

West Craven Committee Update Report 6th October 2020

20/0534/FUL - Craven View Farm, Moorgate Road, Barnoldswick

LCC Highways – The additional information is mostly acceptable, and with a Grampian condition applied, then the highway safety concerns would be addressed.

The location of the proposed passing places are acceptable. However, apart from the widening on the bend, which is fine, the other 2 passing places would need to be designed as formal passing places, rather than just localised widening, so that they're obvious to those unfamiliar with Folly Lane. Design guidance for rural road passing places is that the combined width of a single track road plus passing bay should be 5.5m over a length of 5m, with 5m tapers at each end. I appreciate that it may not be possible to achieve these dimensions, but the passing places should be as near to those as is realistically achievable.

I'd also recommend that the passing place/widening at the bend is surfaced in a bound porous material so that loose material isn't carried onto the concreted area where vehicles may lose traction or walkers/horses may slip given the sharp incline at this point.

The provision of the passing places (design, construction etc) can be covered by a Grampian condition as has been suggested.

Officer Comments

The applicant has submitted additional details proposing off-site highway works to Folly Lane, which is an unadopted highway, to be controlled by a pre-commencement condition. The works would involve widening the road at the tight bend and widening the track at two points to provide passing places.

LCC Highways have responded that this generally resolves their concerns however, some minor alterations to the design of the proposed passing places are necessary.

Taking into account the low level of traffic using the access road and small scale of the proposed use the proposed scheme of off-site highway works would address the reason for refusal in the application report.

Subject to alterations to address the minor issues raised by LCC as far as is practical within the highway boundary, with a condition to ensure those works are carried out before the commencement of the development and the use is ceased and huts removed should they become closed off, the proposed development is now acceptable in terms of highway safety.

It is therefore recommended that the approval of the application is delegated to the Planning, Economic Development and Regulatory Services subject to the expiry of

publicity and any further alterations to the off-site highway works plans that are necessary.

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: 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: Location Plan, Site Plan.

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

3. The materials, finish and external appearance of the shepherd huts shall be in accordance with the submitted document 'Details of Shepherd Huts' or alternative details that have been 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. Not more than three shepherd huts shall be sited on the application site and they shall be occupied for holiday purposes only, they 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 holiday lets and cabins 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 use 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. 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.

7. The use hereby approved shall not commence unless and until the parking area and access has been formed, surfaced and made available for use in accordance with the approved drawing: Site Plan, the parking spaces, access 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.

8. The use hereby approved shall not commence unless and until foul water drainage has been installed and is operational in accordance with the in accordance with the approved drawing: Site Plan.

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

9. No development shall commence unless and until the off-site highway works detailed in drawing No. JLA106 have been completed and the passing places and road widening made available for vehicular use. Thereafter if the passing places and/or widened section become unavailable for vehicular use the use of the application site for holiday accommodation shall cease and the shepherd huts removed from the land.

Reason: To ensure adequate provision for vehicles to safely pass other vehicles and pedestrians on the access road.