**

**TO: COLNE AND DISTRICT COMMITTEE**

**DATE: 3rd October 2018**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## COLNE AND DISTRICT COMMITTEE REPORT 03 OCTOBER 2018

**Application Ref:** 18/0043/FUL  
**Proposal:** Full: Retention of a single storey agricultural workers dwelling (Retrospective).  
**At:** Cowfield Farm, Burnley Road, Trawden  
**On behalf of:** Mr Robert Airey  
**Date Registered:** 09/02/2018  
**Expiry Date:** 08/10/2018  
**Case Officer:** Alex Cameron

This application has been brought before Committee at the request of a Councillor.

### **Site Description and Proposal**

The application site is on agricultural land located within the open countryside and Trawden Forest Conservation Area. The site sits on a valley side to the east of farm buildings at Cowfield Farm. Public Footpath No. 40 runs along the access track and immediately past the building, Public Footpath No. 48 runs past the beck to the south and Public Footpath No. 57 runs from there to Burnley Road, from where it meets the road the site is prominently visible.

This is a retrospective application submitted for the retention of an unauthorised agricultural worker's dwelling for a temporary period of three years. The building has a footprint of 20m x 6.8m and is of timber construction, with horizontal timber cladding, a concrete tile roof and black uPVC window and door frames.

This application was first submitted in February. However it was subsequently made invalid due to incorrect ownership certification which has now been corrected.

A Stop Notice requiring works on the building to cease and an Enforcement Notice requiring the landowner to remove the building have been served, and appeal against the Enforcement Notice has been withdrawn. The deadline for compliance with the Enforcement Notice has been extended by nine months to allow for the outcome of this application and any potential appeal that may arise.

### **Relevant Planning History**

13/87/0145P - Outline: Erection of an agricultural workers dwelling – Approved, 30/11/1987.

13/88/0166P - Reserved Matters - Erection of agricultural workers dwelling – Approved, 25/04/1988.

13/13/0535P - Full: Removal of Condition 2 of Planning Permission 13/87/0145P - Relating to agricultural worker – Refused, 23/12/2013.

13/14/0301P - Full: Removal of Condition 2 of planning permission 13/87/0145P relating to agricultural worker – Approved, 13/08/2014.

### **Consultee Response**

LCC Highways – No objection.

Coal Authority – No objection. Please attach a note to any permission relating to potential coal mining hazards.

Trawden Forest Parish Council – The Parish Councillors question the viability of the business. The numbers don't appear to stack-up, and they feel that the applicant is exploiting a loop-hole in the Local Plan that states that agricultural dwellings are permitted outside the settlement boundary. The design of the structure and materials are not in keeping with its surroundings or the Conservation area.

### **Public Response**

A site and press and notice have been posted and neighbours notified – No response.

### **Officer Comments**

#### **Policy**

##### **National Planning Policy Framework 2018 (The Framework)**

Paragraph 79 of the Framework states that decisions should avoid the development of isolated homes in the countryside unless one or more of the circumstances set out in that paragraph apply. The circumstances include the essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

##### **Pendle Local Plan Part 1: Core Strategy (LPP1)**

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG.

ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets.

Policy ENV4 (Promoting Sustainable Travel) states that proposals should follow the settlement hierarchy approach in Policy SDP2 and minimise the need to travel by ensuring they are developed in appropriate locations close to existing or proposed services. Consideration should be given to locating new housing, employment and service developments near to each other to give people the opportunity to live and work within a sustainable distance.

Policy LIV1 (Housing Provision and Delivery) states that until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land, including those identified in the Strategic Housing Land Availability Assessment (SHLAA) will be supported.

Policy SDP2 (Spatial Development Principles) states that new development should be within settlement boundaries unless it is an exception outlined in the Framework or elsewhere in the LPP1.

### Replacement Pendle Local Plan

Policy 31 (Parking) requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP. This is addressed in the Highways Issues/Parking section.

### Trawden Neighbourhood Plan

The NP has been through examination and its policies should be afforded some weight. Policy 1 states that development should be within a settlement boundary unless, amongst other things, it will support agriculture and other land-based rural businesses.

### **Principle of the Development**

Paragraph 79 of the Framework states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The application site is located approximately 550m from the settlement boundary of Trawden, 1km from the nearest bus stop on foot via unmade public footpaths, or 2km via Burnley Road which has no footway for most of its length. The site is not located within or adjacent to any form of settlement and therefore it is an isolated location for the purposes of Paragraph 79 of the Framework and would leave occupant reliant on private motor vehicles to access essential facilities and services.

The development does not meet circumstances b-e of paragraph 79. The only remaining circumstance is a; that the dwelling meets an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside. There are two elements to assessment of this, firstly whether there is a functional need for an agricultural worker to live on site and secondly whether the agricultural business is financially viable to sustain that need in the long term. Where a new enterprise or form of farming is proposed granting temporary consent may be appropriate to allow time for the proposed activity to establish whether it can be made viable.

### Functional need

The current farming operation is relatively small scale, with the applicant working part time on the land and traveling from his home in Brierfield. The existing farmhouse is owned and occupied by the Applicant's sister, who is a partner in the farming business but the application states is not involved in the farming operations. The farm has been split when the estate of their parents was divided with different aspects of the farm being handed to the applicant and his sister.

The justification statement submitted with the application states the intention of the applicant to acquire his sister's share of the business and increase the scale of the farming operation to a point where it requires a full time agricultural worker to be present on the land.

The application proposes a three year temporary permission with the intention to expand the farming operation to the point where it requires a full time agricultural worker present on site. That is notwithstanding that the proposed house is not a caravan or a moveable structure.

National Planning Guidance states that "a condition requiring the demolition after a stated period of a building that is clearly intended to be permanent is unlikely to pass the test of reasonableness."

However, in this case, as the building has already been substantially constructed, and in the clear knowledge that the applicant is specifically asking for consent on a temporary basis, a temporary consent would be acceptable if all of the other material planning issues were acceptable.

It is of relevance that until late 2014 there was an additional agricultural worker's dwelling (Clough View) associated with Cowfield Farm at Clough View, Colne Road, Trawden, 529m from the application site. This was occupied by the Applicant and his family. An application was made and granted for removal of the condition tying that dwelling to use as an agricultural worker's dwelling (ref: 13/14/0301P) and it was sold by the Applicant.

It was demonstrated in that application that the dwelling was no longer required by the holding as it had reduced in size and the Applicant lived at the farmhouse at Cowfield Farm which would continue to serve as the primary dwelling for the farm.

Details submitted with that application stated that the Applicant lived at the farmhouse at Cowfield Farm, it was stated that if he were to leave the farmhouse for any reason he would try to purchase a terraced house in Trawden Village. If the applicant could not continue farming he would sell or rent the buildings and land he owns to his sister.

It has therefore been stated previously by the applicant that an additional agricultural worker's dwelling on this farm is not necessary, that the needs of the Applicant's agricultural holding can be met by the existing farmhouse or dwellings in Trawden Village. However, if a demonstrated need for an new agricultural workers dwelling now exists that could outweigh the above consideration.

#### Financial viability

The special circumstance in paragraph 79 specifically relates to a permanent need, it must therefore be demonstrated that the agricultural holding can viably sustain a full time agricultural worker in the long term.

The planning statement submitted with the application states that "the application is for a temporary period in order for the applicant to expand and diversify the existing livestock enterprises undertaken on the holding and to prove the financial viability of the proposed farm business". This indicates that the existing agricultural business is not currently in a position to viably sustain a full-time agricultural worker.

Projected accounts have been submitted in order to demonstrate that should the farming business expand as intended it would provide a sufficient income to support a full-time agricultural worker.

Agricultural planning consultants ADAS have been engaged to provide an expert assessment of the proposal in relation to functional need and financial viability. This will help inform an assessment of the need for a dwelling on the holding to establish the proposed farming enterprise

#### **Landscape Impact**

The building is sited in a highly prominent location, particularly viewed from Burnley Road and the surrounding public footpath network. Whilst on plan it appears as a continuation of the existing line of buildings at Cowfield Farm, these existing buildings are in fact well screened from the south and south east by a dense belt of trees. The dwelling subject to this application is located beyond the belt of trees. From Burnley Road it appears as an isolated structure and is highly prominent feature in the landscape.

The building is sited on a hillside, erected on a raised level base, the proposed hedgerow would be planted on land 1-2m or more below the ground level of the building and could not offer sufficient screening to offset its impact. Native species trees similar to the woodland which screens the

adjacent buildings would be likely to take decades to become established to the point where they could effectively screen the building.

The location of the building results in harm to quality of the landscape. This harm is further exacerbated by the design and materials of the building, its utilitarian design, timber boarded walls, concrete tile roof and upvc windows which are not characteristic of or appropriate for a new dwelling within the Conservation Area where the vernacular is simple, robust buildings with stone walls, blue or grey slate roofs and painted timber fenestration.

Although the site could be landscaped that would take time to grow and would not adequately mitigate the landscape impact.

### **Impact on the Conservation Area**

The application has been accompanied by a Heritage Statement. That however does not adequately address the significance of the Conservation Area, nor the impact the development would have. For example it indicates that there would be no landscape impact which clearly is not the case with the development.

The Conservation Area appraisal identifies the informal vernacular tightly clustered built forms being important around Hill Top giving a strongly historic appearance and character.

Typically houses on upper valley sides were built of gritstone with quoins and slated roofs. Later nineteenth century housing was predominantly built along roadsides.

Paragraph 2.31 of the Conservation Area Design and Development Guidance SPD states that new development should use good quality and predominantly natural building materials, be well detailed, and respect local architectural detailing and styles.

The application does not propose a vernacular style of dwelling, its materials and design do not respect the local architectural detailing and styles and it is not grouped together in a tight cluster, which is a character of the built form elsewhere and is one of the key elements to the significance of the Conservation Area.

The proposal is for a modern building not reflective of the historic character of the area, situated in a visually isolated position in the Conservation Area. It harms the significance of the Conservation Area.

The harm to the significance of the Conservation Area is less than substantial and therefore should be balanced against the public benefits of the proposal. There would be benefits of augmenting and existing farming business and that would have benefits to the rural economy. However the scale of this over and above what happens currently would not be major and hence the public benefits would in themselves be limited. The public benefits would be clearly outweighed by the less than significant harm to the Conservation Area and would be contrary to both national and local policy.

### **Residential Amenity**

The proposed dwelling would raise no unacceptable residential amenity issues.

### **Highways**

The vehicular access to the site is acceptable for an agricultural worker's dwelling and an adequate level of car parking is proposed, however, the isolated nature of the site would result in

the dwelling being excessively reliant on private motor vehicles to access essential services and facilities contrary to policy ENV4.

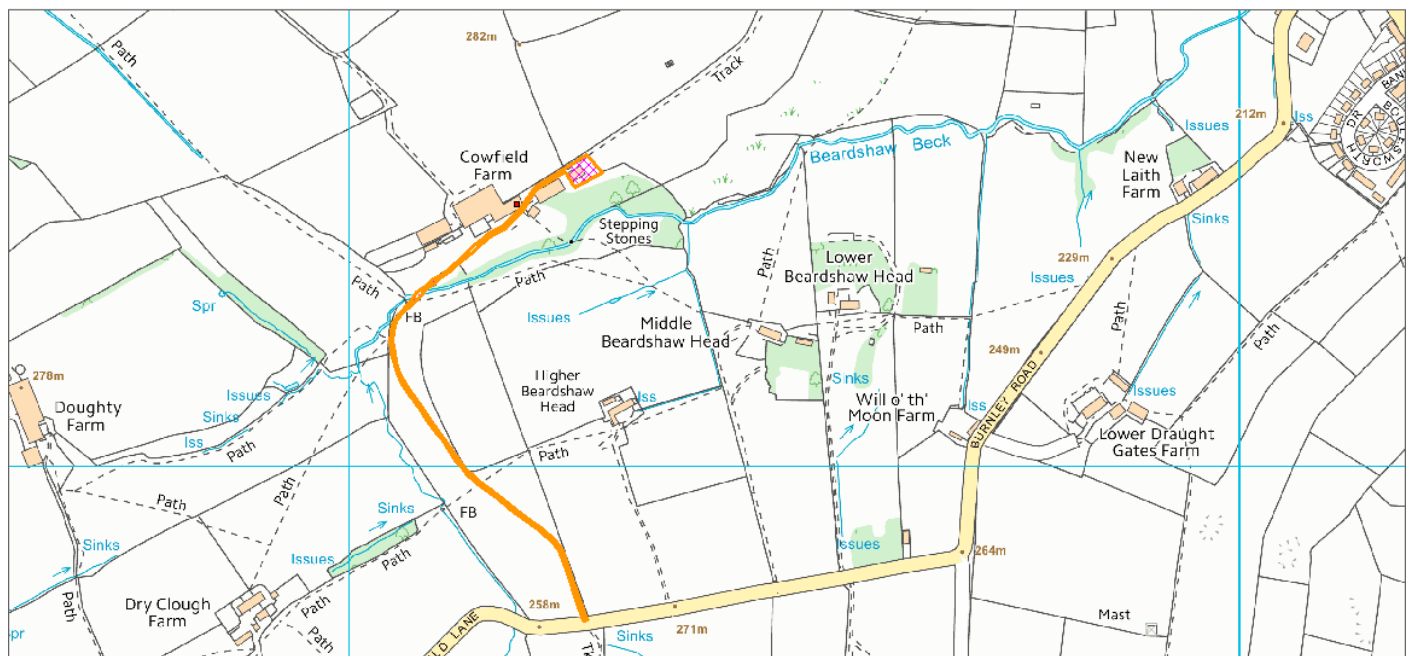
## Summary

The assessment of agricultural consultants ADAS is awaited to help Pendle to consider whether there is an adequate justification to retain the building for three years in terms of agricultural functional need and viability. However, irrespective of whether there is justification for an agricultural worker's dwelling the siting, design and materials of the building result in harm to the significance of the Conservation Area which would not be outweighed by public benefits. It is therefore recommended that the refusal of the application is delegated to the Planning, Building control and Licencing Manager based on the impact on the heritage asset. It is recommended that the delegation also include assessing whether there is or is not an agricultural justification for the development.

## **RECOMMENDATION: Delegate Refusal**

For the following reasons:

1. The siting, design and materials of the building result in harm to the character and appearance, and therefore the significance, of Trawden Forest Conservation Area. Whilst the harm to the significance of the heritage asset would be less than substantial the public benefits would not outweigh that harm and thus the development would be contrary to Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy and paragraph 193 of the National Planning policy Framework.
2. The siting of the building, in a prominent isolated position, results in unacceptable harm to the landscape character of the area contrary to Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy.



**Application Ref:** 18/0043/FUL  
**Proposal:** Full: Retention of a single storey agricultural workers dwelling (Retrospective).  
**At:** Cowfield Farm, Burnley Road, Trawden  
**On behalf of:** Mr Robert Airey

## COLNE AND DISTRICT COMMITTEE REPORT 03 OCTOBER 2018

**Application Ref:** 18/0361/FUL

**Proposal:** Full: Major: Erection of 15 residential units including 9 dwelling houses and 6 apartments with 29 car parking spaces.

**At:** Garage Site To The Rear Of 10 To 24, Essex Street, Colne

**On behalf of:** Cawder Construction

**Date Registered:** 17/09/2018

**Expiry Date:** 17/12/2018

**Case Officer:** Alex Cameron

### **Site Description and Proposal**

This application was withdrawn from September Committee as the ownership certification was found to be incorrect because the owner of the land to the rear of Essex Street is unknown. The correct ownership certificate and publicity for this circumstance has now been submitted.

The application site is land a garage colony and open land between Essex Street, Bold Street and Colne Lane. The site is within the settlement of Colne and designated as public open space.

The proposed development is the erection of 15 residential units comprising 9 houses and 6 apartments. The development would take the form of a row of 7 two storey terraced houses, a pair of semi-detached houses adjacent to the boundary with Colne Lane and a two storey block of apartments on the corner of Bold Street and Essex Street. The buildings would have reconstituted stone walls, concrete roof tiles and upvc fenestration.

### **Relevant Planning History**

None

### **Consultee Response**

**LCC Highways** – No objection in principle subject to the following comments being noted:

Refuse collection - The applicant should provide a swept path analysis showing how a refuse wagon would be able to turn within the site as we do not consider the proposed turning head at the site entrance to be adequate. The applicant may wish to contact the borough council's refuse section for details of current waste collection arrangements on Essex Street and how those for the proposed development could be accommodated.

Further details regarding the proposed use of the strip of land to the rear of Essex Street.

A 278 Agreement is required for the construction of the access.

Due to the increase in pedestrian movements the footways along the development site frontages on Essex Street and Bold Street should be widened to a minimum width of 2m.

The internal road and footways should be constructed to adoptable standards and management details submitted prior to commencement.



The applicant should provide a section plan through the site showing the new building at its closest point to the site boundary with Colne Lane, the retaining wall and carriageway on Colne Lane with details of ownership.

Conditions: construction management, road construction details, site access, road management and maintenance details, turning space, car parking, cycle storage, electric vehicle charging points.

**Lead Local Flood Authority** – Insufficient details submitted to provide a substantive response.

## **United Utilities**

**Colne Town Council** - In noting the removal of an area of trees, in supporting this application, we would wish to see some greening within the development or a contribution obtained toward replacing the loss of trees within the immediate vicinity.

## **Public Response**

Site and press notices posted and nearest neighbours notified. Responses received objecting on the following grounds:

- The site floods in heavy rain.
- The surrounding roads are inadequate to accommodate the additional traffic.
- Highway safety impact.
- Noise from construction and construction traffic.
- Impact in views.
- Impact on local services.
- Loss of open space.
- Loss of mature trees.
- Vacant houses and/or brownfield sites should be developed first.
- What will the tenure of the properties be?
- Impact on local landlords.
- Insufficient time to comment on the proposal.
- Impact on ecology including bats.

## **Officer Comments**

### **Policy**

The following Local Plan policies are relevant to this application:

#### **Pendle Local Plan Part 1: Core Strategy**

Policy ENV1 requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments. In circumstances where a development proposal would result in the loss of open space or sports and recreational buildings and land, the applicant must comply with the criteria and requirements of paragraph 74 of the Framework.

Policy ENV2 seeks to encourage high standards of design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy ENV4 advises that development should have regard to the potential impacts they may cause to the highway network. Where these impacts are severe, permission should be refused.

Policy LIV1 sets out the housing requirements for 2011 to 2030 and how this will be delivered.

Policy LIV3 provided guidance on the housing needs in order to provide a range of residential accommodation.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

### Replacement Pendle Local Plan

Policy 31 of the Replacement Pendle Local Plan details the current parking standards for new development.

### National Planning Policy Framework (Revised July 2018)

Paragraph 97 of the Framework as revised states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

### **Principle of Housing**

This site is located in a sustainable location within the settlement of Colne. The principle of housing is therefore acceptable and accords with policy LIV1.

### **Design**

The design and layout of the proposed development would generally reflect the character of the surrounding area, which is characterised by terraced houses of simple form with limited detailing and predominantly fronting directly onto the street. Amendments have been made to the original plans to add sills and lintels to the windows and increase the window reveals, with these amendments the design of the proposed development is acceptable and would not harm the visual amenity of the area in accordance with policies ENV2 and LIV5.

### **Residential Amenity**

The proposed dwellings facing the rear of Essex Street would be separated by over 21m and therefore would not unacceptably impact upon the privacy of those properties.

The proposed dwellings fronting Essex Street and Bold Street would be separated from facing dwellings by 11-13m. This is identical to the existing relationship at the southern end of Essex Street and such close relationships are characteristic of the terraced rows in the vicinity. Taking this into account this separation distance between habitable room windows is acceptable.

The proposed development would not result in any other potentially unacceptable privacy impacts and would not result in any unacceptable loss of light or overbearing impacts upon any surrounding residential property.

Noise and disturbance during construction could be controlled under by conditions and Environmental health legislation.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policies ENV2 and LIV5.

## **Open Space**

The land is designated as public open space, it is defined as amenity greenspace in a parcel together with the green space to the south west to the sides of Waterside Road and has a quality score of 24 out of 49 in the Open Space Audit. The site's value as open space stems from its character as open green space, its relatively small size and undulating nature makes it of limited recreational value. Whilst the space does have amenity value it is not of high value. The Open Space Audit identifies a 5.28 ha surplus of amenity greenspace within the Waterside ward. Taking this into account, and weighed against the social and economic benefits of the provision of affordable housing, the loss of this open space is acceptable.

The layout of the development does not allow for the provision of public open space. Taking into account that this is an affordable housing development and that the provision of open space would be likely to result in the development being unviable, the provision of public open space is not required.

## **Highways**

LCC Highways have requested that electric vehicle charging points are installed for each dwelling. This is unlikely to be feasible for many of the properties due to separate parking provision, however, a condition is necessary to require a scheme for the provision of charging points where possible.

## **Contamination**

A phase 1 contamination survey has been submitted this concludes that the risk of contamination on the site is low-medium. Further intrusive investigations are necessary to establish whether contaminants are present and whether any remediation is required. It is necessary to attach a condition to require that further survey work is carried out prior to the commencement of the development.

## **Drainage**

Additional details are required by the Lead Local Flood Authority to fully assess the surface water drainage of the development, this includes intrusive investigations to establish whether the site could be drained to a soakaway within the site, these are to be submitted. Should it be established that a soakaway is not viable the applicant has provided details of a proposed drainage scheme with attenuation to drain to a surface water drain at the existing greenfield runoff rate.

A Flood Risk Assessment for the site has been submitted and is being considered by the Lead Local Flood Authority.

## **Trees and Ecology**

There are six mature trees on the site all of which are proposed for removal.

Concerns have been raised that bats use the trees within the site. An ecology survey has been submitted, this found no signs of suitability for bat roosting within any of the trees or buildings on the site. The survey concludes that the site is likely to provide foraging opportunities for bats, but there would remain significant foraging opportunity in the woodland immediately bordering the site to the south and as such it is not anticipated that this will have any significant long-term impact on foraging bats.

The trees offer bird nesting and foraging opportunities which will be lost, however it is not anticipated that it will have any significant long-term impact on foraging birds as any assemblage using the site will only have site level value. Impacts on breeding birds can be mitigated with a condition requiring clearance work is carried out outside of the bird breeding season or checks are carried out prior to commencing.

The Ecology survey recommends that compensation for the loss of the trees within the site should be provided through the enhancement of retained habitats and/ or creation of new wooded habitat elsewhere within the local area and that additional new native tree planting should form a key part of the future soft landscaping scheme at the site.

The Applicant has indicated that some replacement trees could be planted within the strip between the proposed car parking and the rear of Essex Street as part of the landscaping scheme. It is unlikely that this would fully mitigate the loss of the trees, however, balanced against the social and economic benefits of the provision of affordable housing the loss of the existing trees is acceptable.

## **Summary**

It is recommended that the approval of the application, and imposition of any additional conditions necessary, is delegated subject to the receipt of satisfactory surface water drainage details.

## **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Taking into account all material considerations the proposed development would not result in any unacceptable impacts. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

## **RECOMMENDATION: Delegate Grant Consent**

Subject to the following conditions:

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

**Reason:** Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: P 6554 L(00)22 REV 4, P 6554 L(00)20 REV 2, P 6554 L(2-)20 REV 5, P 6554 L(2-)21 REV 5, P 6554 L(2-)22 REV 4, P 6554 L(2-)23 REV 4, P 6554 L(2-)24 REV 4, P 6554 L(2-)25 REV 4, Sketch Sections.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of the erection of the external walls of the development samples of the external materials and finishes of the walls, roof, windows and doors and external hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**Reason:** To ensure a satisfactory appearance to the development.

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

**Reason:** To ensure a satisfactory appearance to the development.

5. The development hereby permitted shall not be commenced until a detailed landscaping scheme, including the provision of two replacement trees, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
  - a. the exact location and species of all existing trees and other planting to be retained;
  - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
  - c. an outline specification for ground preparation;
  - d. all proposed boundary treatments with supporting elevations and construction details;
  - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
  - f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

**Reason:** To ensure that the development is adequately landscaped so as to integrate with its surroundings.

6. Prior to the commencement of any development, foul and surface water drainage schemes and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. Foul water shall be drained on a separate system and the surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. The development shall be completed, maintained and managed in accordance with the approved details.

**Reason:** To control foul and surface water flow disposal and prevent flooding.

7. The development hereby approved shall not commence unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall thereafter be adhered to at all times during the construction period.

The Statement/s shall provide for:

1. the parking of vehicles for site operatives and visitors
2. loading and unloading of plant and materials
3. storage of plant and materials used in constructing the development
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing (if appropriate)
5. wheel-washing facilities
6. measures to control the emission of dust and dirt during construction
7. a scheme for re-cycling/disposing of waste resulting from construction works.
8. A Traffic Management Plan for the construction vehicles and staff accessing the site during the construction works

**Reason:** In the interest of amenity and highway safety and residential amenity.

8. Before work commences on the site and until completion of the development, facilities shall be provided and retained within the site, by which means the wheels of vehicles may be cleaned before leaving the land. All vehicles associated with the works shall thereafter use the facilities.

**Reason:** To ensure that dirt and debris from construction is not carried onto the highway in the interest of highway safety.

9. Prior to commencement of any development full engineering, drainage, street lighting and constructional details to adoptable standards (to Lancashire county Council's specification) of the internal road have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the internal roads and footpaths are constructed to an acceptable standard in the interest of highway safety.

10. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

**Reason:** In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

11. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed internal road, footways and communal parking areas within the development have been submitted to and approved by the local planning authority. The road, footways and parking areas shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

**Reason:** To ensure that the internal road parking and footpaths are adequately maintained.

12. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning spaces shall be laid out and be available for use before the development is brought into use and maintained thereafter.

**Reason:** Vehicles reversing to and from the highway are a hazard to other road users.

13. Prior to the occupation of each dwelling the car parking spaces and manoeuvring area for that dwelling shall be surfaced or paved and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling and maintained free from obstruction and available for parking and manoeuvring purposes thereafter.

**Reason:** To allow for the effective use of the parking areas.

14. Prior to the occupation of the first dwelling a scheme for the provision of secure cycle storage facilities shall be submitted to and agreed in writing by the Local Planning Authority. The cycle storage facilities shall thereafter be installed and made available for use prior to the occupation of the dwelling/s they serve.

**Reason:** To ensure that adequate provision is made for more sustainable modes of transport.

15. Prior to the occupation of the first dwelling a scheme for the provision of electric vehicle charging points, where feasible, shall be submitted to and agreed in writing by the Local Planning Authority. The electric vehicle charging points shall thereafter be installed and made available for use prior to the occupation of the dwelling they serve.

**Reason:** To ensure that adequate provision is made for more sustainable modes of transport.

16. Before any other development takes place on site that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be completed in its entirety including wearing course in accordance with the Lancashire County Council Specification for Construction. That part of the access extending from the highway boundary for a distance of 5m into the site shall remain unobstructed at all times thereafter. Before the commencement of the construction of each dwelling the estate road linking to that unit shall be constructed to at least base course level and shall be completed in its entirety including wearing course in accordance with the Lancashire County Council Specification for Construction prior to the occupation of each unit.

**Reason:** To ensure that satisfactory access is provided to the site before any other construction of the development hereby permitted commences.

17. Prior to the commencement of development, a scheme for the construction of the off-site works relating to the junction of the site and widening of footways on Essex Street and Bold Street shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development hereby approved shall be occupied unless and until the approved scheme has been constructed and completed in accordance with the details agreed.

**Reason:** To satisfy the Local Planning Authority that details of the highway scheme/works are acceptable before work commences.

- 18.** Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-
- a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
  - b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

**Advisory Notes:**

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

**Reason:** In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

- 19.** No part of the development commence unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for the 100% provision of affordable dwellings.



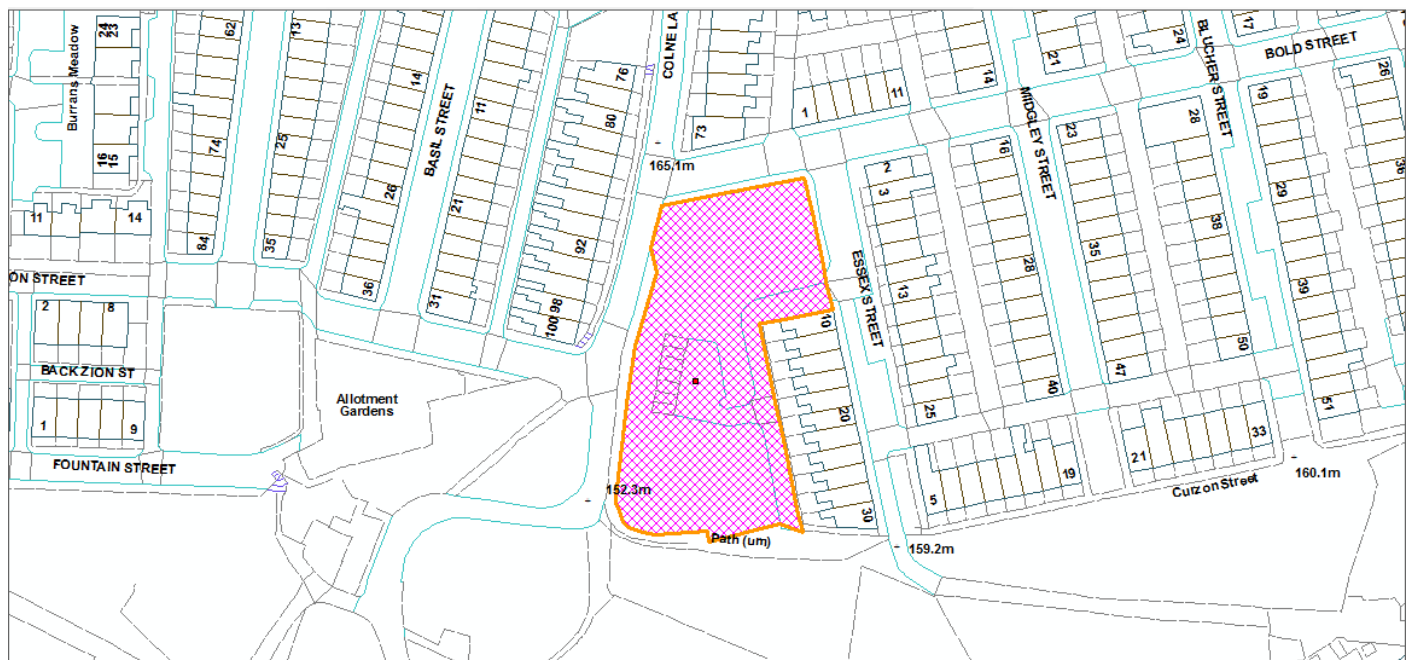
**Reason:** The public benefits of affordable housing provision offsets the loss of trees and open space.

20. No tree or vegetation clearance works shall take place between 1<sup>st</sup> March to 31<sup>st</sup> August unless and until details of a check by a suitably qualified ecologist to confirm the absence of nesting birds immediately prior to clearance works commencing have been submitted to and approved in writing by the Local Planning Authority and the absence of birds has been confirmed in accordance with the approved details.

**Reason:** To ensure protection of the habitat of species which are protected under the Wildlife & Countryside Act, 1981.

### Notes

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard, radius kerbs, tactile paved dropped pedestrian crossings on Essex Street and either side of the junction of Bold Street with Colne Lane, the re-location of the highway gully on Essex Street and a street lighting assessment. Due to the increase in pedestrian movements the footways along the development site frontages on Essex Street and Bold Street should be widened to a minimum width of 2m. The developer should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk), in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.



## COLNE AND DISTRICT COMMITTEE REPORT 03 OCTOBER 2018

**Application Ref:** 18/0361/FUL

**Proposal:** Full: Major: Erection of 15 residential units including 9 dwelling houses and 6 apartments with 29 car parking spaces.

**At:** Garage Site To The Rear Of 10 To 24, Essex Street, Colne

**On behalf of:** Cawder Construction

## REPORT TO COLNE AND DISTRICT AREA COMMITTEE ON 3<sup>RD</sup> OCTOBER 2018

**Application Ref:** 18/0439/OUT  
**Proposal:** Outline: Erection of three dwellinghouses (Re-submission).  
**At:** Land at Field No 6800, Hollin Hall, Trawden  
**On behalf of:** Mr Roy Pickles  
**Date Registered:** 26.06.2018  
**Expiry Date:** 21.08.2018  
**Case Officer:** Charlotte Pinch

### **Site Description and Proposal**

This application is brought to committee as it has received more than three objections. It has been deferred from the September 2018 committee to discuss policy considerations within the Trawden Forest Neighbourhood Plan.

The site is an open field, adjacent to the residential development of Rye Croft. It is located in open countryside, just outside the settlement boundary of Trawden and is within the Trawden Forest Conservation Area.

This is an outline planning application for access and layout only for a residential development. A layout plan has been provided showing 3 dwellings, with no further details of design or materials included. These matters would be assessed at the reserved matters stage.

### **Relevant Planning History**

13/11/0246P  
Full: Re-profiling of land to the South West of site (Retrospective).  
Approved with Conditions. 2011.

18/0302/OUT  
Outline: Erection of four dwelling houses (All Matters Reserved).  
Application Withdrawn. 2018.

### **Consultee Response**

#### **LCC Highways**

Having considered the information submitted for the above outline application, and a site visit on 26 July, the Highway Development Support Section does not have any objections in principle regarding the proposed outline development (all matters reserved) for three houses at the above location. This is subject to the following comments being noted, and conditions and notes being applied to any formal planning approval granted.

A reserved matters application will need to be submitted covering details of access, appearance, landscaping, layout and scale. As part of any reserved matters planning application the applicant is advised to consider the following provisional comments.

## **New access**

The formation of the new vehicle access from Rye Croft to the development site would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to, the construction of the access to an appropriate standard, including a minimum width of 4.5m and radius kerbs.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process.

## **Internal layout**

Whilst the internal access drive would not be considered for adoption by Lancashire County Council, this should still be constructed to adoptable standards, including a minimum carriageway width of 4.5m. Therefore, prior to the commencement of any development, full engineering, drainage, street lighting and constructional details to adoptable standards (to the county council's specification) should be submitted to, and approved in writing by, the local planning authority, and the development constructed in accordance with the approved details.

A continuous service verge is required fronting all properties and around the turning head. A 2m wide service verge is required for locating statutory undertakers' equipment and should be provided where buildings front onto the road. The minimum width of the opposite service verge around the turning head, can be reduced to 0.5m providing there is no street lighting. If street lighting is required on the narrow service verge a minimum verge width of 0.8m is required. Please note that the car parking spaces must not be over the service verge area.

A turning head is required to allow a long wheel based transit van or a light goods vehicle to enter and leave the site in forward gear. The turning head layout should be proved by swept path analysis for the above types of vehicle. Or, alternatively, the developer should provide a prescribed 'Access Way' turning head from Lancashire County Council's 'Residential Design Guide'.

No development should be commenced until details of the proposed arrangements for the future management and maintenance of the proposed internal access drive have been submitted to and approved in writing by the local planning authority.

## **Parking provision**

The development site does not score high in terms of accessibility and there would therefore be a reliance on the use of private vehicles. As such we recommend that maximum parking standards are applied to this development.

For properties with two to three bedrooms two adequately sized parking spaces should be provided. To count as one space a single garage should have minimum internal dimensions of 6m x 3m, which would also provide secure, covered storage for two cycles. Double garages should have minimum internal dimensions of 6m x 6m. Where garages less than 6m long are proposed, alternative secure, covered storage for a minimum of two cycles per dwelling should be provided elsewhere within their curtilage.

Driveways providing shared for both vehicles and pedestrians should be a minimum width of 3.2m. To count as one parking space driveways should be a minimum length of 6m; this should not include any service strip. Where a separate pedestrian access is provided driveways should be a minimum 2.4m wide (for a single vehicle), or 3m wide when bounded by a wall or fence.

For properties with four bedrooms and above, three parking spaces should be provided.

The minimum length of all manoeuvring areas fronting off-road parking provision should be 6m long, excluding any service strip.

## **Public Right of Way**

Public Footpath 132 (Trawden) runs adjacent to the development site and details of this application have been sent to Lancashire County Council's Public Rights of Way Section for their comment; they have been asked to respond direct to the planning authority. Nevertheless Public Footpath 132 must not be obstructed during the proposed development. It is the landowner's responsibility to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. If it is necessary for Public Rights of Way to be temporarily diverted or temporarily closed, it is the landowner's responsibility to ensure that this is done following the appropriate legal procedures. A temporary closure will only be granted where it is the intention to re-open the right of way upon expiration of the closure on the route recorded on the Definitive Map of Public Rights of Way.

The development must not commence until the necessary procedures are in place, either allowing the development to take place without affecting the right of way as recorded on the Definitive Map of Public Rights of Way and subsequent diversion orders and side roads orders. Or, if it is necessary to divert the above listed Public Right of Way, then the necessary Orders must be confirmed prior to construction to avoid enforcement action should the above Public Footpath become affected.

## **General**

Due to the highway network between Colne and Trawden being constrained in width and with heavy on-street parking, we recommend that a condition is applied restricting the timing of deliveries to ensure there is no conflict with traffic, both vehicular and pedestrian, at peak times in and out of Hollin Hall. Given the limited on-road parking provision in the vicinity, together with a high demand for this, the developer should also provide a construction method statement.

As a refuse vehicle would not be able to manoeuvre within the site the developer should provide a bin collection point at the entrance to the site. Guidance in 'Manual for Streets' is that a resident should not be required to carry waste more than 30m to the refuse storage point, and 25m is the maximum distance a two wheeled refuse container is to be transported to the refuse wagon.

## United Utilities

No objections, however the site should be drained on separate systems with foul water draining to the public sewer and surface water draining in the most sustainable way.

## PBC Developments and Project Manager

There is a culverted watercourse adjacent to the proposed development which has a history of surface water flooding associated with it.

A CCTV survey shows that a repair has been done on the original culvert using a plastic pipe, to replace a clay pipe.

There is also surface water run off on Rye Croft from highway water off Dark Lane. This could easily be resolved by overlaying the existing junction table at the entrance to Rye Croft so that the road level was equal to the adjacent footway levels.

## Trawden Forest Parish Council

Councillors raise an objection to the application. The proposal is located outside the settlement boundary. The site was scored in the development of the Neighbourhood Plan, in which it received a low score and therefore was excluded. The site is predominantly greenfield on the edge of the service centre and would score very low in a sustainability appraisal, it is also very close to the SSSI. There are no services directly onto the site and there are concerns over the increase in traffic using the small road onto Rye Croft.

### **Public Response**

Nine letters of objection were received from neighbouring occupiers, their comments can be summarised as follows:

- The site is outside the settlement boundary.
- The site is not included in the Trawden Forest Neighbourhood Plan.
- This would open up Dark Lane to further development.
- Concerns that the applicant doesn't own the land over which the site is accessed.
- The area of Rye Croft is already subjected to flooding and this would be exacerbated.
- Increase pressure on the local roads and further worsening of their condition.
- The local sewage system is at maximum capacity and requires upgrading.
- The site is within the Conservation Area and does conform to those requirements.
- Significant heavy traffic and vehicles on the roads during the construction period.
- Loss of the turning circle at Rye Croft, which will create unsafe highway access.
- Significant flood risk from surface water.
- Current public right of way through the site, which is not shown.
- Concerns over contamination of the site from its previous use linked to the mill.
- Misleading use of the term 'affordable homes'.

### **Officer Comments**

#### **Policy**

##### Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP2 (Spatial Development Principles) sets out the roles each settlement category will play in future growth. Trawden is defined as a one of the Rural Service Centres which will provide the focus for future growth in rural Pendle.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy LIV1 (Housing Provision and Delivery) sets out the housing requirement for Pendle, on allocated sites within settlements.

Policy LIV5 (Designing Better Places to Live) states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties.

#### Replacement Pendle Local Plan

Policy 31 (Parking) sets out the maximum parking standards for development.

#### Trawden Neighbourhood Plan

Policy 1 (Location of Development) establishes the key spatial priorities for the TFNP and supports development proposals within the Trawden and Cotton Tree settlements. Development outside of settlements will only be permitted where they are allowed in other policies.

Policy 6 (Heritage Assets) advises that development should respect the setting, character and appearance of heritage assets.

#### Development in the Open Countryside SPG

This guidance document was published in 2002 and was prepared under previous government guidance which has since been superseded by the National Planning Policy Framework. Under previous planning policy and guidance housing development beyond settlement boundaries was generally unacceptable unless it met specific exceptions, this is no longer the case. Although the SPG is still of some weight in decision making, its weight is limited and more applicable agricultural developments etc. Its guidance holds very limited weight in determining an edge of settlement housing development such as this.

#### National Planning Policy Framework

Paragraph 108 of the Framework states that decisions should take account of whether safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 59 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements.

Paragraph 79 of the Framework states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 50 of the NPPF considers situations where developments may conflict with an emerging Plan. It states:

“Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is

refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.”

## **Principle of Development**

The application site is located within the open countryside, adjacent to, but outside the settlement boundary of Trawden.

Paragraph 50 of the NPPF states that the refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or in the case of a neighbourhood plan, before the end of the local planning authority publicity period on the draft plan.

The Trawden Forest Neighbourhood Plan (TFNP) reached the examination stage and the examination report was received in August 2018, therefore it should be taken into account as part of the assessment of this application.

Policy 1 of the TFNP, as amended by the Inspector, states that development of new buildings outside of a settlement will only be permitted in certain circumstances. New housing is not one of those.

This should be read in conjunction with Policy LIV1 of the Pendle Local Plan Part 1: Core Strategy, which states that where it is necessary to encourage significant and early delivery of the housing requirement, proposals for new housing development will be support on non-allocated sites within a Settlement Boundary and sustainable sites outside but close to a Settlement Boundary.

Taking the above Policies into account, the examiner’s report for the TFNP, released in August 2018 highlighted that under Policy 2 of the TFNP which deals with Housing Site Allocations, the Plan makes available sufficient opportunity for residential development within the defined settlement boundaries, to allow the strategic requirement of 39 dwellings by 2030 to be met.

Furthermore, Policy 3 deals with the circumstances where windfall sites would be allowed, however it specifically states these sites will only be allowed if they are within the settlement boundary and meet 11 criteria. The application site, although a windfall site, is located outside of the settlement boundary and therefore would not conform with Policy 3.

As a result, in accordance with Policy 2 of the TFNP there is no requirement for further housing development outside of the allocated sites, in order to meet the areas strategic housing requirements. Therefore, no valid justification is available to develop outside the settlement boundary and therefore does not comply with Policy 1 of the TFNP or Policy LIV1. This proposal would not be acceptable in principle.

The TFNP has clear policies on developing in the open countryside. Although the TFNP has not yet been adopted it has both been publicised and gone through its examination in public. The Inspector has found that it meets the basic conditions.

In accordance with Para. 50 of the NPPF consideration can be given to the TFNP and developments on the grounds of prematurity. The development as proposed would be squarely contrary to the provisions of the TFNP on a site that has been discounted for development in the development of the TFNP.

Approving the application would be squarely contrary to the provisions of the TFNP and approving it would undermine the TFNP. The NP seeks to strictly control development outside of a settlement. By allowing this development it would effectively undermine that part of the NP by allowing development outside of the settlement on the basis that it was sustainable development. One of the key elements of the NP is to control that. Granting planning permission would therefore undermine the Neighbourhood Plan making process. It would also lead to the location of development being allowed in places that the NP is trying to control and would thus pre-determine the decision about location of development. Were this to be allowed there would be cumulative consequences going forward.

A letter received from the applicant, dated 17<sup>th</sup> Sept 2018, argues that Paragraph 50 of the NPPF has been interpreted incorrectly by the LPA and that too much weight has been applied to the policies of the TFNP when assessing this application. However, the comments do acknowledge that once the TFNP is adopted, the policies will not support any development outside of a settlement boundary.

As detailed above, the TFNP has reached the examination stage and therefore in accordance with Para.50 full weight should be given to TFNP and its policies in assessment of this application.

### **Layout**

The sites levels significantly rise towards the east, leaving a flattened area to the west, adjacent to the access from Rye Croft. Only this small flat portion of the site is being utilised, with the siting of three detached dwellings.

Two dwellings are shown to the north of the site, facing south and the third on the southern boundary facing north. Each dwelling is located to provide good access to the highway and retain sufficient spacing about each dwelling. The layout of the development does not appear cramped or out of keeping with the scale of comparable developments in the area.

### **Impact on Amenity**

No details of elevation plans or positions of windows have been submitted as part of this application. However, given the spacing of the properties and their layout within the site, it is unlikely this development will result in detrimental impacts on residential amenity.

### **Highways and Access**

No objections have been raised to the development or the proposed access on highway safety grounds, and I concur with that view.

The access shown, linking in with the existing adopted road at Rye Croft, would be suitable. The development shows adequate space for larger vehicles to turn within the turning head and sufficient space for adequate on plot parking for each dwelling.

### **Contamination**

Concerns were raised in relation to contamination of the site due to historical land use, linked to the local mills. An environmental survey has been submitted as part of the application, which



confirms that the site is not designated contaminated land and is unlikely to have any adverse effects on the properties.

## Drainage and Flooding

Concerns were raised in relation to existing flooding and drainage problems around the site. Following further investigations and assessment, it was concluded that the cause of this was a narrowed culvert at Rye Croft, adjacent to the application site, which is outside the applicant's ownership.

Adequate drainage arrangements can be secured by condition.

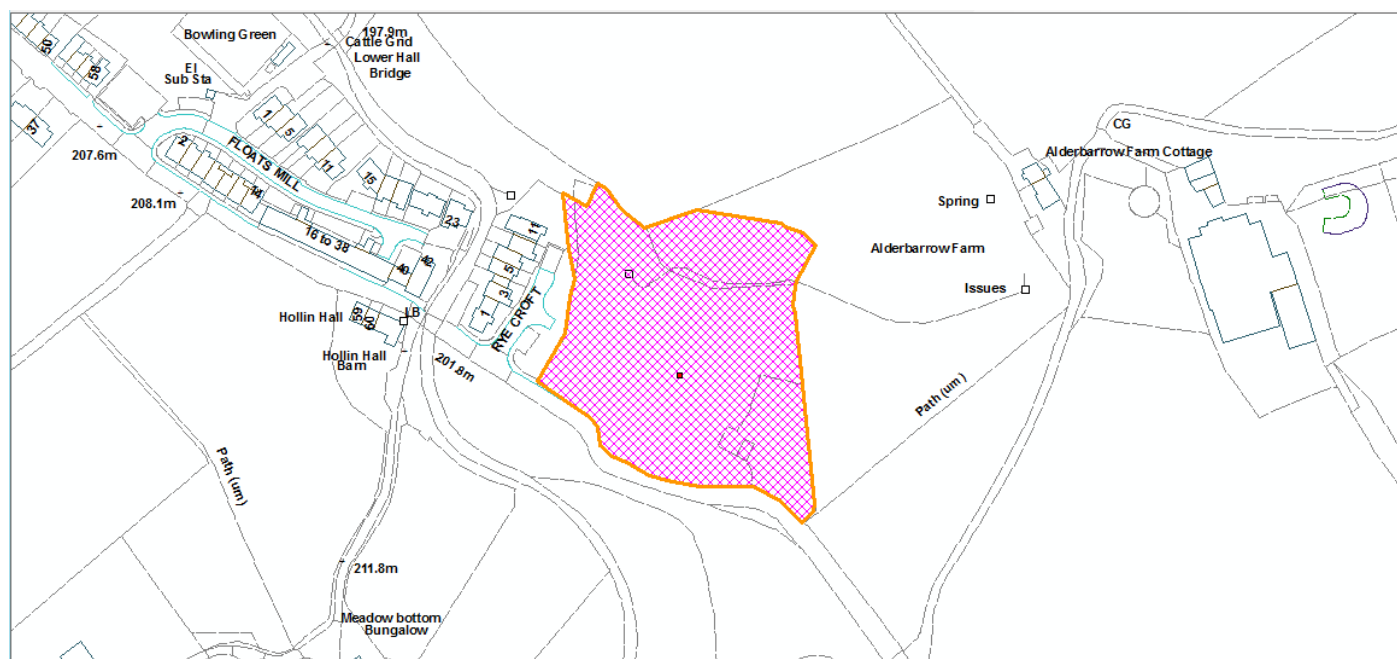
## Summary

In accordance with Policy 1 of the Trawden Forest Neighbourhood Plan and LIV1 of the Pendle Local Plan Part 1, the proposal of residential development outside the settlement boundary in this location would not be acceptable in principle. However, it is acknowledged that the layout and access of the proposed properties on this site would raise no objections.

## **RECOMMENDATION: Refuse**

For the following reasons:

1. The proposed development is located within open countryside, outside the settlement boundary of Trawden. Developing it would harm the character and appearance of the open countryside. The proposed site does not fall within an allocated site as detailed in the Trawden Forest Neighbourhood Plan and would be contrary to the provisions of Policy 1 of the Draft Trawden Forest Neighbourhood Plan.



**Application Ref:** 18/0439/OUT

**Proposal:** Outline: Erection of three dwellinghouses (Re-submission).

**At:** Land at Field No 6800, Hollin Hall, Trawden

**On behalf of:** Mr Roy Pickles

## COLNE AND DISTRICT COMMITTEE REPORT 03 OCTOBER 2018

**Application Ref:** 18/0522/VAR

**Proposal:** Full: Major: Variation of Conditions: Remove Condition 8 (Timber Windows) from the Planning Permission 13/02/0278P.

**At:** Ivegate Mews, Ivegate, Colne

**On behalf of:** Ivegate Mews RTM Company Ltd

**Date Registered:** 27/07/2018

**Expiry Date:** 26/10/2018

**Case Officer:** Alex Cameron

### **Site Description and Proposal**

This application has been brought before Committee at the request of a Councillor.

The application site is block of flats on Ivegate, Colne erected in the mid 2000s. To the south is the boundary of Albert Road Conservation area, which the building falls outside of, and the Grade I Listed St. Bartholomew's Church, to the west is Church Meadows, a mid 20<sup>th</sup> century block of flats, and to the north and south is open land.

This is a variation of conditions application to remove condition 8 of the planning permission for the building.

Condition 8 - All windows and doors on the proposed apartment block shall be wooden only and painted, not stained. Full details of the window openings shall be submitted to and approved in writing by the Local Planning Authority prior to any window being installed.

Reason: To ensure a satisfactory appearance, adjacent to the Albert Road, Colne, Conservation Area.

### **Relevant Planning History**

13/02/0278P - Erection of 8 semi-detached dwellings and 22 flats. Approved.

### **Consultee Response**

Colne Town Council - We object. Given its location adjacent to a conservation area, we are concerned of the impact that this will have on the nearby listed church and create further precedent for not reinstating timber windows in or adjacent to the conservation area.

### **Public Response**

Press and site notices posted and nearest neighbours notified – no response.

### **Officer Comments**

Condition 8 required details of timber windows and doors to be submitted and approved prior to their installation, those details were submitted to the Council and approved in writing in 2005 and the windows were installed in accordance with the condition.

Details of proposed upvc sash windows have been submitted with this application. Taking into account that the building is not within the Albert Road Conservation Area and does not have a significant impact on the setting of it or the nearby Grade I Listed St. Bartholomew's Church, the proposed upvc sash windows are acceptable and would preserve the significance those heritage assets.

However, flats do no benefit from the permitted development rights that can allow external alterations to houses, such as replacing timber windows in upvc, without the need for a planning application. As such it is not only condition 8 which restricts the installation of the proposed upvc windows, it is the fact that a planning application is required.

This application is not for planning permission, it is to remove or vary a condition of the permission for a development which was completed over a decade ago. This application is not the correct mechanism to allow the change of the windows to upvc sash windows, a full planning application is required.

The condition has been discharged and complied with and the installation of new windows can be controlled by the planning process, therefore, there is no reason not to approve the condition's removal. However, this does not have the effect of allowing the replacement of the existing windows with upvc windows, a full planning application would be required for that. The Applicant has been informed of this.

### **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Condition 8 has been discharged and fully complied with and as such its removal is acceptable. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

### **RECOMMENDATION: Approve**

Subject to the following conditions:

- 1 The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason: The condition is deemed attached by virtue of Section 91 of the Town and Country Planning Act 1990.

- 2 This consent is confined to drawing nos. 01/66/1A, 01/66/3, 01/66/2A, received on 16th May 2002; and, drawing nos. 01/67/12A and 01/67/10A, received on 20th June 2002.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

- 3 No development shall be commenced until full details, including representative samples of all the external materials of construction as described on the approved plans, have 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 details.

Reason: To ensure a satisfactory appearance to the scheme and the setting of the Albert

Road, Colne, Conservation Area.

- 4 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of visual amenity.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings 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 consent to any variation.

Reason: In the interests of visual amenity.

- 6 None of the flats hereby permitted shall be occupied until the proposed car park has been constructed, laid out and hard surfaced in tarmac and is available for use. No part of the car park shall be used for the parking or keeping of caravans, trailers or anything other than private motor cars/motorcycles or bicycles.

Reason: To prevent on-street parking, in the interests of highway safety and amenity.

- 7 No dwelling hereby permitted shall be occupied until its associated driveway has been constructed and surfaced in permanent hard surfacing and is available for parking two motor cars.

Reason: To prevent on-street parking, in the interests of highway safety and amenity.

- 8 No gates shall be erected at the entrance to driveways of the proposed houses or at the entrance to the proposed car park unless set back from the edge of the footway/highway by a minimum of 5.5 metres and constructed with gates that open into the site only.

Reason: To prevent cars from obstructing the highway, in the interests of highway safety.

- 9 Full details of all the fencing, screen walls or any means of enclosure to be erected or planted on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the erection or planting thereof and this condition shall apply notwithstanding any indications as to these matters given in the application.

Reason: In the interests of visual amenity.

- 10 All rainwater and soil pipes shall be in cast iron or aluminium and painted black unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance adjacent to the Albert Road, Colne, Conservation Area.

- 11 All existing site levels shall be maintained in the development of the apartment block, car park and houses, including along all boundaries, unless otherwise indicated on the approved plans or as otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory implementation of the proposal.

- 12 There shall be no building within 3 metres of any public sewer which crosses the site.

Reason: To ensure adequate access to public sewers for maintenance purposes.

- 13 The non-definitive public footpath that crosses the site of the proposed car park shall be kept free of obstruction during construction and shall remain open and available for use at all times unless otherwise agreed in writing by the Local Planning Authority.

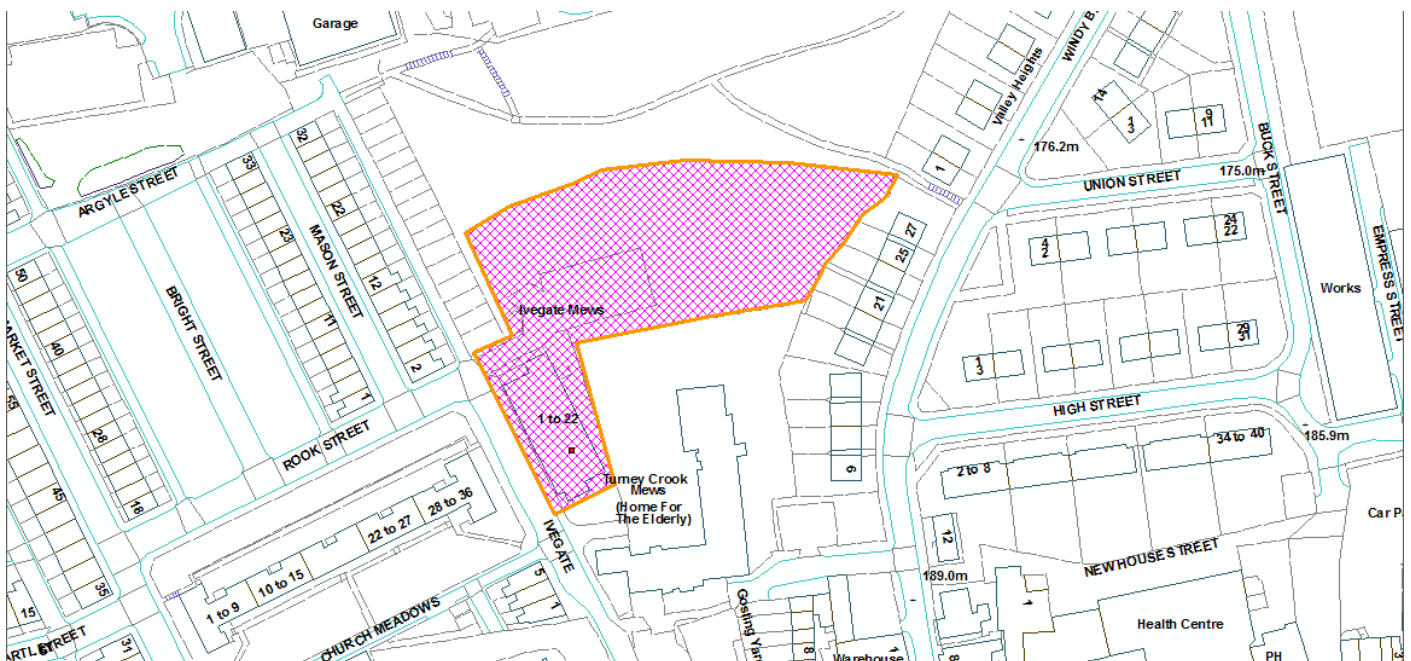
Reason: To ensure access is not impeded along an established public walkway.

- 14 No development shall be commenced until details of the eaves treatment and brackets for rainwater goods on the proposed apartment block have been submitted to and approved in writing with the Local Planning Authority.

Reason: To prevent the use of inappropriate barge boards or fascias on the apartment blocks.

- 15 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment.



**Application Ref:** 18/0522/VAR

**Proposal:** Full: Major: Variation of Conditions: Remove Condition 8 (Timber Windows) from the Planning Permission 13/02/0278P.

**At:** Ivegate Mews, Ivegate, Colne

**On behalf of:** Ivegate Mews RTM Company Ltd

## REPORT TO COLNE & DISTRICT COMMITTEE ON 3<sup>rd</sup> OCTOBER 2018

**Application Ref:** 18/0551/FUL

**Proposal:** Full: Demolition of buildings and erection of one dwellinghouse.

**At:** Land to the South West of 117 Greenfield Road, Colne

**On behalf of:** Mr Mark Howarth

**Date Registered:** 10 August, 2018

**Expiry Date:** 5 October 2018

**Case Officer:** Kathryn Hughes

### **Site Description and Proposal**

The application site is a parcel of the land off Greenfield Road, Colne which lies in Open Countryside outside of the settlement boundary and adjacent to Green Belt land and a Biological Heritage Site. The site also lies within Flood Zone 2.

The site contains some buildings including a timber storage shed, metal container and small shed.

This application seeks consent to erect one detached house accessed from a track off Greenfield Road.

The three bedroomed dwellinghouse would be constructed in natural or artificial stone with natural or artificial slate. No details of windows and door materials have been submitted.

The site is approximately 1.8km south west of Colne Town Centre.

### **Relevant Planning History**

13/15/0558P – Demolition of existing buildings and erection of a detached dwelling house – Withdrawn.

### **Consultee Response**

United Utilities – Request drainage conditions are attached to any grant of approval.

LCC Highways – Having considered the information submitted for the above application, together with observations during a site visit on 4 September 2018, the Highway Development Support Section makes the following comments.

A previous planning application (ref 13/15/0558P) for the demolition of existing buildings and erection of a detached dwelling house on this site was previously submitted in November 2015, and subsequently withdrawn prior to determination. The highway authority had, however, objected to the application on sustainability and highway safety grounds due to the distance from local amenities/facilities, likely reliance on the use of vehicles and nature of Greenfield Road. Greenfield Road is a narrow, privately maintained road of a rural nature, with no footways or passing places (along the majority of its length), and very narrow/no verges in parts for pedestrians or cyclists to take refuge from passing vehicles. It is also subject to restrictions intended to limit use by general through traffic.

In addition, a designated cycle way and Public Footpath 173 (Colne) run along Greenfield Road, which is also the access to a Nature Reserve, and therefore likely to be well-used by walkers and cyclists, as well as residents. The increased number of vehicle movements could raise the likelihood of conflict with other highway users, particularly during clearance and construction works, which raises concerns regarding highway safety.

Details of the planning application have also been sent to the county council's Public Rights of Way Section for their comment.

Given the concerns above regarding access to the site we again raise an objection on highway safety grounds. We also do not consider that it is a sustainable site.

However, if the local planning authority is minded to approve this application we recommend that a number of conditions are applied to any formal planning approval granted. These relate to operations during the demolition/clearance and construction phases and on-site parking provision.

Environment Agency – No comments. The Flood Risk Standing Advice applies.

Colne Town Council – We object. This is a significant distance outside of the settlement boundary and are concerned at the precedent this will create to enable further development of a similar nature. This would not comply with our emerging Neighbourhood Plan.

## **Public Response**

Nearest neighbours notified by letter. Three responses received raising the following issues:

- This land is in a flood plain;
- Not in keeping within this area;
- Access by single track. Road is bad enough with traffic now;
- Possible problems with removal of water waste and sewage. Well below connection pipes;
- Opposite sewage works possible attraction to vermin i.e. rats for warmth and food;
- The access road is unadopted and is within the ownership of Pendle Borough Council. Access to the site from Greenfield Road is therefore over private land;
- The site is right of the edge of a nature reserve on a greenfield site;
- Some distance from local amenities i.e. Schools, bus stop, health centre, etc.;
- Significant increase in traffic during build with HGV dropping off equipment and materials as well as tradesmen;
- Increase in traffic after build with at least one car per adult (prob 3 or more) and still have HGV for the owner to continue his employment;
- The building will overlook gardens in front of new building and access to those gardens would be restricted;
- Access to land and livestock would be problematic;
- Disruption when putting in power lines, water, gas, phone and sewage pipes; and
- Just a few points to suggest this is not the best location for a new build, especially in light of the fact that there are many locations very nearby which would be more suitable and are on brownfield sites.

## **Officer Comments**

The main issues are compliance principal of housing, impact on amenity, design, highway issues, protected trees and ecology.

## 1. Policy

The following adopted Local Plan Part 1 policies are relevant to this proposal:-

Policy ENV1 requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets.

Policy ENV7 seeks to mitigate against potential flood risk on site and reduce the risk of flooding elsewhere.

Policy LIV1 allows for development outside of the settlement boundary where they are sustainable and make a positive contribution to the five year supply of housing land until such time as the Council adopts the Pendle Local Plan part 2: Site Allocations and Development Policies provided they scheme accords with other policies of the Core Strategy.

Policy LIV3 provides guidance on the housing needs of the Borough in order to provide a range of residential accommodation.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

Replacement Pendle Local Plan policies are relevant to this proposal:-

Policy 31 'Parking' supports new developments which are in line with the Maximum Car and Cycle Parking Standards. This is addressed under the Highways Section below.

## 2. Principle of Housing

The site is outside of the settlement boundary and therefore the principle of housing on this site needs to be addressed to terms of policy.

Policy LIV1 requires housing to be delivered in accordance with policy SDP3. The Local Plan Part 2: Site Allocations and Development Policies will be used to allocate sites. Proposals for new housing development will also be supported where they accord with other policies and are on non-allocated sites within a settlement boundary where they are sustainable and make a positive contribution to the five year supply of housing land.

Until the Council adopts the Pendle Local Plan Part 2 sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land will be supported.

The site is located within open countryside accessed of a short track from Greenfield Road of approximately 25m and some 52m from the Settlement Boundary to the south East. The site is approximately 900m walk along Greenfield Road and Whitewalls Drive to the nearest bus stop on Regent Street which would take approximately 10 mins to walk and slightly closer to the facilities at Asda supermarket. This is taking the most direct route feasible as Colne Water, Sewage Works and industrial site lie between these sites so as the crow flies this might seem to be a sustainable site in terms of proximity to services.



It is not an isolated location in open countryside but on the periphery of a main town. It is sufficiently well located to the settlement and facilities to comply with the requirements of LIV1.

### 3. Impact on Amenity

The erection of a single dwellinghouse on this site would not have an unduly adversely effect on the amenity of the nearby residents in terms of additional comings and goings due to the distances between existing and proposed properties

### 4. Design

The design of the proposed dwellinghouse would be of a more modern design than those in the surrounding area.

Whilst the proposed dwellinghouse would not be of a similar appearance to the existing buildings it is separate from these by 30m down a track and therefore design proposed here is appropriate and would detract from the appearance of the area in respect of height and modern design.

In terms of materials the form states that this could be natural or artificial stone and natural or artificial slate. No details of materials for windows, doors, rainwater goods or hard surfacing have been proposed nor details of landscaping and boundary treatments.

The development therefore accords with policy ENV2 subject to appropriate conditions to control the materials to be used on the external elevations and boundaries.

This proposal raises no adverse crime prevention issues.

### 5. Highway Issues

The LCC Highways Engineer has raised an objection to this proposal on sustainability grounds. However, this has been considered in detail in the principal of housing section above and whilst these concerns are understood the judgement in the Court of Appeal case is very clear on this issue.

The requirement for this proposal is for 2 off-street spaces per dwelling.

The submitted plan shows a garage and parking in front for the dwellinghouse which is appropriate and therefore complies with policy 31. It would be appropriate to attach a condition requiring the garage to be used for the housing of a motor vehicle only given the limited curtilage and access track to the site

### 6. Ecology/ Landscaping

The dwellinghouse would be positioned in open countryside with a Greenfield Local Nature Reserve sited to the east and Green Belt land to the north and west.

It is considered to be local risk in terms of ecology as the site is currently in use and the existing buildings do not lend themselves to any potential habitat for birds or bats.

Taking into account the sites located in open countryside and adjacent to the Nature Reserve it would be appropriate to condition landscaped boundary treatments including hedges and or stone walls

A scheme of landscaping sympathetic to the site's character and vicinity has not been included with the application and therefore this would need to be conditioned to any grant of approval in order to comply with policy 16.

## 7. Flood Risk and Drainage

The site lies within Flood Zone 2 and a Flood Risk Assessment has been submitted.

There is a medium risk from fluvial (river) flooding from Colne Water which lies approximately 50m to the south-east and Wanless Water which lies approximately 80 to the north west.

Colne Water is a tributary of Pendle Water, which in turn is a tributary of the River Calder and is designated as "Main River".

Due to the potential for flooding mitigation measures include finished floor levels, flood resistance/resilience measure at ground floor level, surface water runoff in line with sustainable measures and greenfield runoff rate restrictions for surface water as well as a flood evacuation plan have all been proposed. It would be appropriate to ensure that these measures are implemented in order to reduce the potential for flood risk here and at adjacent sites in accordance with policy ENV7.

## 8. Summary

The principle of housing here is accepted as it would not result in an isolated dwelling in terms of paragraph 78 of the NPPF (2018) and would not adversely impact on amenity, highway safety, flood risk or the open countryside subject to appropriate conditions. Drainage and landscaping scheme can be controlled by conditions.

## **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would not adversely impact on open countryside, amenity or highway safety and would be acceptable in terms of siting, design and materials subject to appropriate conditions and therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

## **RECOMMENDATION: Approve**

Subject to the following conditions:

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

**Reason:** Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

1:1250 location plan, 1:500 block plan, CAL 2018 007 001 G.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

**Reason:** In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

4. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence unless and until a scheme for the disposal of foul and surface water for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 5l/s. The development shall be completed, maintained and managed in accordance with the approved details.

**Reason:** To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

5. The development hereby permitted shall be carried out in strict accordance with the Flood Risk Assessment mitigation measures. The finished internal floor levels shall be set no lower than 125.20m Above Ordnance Datum.

All the mitigation measures shall be carried out prior to the occupation of the dwelling hereby approved.

**Reason:** To order to reduce the danger to intended occupants of the dwellings from potential flooding and to prevent an undue increase in surface water run off and to reduce the risk of flooding

6. Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of the dwelling including windows and doors shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in strict accordance with the approved details.

**Reason:** To ensure a satisfactory form of development in the open countryside.

7. Windows and doors shall be set back from the external face of the walls of the units by at least 75mm in depth.

**Reason:** To ensure a satisfactory form of development.

8. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E and F of Part 1 and Class B of Part 2 of Schedule 2 of that Order shall be carried out and Class A of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

**Reason:** In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of the area.

9. The car parking areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

**Reason:** To allow for the effective use of the parking areas.

10. The garages hereby permitted shall not at any time be used for any purpose which would preclude their use for the parking of a motor car.

**Reason:** To ensure that there is adequate off-street parking provision within the site to prevent on-street car parking that would be inimical to highway safety.

11. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;

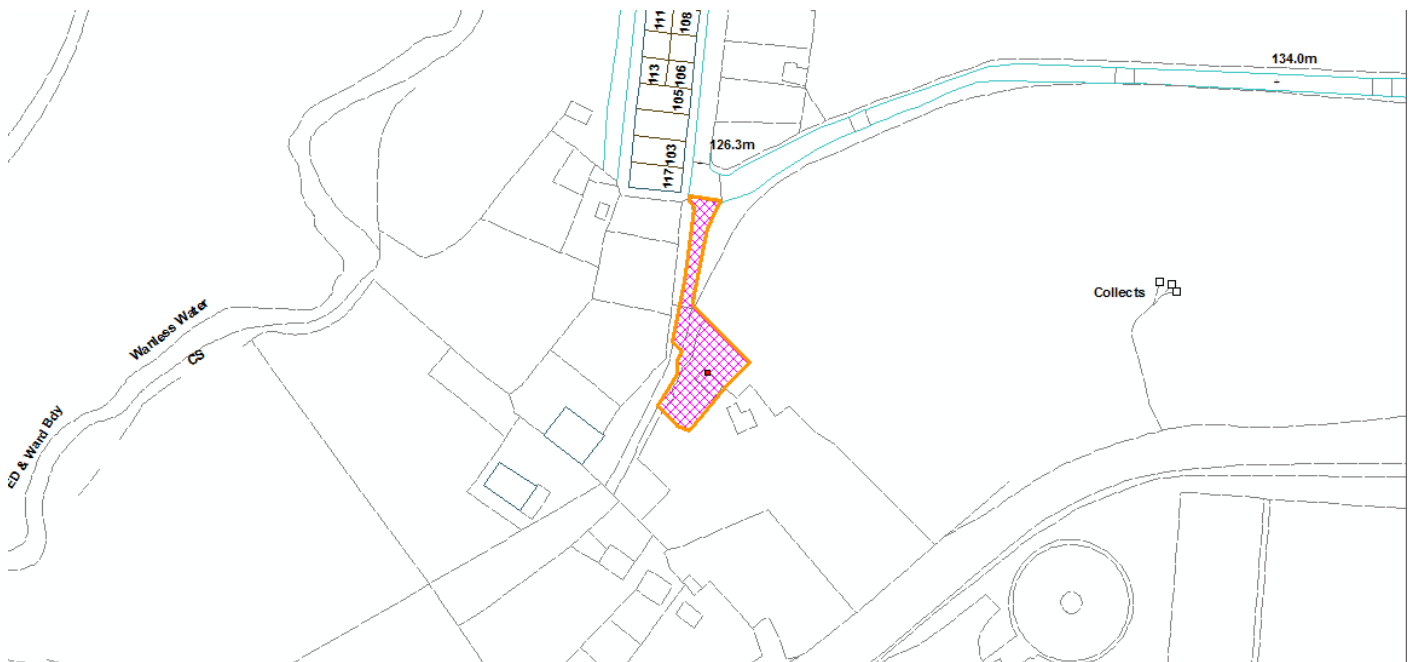
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed hard landscape elements, boundary treatments and pavings, including layout, materials and colours;
- e. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

**Reason:** To ensure that the development is adequately landscaped so as to integrate with its surroundings

12. Before a dwelling unit is occupied waste containers shall be provided on each plot.

**Reason:** To ensure adequate provision for the storage and disposal of waste.



**Application Ref:** 18/0551/FUL

**Proposal:** Full: Demolition of buildings and erection of one dwellinghouse.

**At:** Land to the South West of 117 Greenfield Road, Colne

**On behalf of:** Mr Mark Howarth

#### LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 25<sup>th</sup> September 2018