

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES**

TO: WEST CRAVEN COMMITTEE

DATE: 9th June 2020

Report Author: Neil Watson
Tel. No: 01282 661706
E-mail: neil.watson@pendle.gov.uk

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE 9TH JUNE 2020

Application Ref: 19/0863/REM

Proposal: Reserved Matters: Major: Erection of 34 dwellinghouses (access, appearance, layout, scale and landscaping).

At: Land At Field Number 0087, Earby Road, Salterforth.

On behalf of: Cross Construction Ltd.

Date Registered: 02.12.2019

Expiry Date: 112.06.2020

Case Officer: Charlotte Pinch

Site Description and Proposal

This application has been brought before committee as it is a major application, consisting of 34 dwellings.

The application is a Reserved Matters application for the access, appearance, layout, scale and landscaping for the erection of 34 dwellings. Outline planning permission (access and layout only) was granted in 2016 for the erection of 34 dwellinghouses on the site.

The application site is agricultural land located in the parish of Salterforth on the west side of Earby and lies outside the settlement boundary in Open Countryside.

The site is a triangular piece of land which measures 1.26ha and slopes down to the east. It is bounded by housing on Kenilworth Drive to the east, Open Countryside to the south and Earby Road to the north.

The scheme consists of six 2 bedroom semi-detached units, eight 4 bedroom detached units, four 4 bedroom semi-detached units, eleven 2 bedroom terraced bungalows and four two bedroom apartments.

Access is proposed to be gained off Earby Road.

Relevant Planning History

16/0329/OUT

Outline: Major: Erection of 34 dwelling houses (1.26ha) (Access and Layout only).
Refused. 2016.

16/0630/OUT

Outline: Major: Erection of 34 dwelling houses and creation of new access (Re-Submission).
Approved with Conditions. 2016.

Consultee Response

LCC Highways

There is an outline application (all matters reserved) approved under reference 16/0630/OUT for 34 dwellings.

Construction traffic

The construction traffic management plan submitted is acceptable.

The formation of the site access and all the highway works must be completed under an agreement with Lancashire County Council.

The applicant should be advised to contact Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided. It should be noted that the signing of an agreement can take up to 3 months and that no works should commence prior to the signing of the agreement.

The traffic management requirement on Earby Road during the formation of the site access will require a permit which must be obtained from Lancashire County Council by emailing – lhsstreetworks@lancashire.gov.uk with the completed forms which can be found on our website.

Site access and off-site highway works

The position of the site access is acceptable with visibility splays of X2.4m by Y52m in both directions. Condition 11 on the outline application 16.0630 covers this.

The proposed change of road alignment on Earby Road and the provision of a 2m wide footpath from Kenilworth Drive to the west of site access is acceptable and will provide a safe place for pedestrians, protection of the sight lines and a better road alignment which should slow vehicle speeds to the east of the site access.

At outline stage a request for £22,000 to upgrade the two bus stops near the site to quality bus stops was made. It appears that since this application, the nearest bus stops have been upgraded to quality bus stop standard. Therefore the works are no longer required.

Internal layout

The turning head close to the pumping station appears too small. I have attached our standard turning head designs, alternatively you can provide tracking for the refuse vehicle specification attached. Please provide a service strip of at least 0.5m around the whole turning head. Please amend and/or provide the tracking to demonstrate the suitability.

An amendment is recommended at plot 20 to widen the driveway to provide 2 side by side spaces for practicality, otherwise it is likely that parking will occur on the road and cause an obstruction for large vehicles.

The surface water drainage from the road is proposed by a requisitioned sewer to be offered for adoption by Yorkshire Water and should be read in conjunction with comments by Local Flood Risk Authority. Separate drainage consents will be required. If the drainage is adopted by Yorkshire Water and the layout is amended as detailed above then the infrastructure will be acceptable for adoption.

Maintenance and management Plan (open spaces, footpaths and hedges) – There is a drawing included in appendix 5 which shows the area highlighted light blue which will be offered for adoption by the LA. The area covers the hedgerow and landscaping adjacent to the new footpath on Earby Road. Assuming LA refers to Lancashire County Council as Highway Authority, this should be amended to exclude the landscaping. There are 2 road sections highlighted brown and communal car parking areas highlighted dark beige which will not be acceptable for adoption and

these should be included in this plan to set out how they will be maintained in the future including road surface, street lighting and surface water drainage.

A connection from the site to footpath 13-5-FP48 is not proposed. I can see that the red edge does not directly adjoin the public right of way which is likely to mean that a link cannot be created without the consent of the landowner.

Conclusion

To conclude there are minor amendments required to the layout to make it acceptable. The CTMP is acceptable and the Maintenance and Management Plan requires a minor amendment and additional information including.

Update; Revised information was submitted on 5th March 2020, it was confirmed by LCC Highways that these additional details satisfied their previous concerns. All outstanding matters were therefore resolved.

Lancashire Constabulary

Thank you for providing Lancashire Constabulary with the opportunity to comment on this Reserved Matters Application for 34 dwellings.

Please can I ask that you signpost the applicant to the Secured by Design New Homes 2019 design guide via www.securedbydesign.com so that physical security measures can be incorporated into the dwellings to keep the residents safe and feeling safe. I recommend that the applicant develops the scheme to achieve Secured by Design certification. Application forms can be found on the Secured by Design website.

Natural England

Natural England currently has no comment to make on the reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yorkshire Water

Yorkshire Water has no objection to the approval of the reserved matters application.

The developer should note the following points in relation to existing clean water infrastructure:

- a) there is a private main shown close to where the road is to be widened which may require diverting (at developers cost); and
- b) a 4" main close to where the footpath is to be extended (on Kenilworth Drive). We strongly recommend that the exact location of the main is traced prior to construction, again, at the developer's cost.

LCC Lead Local Flood Authority

No objection to the proposed development, subject to the requirements of conditions 12, 13, 14 and 15 of outline planning permission 16/0630/OUT being fully satisfied.

PBC Environmental Health

No objections, recommendations for conditions.

Earby Town Council

The outline application has been passed, however Earby Town Council may have objected if it had been consulted prior to this. Evidence of consent from the Environment Agency to discharge water into New Cut Beck.

Public Response

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

- Flooding and drainage issues, which will affect adjacent properties and local roads.
- Overlooking impacts onto Kenilworth Drive as a result of the proposed three storey dwellings.
- Unacceptable development on pasture land.
- Lack of sufficient parking on site, per property, which could result in dangerous overflow parking elsewhere.
- The proposed houses which back onto the gardens of Kenilworth Drive are too close, loss of privacy and amenity.
- Loss of natural division between Earby and Salterforth, they will become one and lose individuality.
- Existing problem with new build properties, which are overpriced, in the area.
- Hazardous main road, where accidents are common. The development will bring more traffic and congestion.
- Narrowing of the road to incorporate a footpath would not be beneficial and cause congestion.
- Lack of boundary screening proposed.
- Increased pressure on local facilities, including doctors and schools.
- Loss of trees and hedgerows, which are home to birds and wildlife.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

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 ENV7 (Water Management) does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere.

Policy LIV1 (Housing Provision and Delivery) sets out the requirement for housing to be delivered over the plan period. This policy allows for non-allocated sites within the Settlement Boundary as well as sustainable sites outside but close to a Settlement Boundary.

Policy LIV3 (Housing Needs) provides guidance on the housing needs in order to provide a range of residential accommodation.

Policy LIV4 (Affordable Housing) sets out the targets and thresholds required to contribute towards the provision of affordable housing.

Policy LIV5 (Designing Better Places to Live) 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 16 'Landscaping in New Development' requires all development proposals to include a scheme of landscaping sympathetic to the site's character and vicinity.

Policy 31 'Parking' supports car parking in new developments in line with the Maximum Car and Cycle Parking Standards. All new parking provisions should be in line with these standards unless this would compromise highway safety.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Section 12 of the Framework relates to design and makes it clear that design is a key aspect of sustainable development. Paragraph 130 of the Framework states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Principle of Development

The principle of residential development on this site has been established by the previously approved outline application 16/0630/OUT.

Design and Visual Amenity

The application site is not in a prominent location or significant in landscape views. It is sited adjacent to Earby Road, a key link road between Earby and Salterforth, as well as the Kenilworth Drive residential development.

The site is predominantly screened from Earby Road by an extensive band of mature trees and hedgerow. The southern boundary of the site also benefits from dense boundary treatment comprising of mature trees. Therefore, the site is not readily visible from public vantage points and this natural boundary treatment provides an effective buffer and softening of the built form within the landscape. The majority of the existing boundary trees are to be retained as part of this development, with an additional hedgerow added along the southern boundary of the site.

In addition to areas of planting throughout the site, the layout proposes an area of designated open space at the southern end of the site. It is set away from the proposed development, and whilst part of it is designated for an underground pumping station, this still leaves a sufficient area of open space in relation to the scale of the proposed development.

The layout of the proposed dwellings forms a 'T' shape, which allows for sufficient separation between the dwellings and results in very few gardens backing onto each other. All properties benefit from a rear garden in excess of 10m deep, many over 16m deep. These are suitable garden sizes and appropriate for the scale of the dwellings proposed. Moreover, this ensures that the development does not result in a cramped built form with a suitable density of houses.

The proposed dwellings comprise of 5 house types, including single storey bungalows, 1.5 storey semi-detached properties, two storey semi-detached, three storey detached and a two-storey apartment block. All the dwellings have comparable features including simple pitched roofs, gable features and larger windows on the front and rear elevations. Although of simple design, the range in house types provides suitable variation throughout the development.

The dwellings are to be constructed of natural coursed stonework, ashlar stone quoin edging and natural blue slate roof tiles. The fenestration will comprise of white woodgrain UPVC and black conservation style roof lights. These materials would be acceptable for this setting, location and form of development.

Residential Amenity

The site proposes a mix of house types in a relatively regimented layout throughout the site. The majority of the plots face into the site, with the rear elevations and gardens backing onto the boundary of the site.

Plots 7-11 are single storey bungalows and have properties to the front and rear. However, they would retain a 10m deep rear garden and be 12m from the side elevation of Plot 12.

Plots 32-34 would be sited adjacent to the entrance of the site and would be located 15m from the side elevation of Plot 31.

Plots 18-23 comprise of a block of four apartments and two semi-detached properties, these would be sited 15m from the side elevation of Plot 24.

Moreover, Plots 12-17 back onto the rear of existing properties on Kenilworth Drive. However, the proposed dwellings are only 1.5 storey in height and would retain a 12m separation distance from the rear boundary of the site.

The proposed siting of the dwellings would result in sufficient separation distances to ensure no significant detrimental overlooking or overbearing impacts on future or existing neighbouring occupiers.

House type 3 proposes one second floor side facing window on each property. Given the siting of these properties, these windows would be within close proximity of adjacent properties side elevations and rear garden areas. Therefore, given two other roof lights serve these second-floor master bedrooms, a condition will be applied to ensure the side facing windows are obscure glazed.

Similarly, house type 5, which comprises of four apartments, proposes two first floor side facing windows on the east and west elevations. No concerns are raised regarding the western elevation, as this faces onto an access road and retains significant separation distance with Plot 32. However, the eastern elevation would be within a close distance of Plot 19, therefore the two first floor windows on the eastern side elevation will be obscure glazed by condition.

Landscaping

A landscaping plan has been submitted as part of this application, it provides details of the existing trees to be removed, the existing trees to be retained, hedgerow planting and new trees proposed within the site.

The scheme shows a large proportion of the existing northern and southern boundary trees to be retained, in addition to hedgerows comprising of Hawthorn and Hazel. Moreover, 50 additional trees are to be planted within the site and as screening along the eastern boundary of the site with Kenilworth Drive. These will comprise of a mix of Alder, Silver Birch, Holly, Hawthorn, Maple, Beech and Cherry.

The remainder of the site, including the open space will be grassed, with block paving for the parking areas. The frontages of the proposed dwellings will remain open and grassed, softening the hard landscaping elements within the development.

As a result, the proposed landscaping is considered acceptable.

Highways

Access to the site was dealt with as part of the outline application and suitable conditions applied.

The internal layout proposed has been amended during the course of the application, to ensure a suitably sized turning head at the south of the site and footways which run along the full vehicular access route.

In accordance with Saved Policy 31, which sets out the parking standards, the maximum parking provision should be adhered to in this case given the location of the site. Each unit benefits from a combination of driveway parking and a single or double garage. The proposed apartments have two allocated parking spaces per apartment, within close proximity of them. As a result, there is sufficient on plot parking within the site, in accordance with Policy 31.

Flood Risk and Drainage

Concerns have been raised regarding drainage and flooding issues on the site, and the impacts this will have on surrounding existing properties. These aspects were dealt with as part of the outline application and suitable conditions applied.

The scheme proposes a sustainable drainage system, which has been controlled by a condition. No objections were raised previously by the Lead Local Flood Authority and Yorkshire Water have raised no objection to the approval of this reserved matters application.

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 accords with the Local Plan and National Planning Policy Framework. 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. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission No. 16/0630/OUT and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No.16/0630/OUT

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

CROS/19 Dwg02C, CROS/19 Dwg09B, CROS/19 Dwg20A, CROS/19 Dwg21, CROS/19 Dwg22, CROS/19 Dwg23, CROS/19 Dwg24A, CROS/19 Dwg00, CROS/19 Dwg01 and CROS/19 Dwg08.

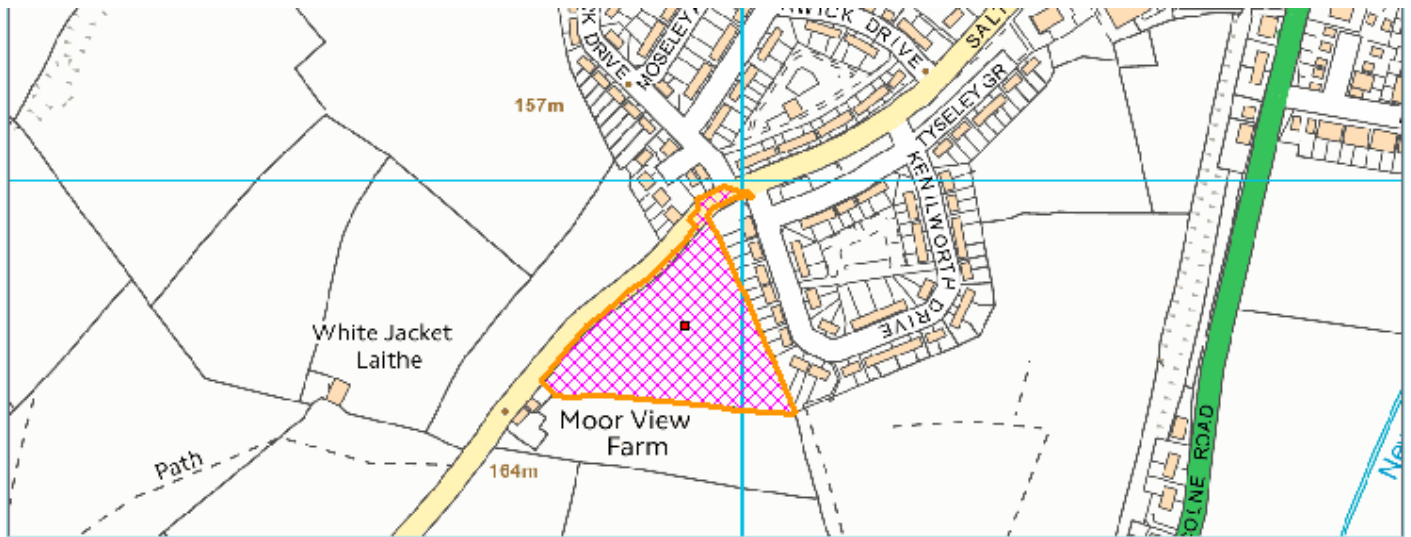
Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to first occupation of each dwelling, the on plot parking provision as shown on the approved plan CROS/19 Dwg02C, must be constructed, surfaced and marked out. The parking spaces shall thereafter always remain unobstructed and available for parking.

Reason: In order to ensure satisfactory levels of off street parking are achieved within the site, to prevent parking on the highway to the detriment of highway safety.

4. The windows in the second floor side elevations of House Type 1 and the two windows in the first floor eastern side elevation of House Type 5 of the development hereby permitted shall at all times be glazed only with obscure glass of Level 4 or above. Any replacement glazing shall be of an equal degree of obscurity and the windows shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

Reason: In order to protect and preserve the privacy and amenity of the occupiers of the adjoining dwelling.



Application Ref: 19/0863/REM

Proposal: Reserved Matters: Major: Erection of 34 dwellinghouses (access, appearance, layout, scale and landscaping).

At: Land At Field Number 0087, Earby Road, Salterforth.

On behalf of: Cross Construction Ltd.

REPORT TO WEST CRAVEN AREA COMMITTEE – 09TH JUNE 2020

Application Ref: 20/0046/FUL

Proposal: Full: Major: Change of use of agricultural land to equine and the siting of an indoor horse manage and stables (Floor Area: 1136 sq.m.) (Suis Generis).

At: Moor View Farm, Earby Road, Salterforth.

On Behalf of: Mr M. Wolfenden

Date Registered: 20 January, 2020

Expiry Date: 22 June, 2020

Case Officer: Christian Barton

This application has been brought before committee as a major application.

Site Description and Proposal

The application site is a small farm located between the settlements of Salterforth and Earby within designated Open Countryside. The site is currently used for grazing with the farmhouse located to the west of the plot. It is surrounded by fields to all sides with dwellings further afield to the northeast. Trees of varying heights in parts define the north and south boundaries.

This application involves changing the sites lawful use to equine and the erection of a large freestanding building providing areas for stabling, storage and an indoor ménage. The building would have concrete panelled and timber boarded elevations and metal sheet roof. This application is an amendment of a previous scheme with changes applied to the buildings position. The existing outbuildings would be used for storage and access would be gained through the farmyard.

Relevant Planning History

16/0630/OUT – Outline: Major: Erection of 34 dwelling houses and creation of new access (Re-Submission) – Approved with Conditions – December 2016.

Consultee Response

LCC Highways – The Highways Development Support Section does not raise an objection. A condition should be attached to any approval to ensure the building is not operated in a commercial manor.

Yorkshire Water – Based on the information submitted, no observation comments are required from Yorkshire Water as surface water is draining to existing watercourse.

Environment Agency

Lancashire Constabulary

Salterforth and Earby Drainage Board

Salterforth Parish Council

Public Response

A site notice has been posted and no public comments have been received.

Officer Comments

The main considerations for this application are landscape impacts and highway safety.

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to protect and enhance natural and historic environments and sets out specific requirements that aim to ensure development proposals do not detrimentally effect such environments;
- CS Policy ENV2 (Achieving Quality in Design) identifies the need to protect and enhance the 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 of development should be in scale and harmony with the wider locality;
- CS Policy ENV 5 (Pollution and Unstable Land) aims to ensure that air, water, noise, odour and light pollution are minimised, both during and after construction;

Other policies and guidance's are also relevant:

- Saved Replacement Local Plan Policy 39 (Equestrian Development) states that proposals for the development of stables and equestrian activities should ensure the location, size and design of a proposal preserves the landscape character of the area whilst also ensuring a suitable access to the site is available;
- The Development in the Open Countryside Supplementary Planning Guidance (SPG) provides guidance on the appropriate positions of new buildings alongside the materials which would be acceptable for rural buildings.

2. Visual Amenity and Landscape Impact

In relation to visual amenity the main consideration with large rural buildings is how significantly they would impact on the landscape quality of the wider area. The site occupies a relatively prominent position in the immediate landscape being separate from all other building groups and visible from a public footpath running along the east boundary. The proposed buildings scale would not be minor though this is a revised scheme showing its position to be more nucleated with the existing farmhouse and ancillary buildings.

The site slopes downwards towards the footpath to the east and the existing farmhouse sits on a slight plateau. To the west the land continues to slope upwards and its relief would prevent the proposed building appearing overly prominent on the skyline when viewed from public vantage points to the east. Its position would follow the lands contours and minimal additional hardstanding is proposed around the building. A single door would be installed facing the highway which would enable additional planting to be used to soften any visual impacts from the most prominent elevations. The site has existing mature trees on the north and south boundaries which would provide some screening and a condition is recommended to ensure they are retained and supplemented in the interest of visual amenity.

The proposed change of use involves the entire sites area at 1.1 hectares. At the time of the site visit the field was clear of any agricultural items and the excessive use of equine paraphernalia is a concern. Such activity has the potential to clutter the site with horse jumps etc., which when taken

together could have the potential to cause unacceptable landscape impacts at this hillside site. A condition is recommended therefore to ensure the sites outdoor areas are used for grazing alone and that all recreational activity involving movable structures is conducted from within the building.

Subject to further conditions to control the quality of the external materials and landscaping, the proposed development would be acceptable in relation to visual amenity and landscape impacts in compliance with Policies ENV1 and ENV2, Saved Policy 29 and the guidance of the Open Countryside SPG.

3. Residential Amenity

The proposal would have no unacceptable impacts on the residential amenity of the current neighbours given ample separation. Outline permission for housing with details of layout has been approved for the site immediately to the north and a reserved matters application is currently pending. At that site dwellings have been approved around 8m from the boundary.

Amended plans have been received and the building would now be positioned in excess of 12m from the proposed dwellings. The distances involved would ensure the buildings scale does not appear unduly oppressive to neighbours and the proposed development would be acceptable in relation to residential amenity in compliance with Policy ENV2.

4. Highways

The site has ample parking to service the development with additional hardstanding proposed. Access would be gained via an existing access point serving the farmhouse and ancillary buildings. Information has been submitted with the application stating the building would be used by relatives of the applicant and no commercial operations are proposed. A suitable condition has therefore been recommended to ensure the building and facilities are used in association with the main dwelling and subject to that condition the proposed development would be acceptable in relation to all highways matters.

5. Ecology

A Preliminary Ecological Appraisal Report has been submitted. The report concludes that the development would have no detrimental impacts on protected species. However, a number recommendations are provided to maintain the ecological value of the site a condition is advised to ensure those recommendations are abided by. Subject to that condition, the proposed development would be acceptable in relation to ecological impacts in compliance with Policy ENV1.

6. Contamination

The proposal for an equine use and involves the creation of manure storage areas. Policy ENV5 seeks to minimise the impacts of development on water pollution. A number of drainage ditches are found in adjacent fields. Minimal details regarding the manure storage arrangements have been submitted but this could be controlled through condition where necessary. Subject to adequate manure storage arrangements being provided, the proposal would have no detrimental impacts on water pollution in accordance with Policy ENV5.

7. Summary

The proposal seeks to change the sites lawful use to equine and erect a large equine building. Subject to conditions, the proposed development would be acceptable in relation to visual amenity, landscape impacts, residential amenity, highways, ecology and contamination in compliance with ENV1, ENV2, ENV5, Saved Policy 39 and the guidance of the Open Countryside SPG.

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. Subject to appropriate conditions, the proposed development would be acceptable in relation to visual amenity, landscape impacts, residential amenity, highways, ecology and contamination. 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 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 strict accordance with the following approved plans: to follow.

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

3. Prior to the commencement of any above ground works on site, samples of all the external materials to be used in the construction of the roofs and walls of the development hereby approved, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. The stables and indoor manage hereby approved shall only be used for the stabling and riding of horses owned or leased by the owner of Moor View Farm and they shall not be used for livery, or any commercial purpose whatsoever, at any time.

Reason: To prevent the commercial use of the site in the interest of highway safety.

5. This planning permission does not allow for the external use of horse jumps or any other moveable structures used for equine sports from anywhere within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to prevent excessive levels of equine paraphernalia being used from this site in the interest of visual amenity.

6. Prior to the equine use hereby approved being brought into use, a scheme for the containment and storage of manure, shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of run-off gradients and how any run-off will be channelled and/or stored and treated so as it does not pollute the environment and local watercourses. The manure store shall be constructed and completed, in accordance with approved plans.

Reason: To prevent pollution of the environment.

7. No external lighting shall be installed at the site, unless details of lighting have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the positioning, direction and luminance of the lighting. The lighting shall be installed in accordance with the approved details and shall be maintained as such in perpetuity.

Reason: In order to protect the amenity of nearby residential properties from potential light pollution.

8. All existing trees and hedges on the north and south boundaries shall be retained, unless shown on the approved drawings as being removed. On those boundaries all trees and hedges on and immediately adjoining the site shall be protected from damage for the duration of works on the site, by the erection of protective fencing in accordance with BS 5837: 2012. Any trees or hedges removed without the Local Planning Authority's consent or which die or become seriously diseased or otherwise damaged within five years following completion of the approved development, shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as specified by the Local Planning Authority.

Reason: To ensure boundary trees and hedges are not lost to the development which will provide screening and soften the visual impact of the development from public vantage points.

9. No development shall commence on site unless and 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;

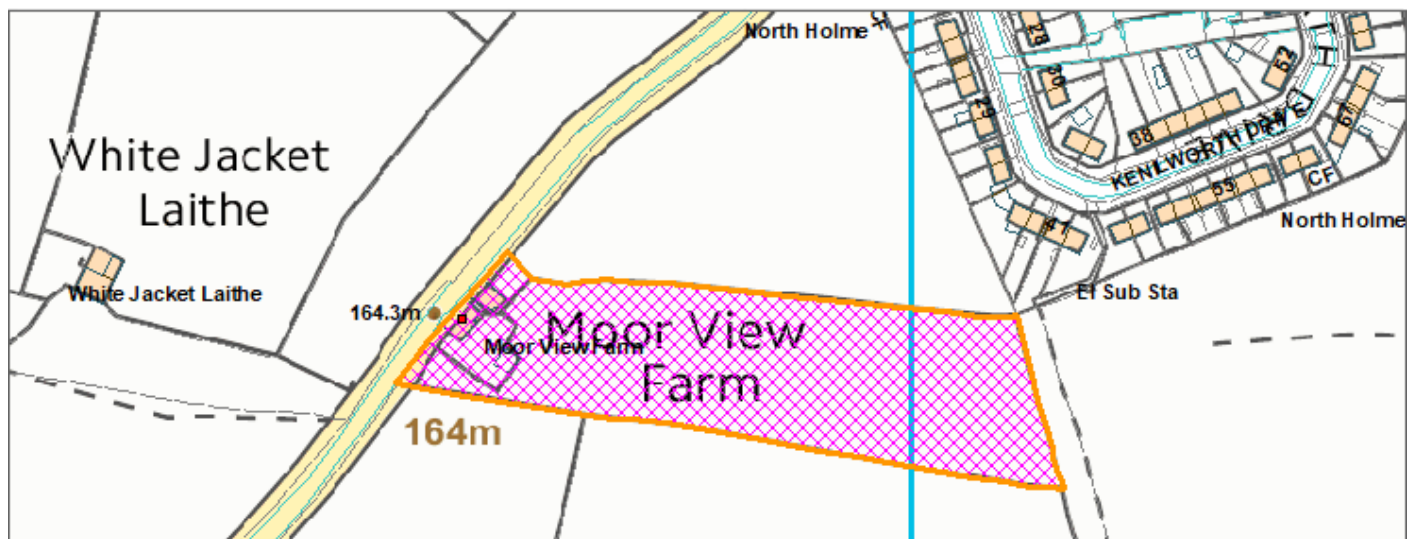
- a) The exact location and species of all existing trees and other planting to be retained;
- b) All proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c) An outline specification for ground preparation;
- d) All proposed 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 entire 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.

10. The development hereby approved shall proceed in strict accordance with all of the recommendations contained within the Preliminary Ecological Appraisal carried out by Rozanna Shah of Milner Ecological and dated 18th July 2019 and Arboricultural Impact Assessment carried out by Ross Cannon of Treeplan Arboricultural Consultants and dated 22nd July 2019.

Reason: In order to minimise the impacts of development on local wildlife populations.



Application Ref: 20/0046/FUL

Proposal: Full: Major: Change of use of agricultural land to equine and the siting of an indoor horse manage and stables (Floor Area: 1136 sq.m.) (Suis Generis).

At: Moor View Farm, Earby Road, Salterforth.

On Behalf of: Mr M. Wolfenden

REPORT TO WEST CRAVEN COMMITTEE ON 09 JUNE 2020

Application Ref: 20/0064/FUL

Proposal: Full: Major: Erection of 26 holiday lodges with associated reception building, facilities building, parking, landscaping and new vehicular access from High Lane (Re-Submission).

At: Land To The West Of Former Whitemoor Pumping Station, High Lane, Salterforth

On behalf of: Dalfour Ltd

Date Registered: 03/02/2020

Expiry Date: 04/05/2020

Case Officer: Alex Cameron

This application is brought before Committee as it is a major development.

Site Description and Proposal

The application site is a former covered reservoir and adjacent agricultural land to the agricultural land to the west of a former quarry accessed from High Lane. To the north, south and west is open agricultural land and to the east of the quarry are dwellings fronting High Lane.

The proposed development is the erection a holiday park, of 26 lodges with reception building, facilities building, formation of a new access road, internal roads and car parking areas, hardstanding, drainage pond and retrospective alterations to the former covered reservoir building are also proposed.

This is a resubmission of an application refused in January for the reasons of unacceptable accessibility and landscape and visual amenity impact.

The reception building, which was the primary landscape and visual amenity impact concern raised in the previous report to Committee has been amended to reduce its size and relocated to the west of the covered reservoir building.

Relevant Planning History

19/0289/FUL – Full: Major: Erection of Holiday Park comprising 27 lodges with associated on-site facilities buildings, car parking, landscaping and new vehicular access. Refused

Consultee Response

PBC Environmental Health – Please attach the following conditions: contaminated land, construction method statement,

LCC Highways – The swept path analysis is acceptable, no objection in principle subject to the following conditions: access construction, construction method statement, visibility splays, surface water drainage, car parking, cycle storage and a note relating to highway works.

Lead Local Flood Authority – No objection subject to surface water drainage conditions.

Earby and Salterforth Internal Drainage Board

Yorkshire Water

Natural England

Lancashire Constabulary Architectural Liaison

Lancashire Fire and Rescue Service – Comments relating to building regulations.

Salterforth Parish Council

Public Response

Press and site notices posted and nearest neighbours notified. Responses received objecting on the following grounds:

- The site is not a sustainable location. The development would not be a sustainable form of tourism contrary to paragraph 83 of the Nation Planning Policy Framework and Pendle's Development Plan Policies.
- There is no access to public transport available within easy reach and the site is not within walking distance of nearby settlements. High lane is not conducive to safe waling and cycling.
- The application does not resolve the reasons for refusal of the previous application.
- The approved Park Close Quarry development is materially different to this in terms of it being a wholly brownfield site that is not as isolated.
- Increase in traffic using High Lane which is narrow and dangerous.
- Inadequate visibility at the access.
- The traffic survey is misleading as it was carried out over Sunday to Sunday, which would reduce the average level of traffic and in July, a quiet time of year.
- Vehicles traveling faster than the 85th percentile speed should be taken into account in the necessary visibility splays.
- A detailed traffic assessment should have been carried out.
- The cycle / pathway either side of the proposed access should be removed from the scheme.
- High Lane is not suitable to safely accommodate large service vehicles.
- Concerns relating to surface water draining onto the highway causing a highway safety risk.
- The access through the site would also be used by agricultural vehicles which the applicant has no control over. This may create additional problems for the residents of existing adjacent properties and safety issues for the residents of the site. Residents of the site may also use the unsuitable farm access track and potentially cut across the gardens of existing residences.

- The potential that the development would be expanded in future and would set a precedent for future similar developments.
- Concerns that the ecological survey has not identified protected species that have been observed in the vicinity of the site.
- Loss of trees including a grade A1 roadside oak tree.
- Lighting and security systems will have a negative impact on wildlife.
- Risk of flooding and pollution from additional surface water runoff from the site. The land drain proposed to be used for surface water drainage is in poor condition and already frequently floods after heavy rainfall.
- Concerns about the provision on foul water sewage disposal and potential for pollution.
- Safety concerns relating to cantilevered balconies over the quarry edge.
- Residential amenity impact of noise from the development.
- Whitemoor Estate is adjacent to the site. The proposed development would be very intrusive to the estate and would have significant adverse impacts on residential amenity. The estate is used for shooting and there would be significant disturbance to nesting wild and game birds.
- The proposed development is in open land and would fundamentally alter the landscape characteristics of the site at a local level.
- The design of the development is entirely alien to the area.
- The development will result in the loss of green land and be visible for miles around.
- The revised scheme has merely omitted a reception building and altered the design/massing of the lodges however it would remain the case that the proposal represents a significant intrusion into the landscape.
- Safety of building on the edge of the quarry.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

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. The impact of new developments on the natural environment (biodiversity and geodiversity) should be kept to a minimum.

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.

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused.

Policy ENV7 (Water Management) states that the design of all new developments (Policy ENV2) must consider:

1. The potential flood risk to the proposed development site.
2. The risk the proposed development may pose to areas downslope / downstream.
3. The integrated, or off-site, use of Sustainable Drainage Systems (SuDS) to help reduce surface water run-off from the development.
4. The availability of an adequate water supply and disposal infrastructure.

Policy WRK5 (Tourism, Leisure and Culture) states that Proposals associated with the provision of new or improved facilities for tourism, leisure and cultural activities, including accommodation for visitors, will be supported where they:

1. Promote sustainable tourism associated with walking, cycling, waterways and the appreciation of the area's natural and historic environment.
2. Help to improve the quality and diversity of the existing tourism offer, and extend the tourist season.
3. Do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport (e.g. walking and cycling).
4. Support conservation, regeneration and/or economic development objectives, including the promotion of cross-border initiatives.
5. Are of an appropriate scale and will not have a significant detrimental effect on the natural or historic environment, local amenity or character of the area.
6. Achieve high environmental standards in terms of design and accessibility.

National Planning Policy Framework (The Framework)

Paragraph 83 states that decision should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

Paragraph 79 states that Planning policies and decisions should avoid the development of isolated homes in the countryside unless specific circumstances apply. This application is for tourist accommodation and therefore paragraph 79 does not apply in this case. The use as tourist accommodation could be ensured by condition.

Paragraph 130 states that emissions should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Visual Amenity and Landscape Impact

The Landscape and Visual Impact assessment submitted with the application identifies potential views of the development from Footpath 58 joining Kelbrook Road, Footpaths 18 and 65 joining the A56 Colne Road, Footpath 1, Footpath 20 and Standing Stone Lane.

Footpath No.1 runs approximately 300m to the north of the site, due to intervening topography and vegetation the development would not be prominently visible from the right of way.

The lodges and relocated reception building are also unlikely to be prominently visible from High Lane, Footpath 6 to the east and Footpath 20 to the south due to intervening topography and vegetation.

With additional landscaping to the northern and southern boundaries, the proposed lodges and reception building would not result in any unacceptable landscape or visual impacts.

The access road would be prominently visible from High Lane and Footpath 6 and in the landscape from the opposite side of the valley from Colne Road, Old Stone Trough Lane and Cob Lane and the intersecting public footpath network.

The new access road is necessary to ensure safe access to the development and its landscape and visual impacts have been as minimised as far as possible in the proposed development, the amended access further reduces the impact from the original proposal by moving it closer to the existing access track.

The design and resulting landscape and visual impacts of the development are acceptable in accordance with policies ENV1, ENV2 and WRK5.

Residential Amenity

The proposed development would be a sufficient distance from adjacent properties to ensure that it would not result in unacceptable residential amenity impacts.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

Parking and Highway Safety

Concerns have been raised regarding the highway safety impacts of the development. An appropriate level of car parking is proposed to serve the development and the details submitted with the application demonstrate that the new access additional traffic from the development would not result in unacceptable highway safety impacts.

Concerns have been raised regarding access through the site to and from adjacent properties. This is predominantly a civil matter that it is not within the remit of this planning application to control. With a condition to ensure adequate signposting of the exit, vehicles from the site would not use the alternative access routes frequently enough to result in an unacceptable highway safety impact. The traffic through the site would also not result in unacceptable safety impacts.

A swept path analysis for large service and emergency vehicles is required to ensure that the revised access layout will enable them to turn an exit in forward gear. This has been requested and is expected to be submitted.

The submitted application site omits the existing access road, which is proposed to be altered, lowering it to meet the proposed access. The applicant has been requested to rectify this by including that land within the application site, as was the case with the previous application. This may require renotification of neighbours.

Subject to acceptable swept path analysis and revised location plan to include the existing access road the proposed development would be acceptable in terms of highway safety in accordance with policy ENV4.

Accessibility

The site is in an isolated rural location that would not in principle be an acceptable location for new unrestricted dwellings when assessed against paragraph 79 of the Framework. This application is for a tourist accommodation use, there is an identified need within the borough for the provision of tourist accommodation such as this and the nature of tourist accommodation is that it is located in attractive countryside locations with easy access to outdoor activities such as walking and cycling. Therefore, it is accepted that tourist accommodation can, where necessary, be located in locations that would not be acceptable for an unrestricted dwelling.

Policy WRK5 states that applications for tourist accommodation will be supported were they do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport.

Paragraph 83 of the Framework states that decision should enable sustainable rural tourism and leisure developments.

The application would have no access to public transport and is not within acceptable walking distance of any settlement. Foulridge, Salterforth and Barnoldswick would be accessible by bicycle but that would involve riding along narrow and busy rural roads or unsurfaced public footpaths and steep hills. The location of the development is not in accordance with policy WRK5 in this regard.

The applicant's justification centres on the economic benefits of the development, making the case that they weigh heavily in favour of the development.

To assess this the overall benefits of the development must be weighed against its overall disbenefits. The development is located in an unsustainable location with no access to public transport and no acceptable means of pedestrian access to settlements with services and facilities, it would result in a significant increase in car usage and would not be readily accessible by public transport, and sustainable modes of transport. However, there is a need to provide tourist accommodation of this type within the borough and, this development would significantly contribute towards the provision of high quality self-catering accommodation within Pendle with resulting job creation and other economic benefits. Furthermore, although the location is of low accessibility, it must also be considered that by its nature the demand for such tourist accommodation generally relates to less accessible countryside locations.

Taking these factors into account the benefits of the development outweigh the harm resulting from its low accessibility. The development is therefore acceptable in accordance with the overall aim of policy WRK5 which are to increase tourism provision and the level of employment in tourism.

Ecology

An ecological appraisal has been submitted with the application. The report raises no significant concern in respect to the removal of trees, in so much as the larger woodland blocks are retained and protected in the scheme. Subject the mitigation recommendations of the report being conditioned the proposed development is acceptable in terms of its impact upon ecology and protected species in accordance with policy ENV1.

Drainage

Concerns have been raised regarding flooding a pollution. A Flood Risk Assessment and Drainage Strategy have been submitted for the application and these adequately demonstrate that the development would not result in an unacceptable increase in the risk of flooding. The Lead Local Flood Authority have raised no objection subject to conditions.

Concerns have been raised regarding the condition of a culvert the site would drain into. However, the maintenance of such watercourses is the responsibility of the landowner of the land they flow through. The details submitted adequately demonstrate that the development would not unacceptably increase the risk of flooding.

With conditions to control the details of the foul and surface water drainage, its maintenance and the remediation of contamination the proposed development is acceptable in terms of drainage and flood risk in accordance with policy ENV7.

Other Issues

Concerns have been raised regarding the impact on the operation of Whitemoor Estate. The development would have a significant impact on the estate and the concerns raised do not constitute grounds to refuse this planning application.

The reception building identified as having an unacceptable landscape and visual impact in the report for the previous application has been removed from the proposed development and no reception building is proposed in this application. It is assumed that the development can feasibly be operated without the need for a dedicated reception building.

The Planning Balance

The statement submitted with the application sets out the economic benefits of the development. This development would result in economic benefits and contribute towards the provision of tourist accommodation and that this weighs heavily in favour of the development.

The development also has adverse impacts, as detailed in the accessibility section above the site is of low accessibility and would result in a significant increase in car usage. This weighs heavily against the development.

The harmful visual and landscape impact of the previously proposed reception building have been fully addressed in this application by reducing its size and relocating it to an area of the site where it would not be prominent in the landscape. Although the proposed access road would have visual impacts those impacts are necessary to provide safe access and would have benefits in terms of improving the existing access. The landscape and visual impacts of the development are therefore acceptable.

Taking this into account the overall benefits of the development including of providing tourist accommodation, which is necessary for the development tourism within the borough, marginally outweigh the overall harmful impacts of the development.

Other matters

Concerns have been raised regarding the stability of the quarry, a study of ground conditions and hazards has been submitted with the application, this identifies that the risk from landslides and collapsible strata is very low.

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 is in accordance with the policies of the Pendle Local Plan Part 1: Core Strategy and the saved policies of the Replacement Pendle Local Plan. 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 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: Location Plan, SK E02 Rev F, SK E03 Rev D, SP E01 Rev E, SKE Office Rev A, SKE1B, SKE2A, SKE3A, SKE3B, 200-10 Rev A, Site Store Building Rev A.

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

3. Prior to the commencement of above ground works involved in the erection of the development hereby approved samples of the external materials of the walls and roofs of the buildings, walls and retaining structures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity.

4. The lodges hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of the occupiers of the lodges and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: In order to ensure proper control of the use of the holiday units and to prevent the establishment of permanent residency.

5. The development shall not commence unless and until a detailed landscaping scheme 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 entirety within the first planting season following the commencement of the use 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. The development shall be carried out and operated in full accordance with the mitigation and compensation recommendations of the Ecological Appraisal. The development shall not commence unless and until a mitigation and compensation scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained thereafter in strict accordance with the approved scheme.

Reason: To ensure protection of ecology and wildlife.

7. No external lighting shall be installed within the approved application site unless and until details of the lighting have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity and direction of the lighting. Any external lighting shall at all times be in strict accordance with the approved details.

Reason: In order to prevent light pollution causing harm to wildlife and the open rural character of the countryside.

8. The development shall not be commenced unless and until 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 has been submitted to and approved in writing by the Local Planning Authority. 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.

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

9. No part of the development shall commence unless and until a scheme for the construction of the amended site access has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to ensure that the final details of the highway scheme/works are acceptable before work commences on site in the interest of highway safety.

10. No development shall take place unless and until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) Wheel washing facilities and mechanical road sweeping provision
 - v) A scheme for recycling/disposing of waste resulting from clearance and construction works
 - vi) Details of working hours
 - vii) Routing of delivery vehicles to/from site
 - viii) Timing of deliveries
 - ix) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
 - x) Measures to control construction noise and vibration
 - xi) Measures to control dust.

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

11. There shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m in height above the carriageway level of High Lane. The visibility splays to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access road from the continuation of the nearer edge of the carriageway of High Lane to points measured 97.6 m to the north, and 73.4 m to the south, along the nearer edge of the carriageway of High Lane, and shall be constructed and maintained in perpetuity at verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To ensure adequate visibility at the site access at its junction with High Lane in the interest of highway safety.

12. Prior to first use of each building hereby approved, the parking spaces and manoeuvring areas serving that building shall be laid out and surfaced in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, the parking spaces and manoeuvring areas shall thereafter at all times remain free from obstruction and available for vehicle parking and manoeuvring purposes.

Reason: To allow for the effective use of the parking and manoeuvring areas in the interest of highway safety.

13. Prior to the first use of each building hereby approved use, cycle storage facilities for that building shall be provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: For the promotion of sustainable forms of transport.

14. Prior to the commencement of the use of the development a scheme for internal road directional signage shall be submitted to and approved in writing by the Local Planning Authority and the signage shall be displayed, and maintained at all times thereafter, in strict accordance with the approved scheme.

Reason: In order to reduce the likelihood of vehicular traffic from the development using the Hights House access in the interest of highway safety.

15. The development permitted by this planning permission shall be carried out in accordance with the following recommendations, as detailed within the applicant's flood risk assessment and drainage strategy report (by Waterco Consultants, Dated April 2019):

- a) Infiltration tests are to be undertaken in accordance with BRE365 to determine whether infiltration is a suitable means of surface water disposal;
- b) A survey is to be undertaken to confirm the route, size, invert level and condition of the culverted watercourse located along the northern boundary of the site;
- c) Where soakaways are not possible, surface water runoff from the development is to be restricted to a maximum rate of 5l/s/ha; and
- d) The finished floor levels of the buildings are to be set a minimum 400mm above the surrounding ground levels.

These measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that there is no flood risk on or off the site resulting from the proposed development.

16. No development shall commence until final details of the design and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Site investigation and test results to confirm infiltrations rates for the site;
- b) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- c) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus a 40% allowance for climate change. The calculations must also demonstrate that surface water runoff from the application site will not exceed the existing predevelopment surface water runoff rates and volumes.
- d) A final site plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
- e) Confirmation of how surface water will be managed within the non-drained areas of the site, i.e. gardens and public open space.
- f) A final site plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- g) Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- h) Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development, to ensure

that water quality is not detrimentally impacted by the development proposal and to ensure that appropriate maintenance mechanisms are put in place for the lifetime of the development.

17. No development shall commence unless and until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Reasons: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere, to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

18. Surface water from the approved access road should be collected within the site and drained to a suitable internal outfall.

Reason: In the interest of highway safety.

19. The development shall not commence unless and until details of foul water drainage have been submitted to and approved in writing by the local planning authority. The foul water drainage for each building shall be installed and operational in accordance with the approved details prior to the occupation of the building it serves.

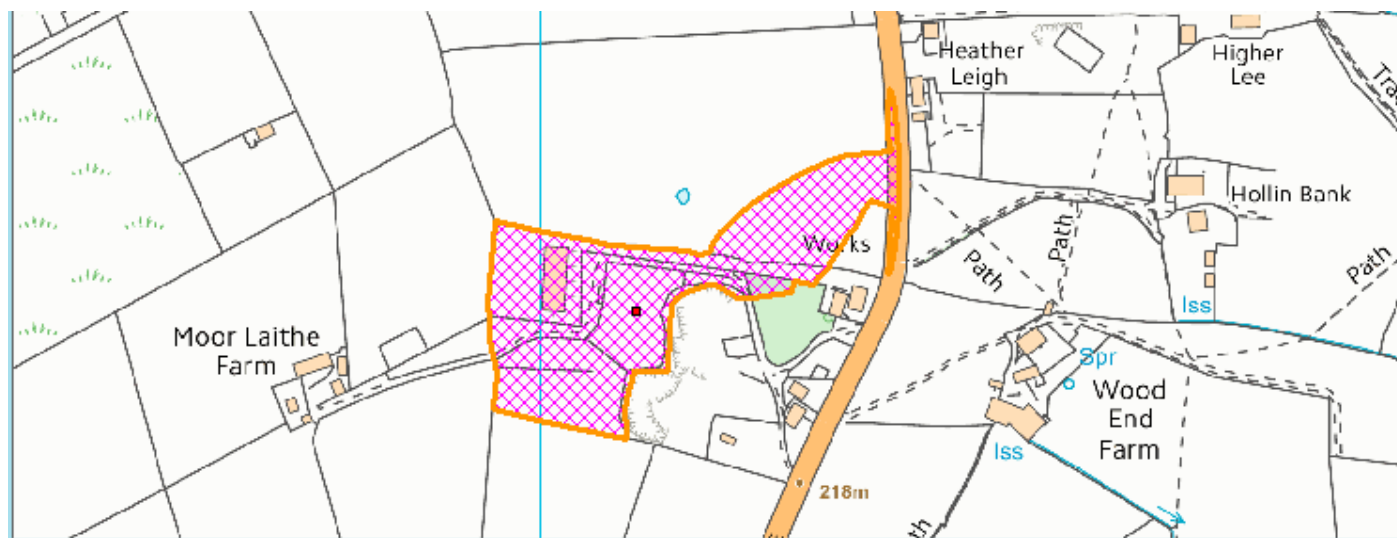
Reason: To ensure acceptable foul water drainage to prevent flooding and pollution.

Notes:

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the 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 and the construction of visibility splays. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or by email on 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.

Burning on site

The Borough of Pendle Council has announced a climate emergency, therefore to help improve air quality there should be no burning of any materials on site. Pendle Borough Council receives many complaints about smoke from bonfires, which are inappropriate in any area of the borough. The practice of burning wastes on site is an old-fashioned practice, which normally constitutes an offence under the Duty of Care provisions of the Environmental Protection Act 1990. The applicant is cautioned against permitting any bonfire to take place during demolition, site clearance or construction. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.



Application Ref: 20/0064/FUL

Proposal: Full: Major: Erection of 26 holiday lodges with associated reception building, facilities building, parking, landscaping and new vehicular access from High Lane (Re-Submission).

At: Land To The West Of Former Whitemoor Pumping Station, High Lane, Salterforth

On behalf of: Dalfour Ltd

REPORT TO WEST CRAVEN COMMITTEE ON 09 JUNE 2020

Application Ref: 20/0151/FUL

Proposal: Full: Erection of a yurt, formation of car park and path and change of use of land from agriculture to a holistic therapy centre (Use Class D1) (retrospective).

At: Crossfield Farm, Salterforth Lane, Salterforth

On behalf of: Mrs Bower

Date Registered: 02/03/2020

Expiry Date: 27/04/2020

Case Officer: Alex Cameron

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

Site Description and Proposal

The site is an agricultural field to the north of Crossfield Farm located within the open countryside approximately 300m to the north east of the settlement of Salterforth.

The proposed development is the retrospective erection of a yurt on the land and formation of a car park and the change of use of the land to a holistic therapy centre. The circular yurt tent has a diameter of 12.4m and a height of 3m and is finished in white and green upvc coated sheet.

The proposed holistic therapy use involves activities such as walking and yoga undertaken with animals such as alpacas and goats with groups of up to ten patients. Alongside that use would be more general exercise activities such as Zumba lessons and events such as funeral teas.

Relevant Planning History

None

Consultee Response

LCC Highways – No objection subject to the following points being included in appropriately worded planning conditions.

1. Opening times to 10am – 2pm weekdays to avoid school drop off and pick up and peak traffic flows on the road network.
2. Strictly pre-booking only, not open to the general public.
3. Holistic therapies are likely to be 1:1 sessions however any larger group sessions will be restricted to 10 on site at any one time and stagger sessions by ½ hour to allow customers to leave before the next customers arrive.
4. Special events with up to 40 guests limited to a certain number of events per year. Events are likely to be seasonal and are event traffic usually generates an average of 3 persons per vehicle.
5. Special events for the Hospice will generate shared travel in minibuses.
6. All promotion material and at pre-booking stage customers should be made aware of the access and car parking provision and car sharing / use of minibuses must be promoted.
7. The extended hardstanding shall be implemented prior to the first use.

Salterforth Parish Council -

Public Response

Site notice posted and nearest neighbours notified – No response

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy (LPP1)

Policy ENV2 (Achieving Quality in Design and Conservation) States that all new development should viably seek to deliver the highest possible standards of design, in form and sustainability. Proposals should contribute to the sense of place and make a positive contribution to the historic environment and local identity and character.

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused.

Policy SDP2 (Spatial Development Principles) states that proposals to develop outside of a defined settlement boundary (i.e. within the open countryside) will only be permitted for those exceptions identified in the Framework, or policies in a document that is part of the development plan for Pendle.

Policy SUP1 (Community Facilities) states that new community facility provision should have regard to the Spatial Development Principles (policies SDP2 and SDP6)

Policy SUP2 (Health and Well-being) Support the provision of new or improved facilities for health, leisure and social care whilst having regard to the principles set out in Policies SDP2, SDP6 and SUP1. In designing new facilities, partners and developers should have regard to the requirements set out in policies SUP4 and ENV2.

Replacement Pendle Local Plan (RPLP)

Policy 31 (Parking) requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

Principle of the development

The proposed use would offer holistic therapies involving contact with farm animals, this is a use that by its nature is best accommodated in an agricultural setting, and therefore outside of a settlement. However, this must be balanced against accessibility, sustainability and other relevant factors.

The site, although within the open countryside, is within relatively close proximity of the settlement of Salterforth and to Kelbrook Road, the main transport route into Barnoldswick from the south. Taking these factors into account together with the nature of the proposed use the site is an acceptable location for this small scale use in principle.

However, the details of the proposed use indicate that additional uses are proposed including exercise classes and funeral teas. Those are uses that should be accommodated in appropriately accessible locations within settlements, those uses would result in an unacceptable degree of access by private motor vehicle and as such are unacceptable. These elements of the proposed use can be excluded by condition to resolve this.

With a condition to limit the use to the proposed animal therapy use only the proposed use is acceptable in principle in accordance with policies WRK4 and WRK5.

Visual Amenity

The yurt is located in a prominent and isolated position in the centre of the field approximately 60m from other buildings at Crossfield Farm visible from Salterforth Lane. The yurt's appearance is not in keeping with the rural character of its immediate surroundings and, taking into account its prominent position in an open field, it unacceptably harms the open rural character of the area. Similarly, the car park for up to 13 vehicles, would be an incongruous urban feature in this rural setting in an isolated position this would cause unacceptable harm to the open rural character of the area. The development would therefore cause unacceptable harm to the visual amenity of the area contrary to policy ENV2.

Amenity

The site is a sufficient distance from nearby residential properties to ensure that the proposed development would not result in unacceptable residential amenity impacts.

Highways

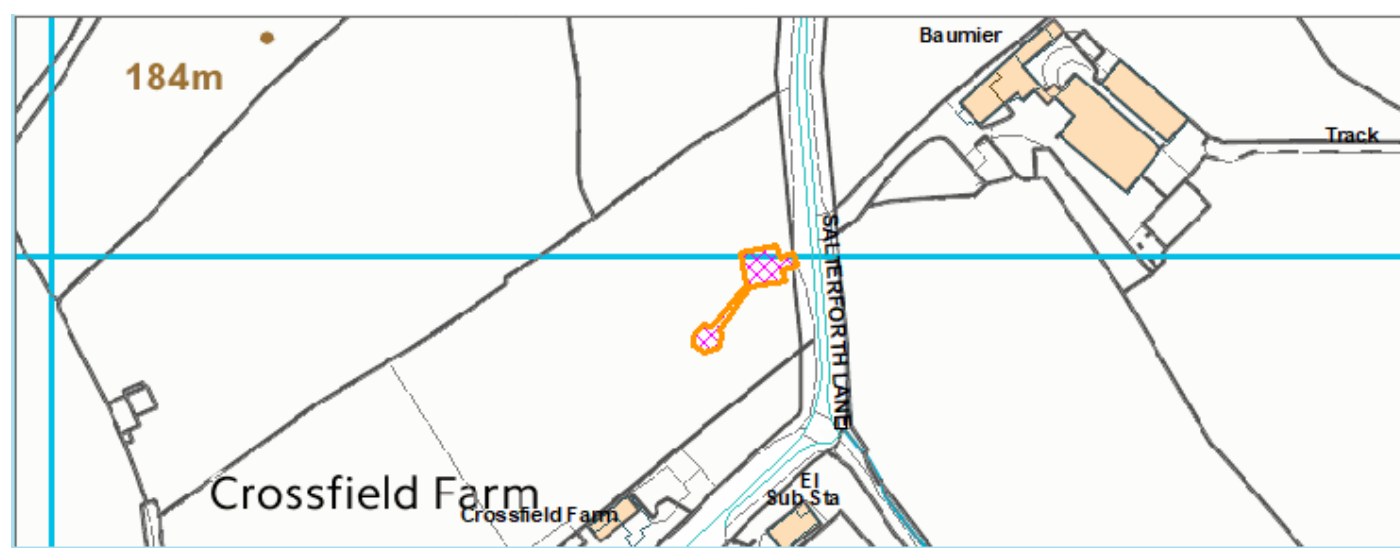
Subject to controls over the extent of the use imposed by condition the development is acceptable in terms of highway safety and parking provision.

The proposed development is therefore acceptable in terms of highway safety in accordance with Policies 31 and ENV4.

RECOMMENDATION: Refuse

Subject to the following conditions:

1. The proposed development, due to its prominent isolated position, results in unacceptable harm to the open rural character and visual amenity of the area contrary to policy ENV2 of the Pendle Local Plan Part 1: Core Strategy.



Application Ref: 20/0151/FUL

Proposal: Full: Erection of a yurt, formation of car park and path and change of use of land from agriculture to a holistic therapy centre (Use Class D1) (retrospective).

At: Crossfield Farm, Salterforth Lane, Salterforth

On behalf of: Mrs Bower

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 28th May 2020