

REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: BARROWFORD AND WESTERN PARISHES COMMITTEE

DATE: 2ND MARCH 2022

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To comment on the attached planning application.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE 2ND MARCH, 2022

Application Ref: 21/0949/FUL

Proposal: Full: Major: Erection of 257 no. dwelling houses and associated works.

At: Land to the South West of Pasture Lane and the North West of Appleby Drive, Barrowford

On behalf of: Castle Green Homes

Date Registered: 1 December 2021

Expiry Date: 02 March 2022

Case Officer: Kathryn Hughes

This Application is for a housing development of more than 60 houses and as such must be determined by Policy and Resources Committee. The application is therefore brought before Barrowford and Western Parishes Committee for comments rather than determination.

Site Description and Proposal

The application site comprises 10.74 hectares of agricultural land (four fields) located outside the settlement boundary of Barrowford and is bounded by Pasture Lane to the north and modern housing to the far south and east with open fields to the north and west. The site adjoins the settlement boundary on its far eastern side.

The proposed single vehicular access will be via Pasture Lane to the north.

The proposed development is a major application for the erection of 257 units consisting of a mixture of house types including 2 and 3 bedroomed terraced and semi-detached houses, 4 bedroom detached houses and 2 bed bungalows all with off street parking.

A Planning Statement, Design and Access Statement, Geo-Environmental Study, Arboricultural Report, Transport Assessment and Travel Plan, Heritage Statement, Utilities Statement, Ecological Appraisal, Landscape and Visual Appraisal, Air Quality Assessment, Flood Risk Assessment and Drainage Strategy have been submitted in support of this application.

Relevant Planning History

None.

Consultee Response

LCC Highways – I have viewed the application documentation including the Castle Green site layout drawing reference BARR-SP.01 Rev G dated 29.11.2021, the Transport Assessment prepared by Eddisons and supplementary information received 6th January 2022 with drawings 'Potential site access via Pasture Lane reference 0731-F02 Rev E', Existing visibility splays Lupton Drive/Church Street reference 0731-F03 and speed data collected at Pasture Lane and Church Street.

I would make the following comments.

Summary

Lancashire County Council acting as the Highway Authority would raise an objection regarding the proposed development and are of the opinion that the proposed development will have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

It is the County Council's view that the highway impacts detailed as the main reasons for refusal cannot be adequately mitigated due to the constrained highway network and built environment on Pasture Lane and Church Street.

Traffic Impact

Traffic surveys were undertaken on Tuesday 28th February 2019 and Wednesday 27th November 2019. The AM and PM peak hours were identified as 0800 to 0900 hours and 1645 to 1745 hours.

The following junctions were included:-

1. Pasture Lane/Kendal Avenue priority controlled junction;
2. Wheatley Lane Road/Higher Causeway priority controlled junction;
3. Church Street/Lupton Drive priority controlled junction;
4. A682 Gisburn Road /Church Street priority controlled junction;
5. A682 Gisburn Road /Pasture Lane priority controlled junction;
6. A682 Gisburn Road /Higher Causeway priority controlled junction;
7. A682 Scotland Road/A6068 Barrowford Road/M65 Slip Roads signalised
8. roundabout
9. A6068 Reedyford Road/A682 Scotland Road/M65 Slip Roads roundabout;

The A6068 Barrowford Road/Carr Hall Road priority-controlled junction was requested to be included in the assessment at scoping stage. However the junction has not been modelled due to the minimal forecast increases in traffic at the location.

The Transport Assessment states that all junctions listed above operate within theoretical capacity in future year 2026.

The junction of Pasture Lane and Gisburn Road A682 is very constrained with a carriageway width on Pasture Lane of 4.1m and a narrow 0.8m wide footway on the east side. The sett paved strip on the west side is not part of the highway. Theoretically the junction operates within capacity, as shown within the modelling, however observations on site show the carriageway is too narrow to allow all turning vehicles to pass side by side and this results in vehicles dwelling in Gisburn Road which impacts upon vehicle flows on the busy A classified road. Due to the narrow footway, observations show pedestrians using the carriageway close to the junction. The additional development traffic is likely to result in a raised level of conflict between vehicles, cyclists and pedestrians.

It is noted that there are no recorded collisions in the previous 5 years at this junction. However, this should not be considered a reason to support significant increased use of a road junction that is so heavily constrained. The Council view is that to do so would significantly increase the risk of future collisions.

The distribution proposed within the Transport Assessment is disputed, 10% of traffic is shown travelling north-west towards Roughlee. It is the highway authority view that 100% of traffic would travel south east in the peak periods. Of the 90% assumed with the Transport Assessment, traffic is further split with 13% travelling through Appleby Drive estate and 77% via Pasture Lane/Gisburn Road. These distributions are disputed as it is likely that a much higher percentage of traffic will use the alternative route through the Appleby Drive estate rather than Pasture/Gisburn Road.

Whilst these junctions could be remodelled with 100% of the development traffic, theoretical capacity is likely to appear acceptable. However, in reality this is likely to cause highway safety issues which are discussed in detail below under 'access options'.

The trip rates utilised within the Transport Assessment are not disputed. Vehicular traffic generation of 167 two-way trips during the weekday AM peak hour and 204 two-way trips during the weekday PM peak hour are accepted.

Development traffic for a future assessment year of 2026 is used and a National Trip End Model (NTEM) adjusted National Road A Traffic Model (NTM) growth factor was applied for Pendle MSOA 008 and Pendle MSOA 009. This is accepted.

Committed development traffic is included within the Transport Assessment modelling for Trough Laithe 500 dwellings (13/15/0327/P) and Trough Laithe Farm 5 dwellings (18/0389/OUT).

However, committed developments for Pendle Park (13/19/0767) and Police Hub (13/20/0322) have not been included and both have an impact for J13 M65.

M65 J13 Barrowford

A Linsig model is submitted as part of the Transport Assessment which has been built using signal timing provided by Lancashire County Council. We would dispute the findings of the model, that there is no impact upon the junction, based upon previous models which have been assessed for applications Pendle Park reference (13/19/0767) and Police Hub reference (13/20/322) which showed queuing onto M65 NB off slip. The committed development traffic from these two applications appears to have been omitted from the modelling and the assessment year should be extended to reflect the start year and 4.5 year build out period.

Measures were secured for these applications, to mitigate the impact of the development traffic on J13 M65 in the form of MOVA validation reports and an obligation to fund works required highlighted within the reports.

The older application for Trough Laithe (500 new dwellings -13/15/0327P) secured a S106 contribution to the signalisation of the eastern roundabout at J13 M65. This is a scheme which has been deemed to be required in future years to accommodate the development growth along the M65 corridor.

Access options

There are a number of routes between the site and the major road network, and these have been considered below.

Construction traffic

I note that a Construction Management Environmental Management Plan and Construction Management Plan (BARR-CMP.01) are submitted which highlights the sales area, customer parking, main site offices, storage areas and on-site vehicle parking. Additional details would be required in relation to the routing of large vehicles and appropriate signage as there are a number of routing options, and they all present concerns.

There are no routes which are conducive to accommodate large heavy vehicles, which will occur over a prolonged period of 4.5 years on routes which are below standard carriageway widths and specification. This is likely to result in conflict with other vehicles, especially other large vehicles on these routes undertaking agricultural and commercial activities for the existing buildings and

premises in the area. Damage to the surrounding highway network is anticipated due to the low standard of construction on Pasture Lane and Church Street.

Pasture Lane U40462 – Gisburn Road A682 to development site access

Pasture Lane provides the simplest route to the major road network, from the development site, Gisburn Road A686 and M65 J13 however due to the constrained geometry of the highway on the lower 200m section, the alternative convoluted route via the Appleby Drive estate and Church Street are likely to be desirable due to the wider carriageway widths.

The lower section of Pasture Lane, 200m length, has a narrow carriageway width, which varies between 4.1m and 6.5m. The wider sections are occupied by on-street car parking generated by the residents of the terraced cottages who are without any off-street provision. The carriageways operate as one-way working.

The speed limit on this section is 20mph and speed data has been collected in the vicinity of No.7 Pasture Lane which indicates 85%ile speeds of 18mph NW and 21mph SE.

There is not a contiguous footway system on Pasture Lane. What footway provision is available varies between 0.75m – 1.1m (being significantly substandard) and certain sections are without footways entirely.

The Department for Transport advice document 'Inclusive Mobility' states that 2m wide footways should be regarded as minimum width under normal circumstances, reducing to 1.5m where physical constraints exist. The absolute minimum of 1m over a distance of 6m would be acceptable, for example where statutory undertakers equipment is located in the footway.

The lower section of Pasture Lane has a gradient which is steeper than 1:20, Manual for Streets considers that pedestrian routes should ideally be no more than 1:20 (5%) however in steeply sloping areas as a general rule that 1:12 (8%) should be considered the absolute maximum, which is the limit for most wheelchair users, as stated in Inclusive Mobility. There are sections of Pasture Lane which exceed this rule.

The lower section of Pasture Lane provides the most direct route from the site to local services, such as Booths supermarket and Barrowford Park. Due to the sub-standard highway layout, it is anticipated that most residents will chose to drive the short distance, so by resulting in a car dependant development. The highway layout as detailed is not conducive to pedestrian movements. A combination of lack of appropriate footway provision, areas of limited forward visibility and narrow carriageway widths would place pedestrian traffic in close conflict with vehicular traffic which would be a significant highway safety concern. (Photos appended).

The upper section of Pasture Lane between No.39 and the development site, including Kendal Avenue and Appleby Drive have a less steep gradient, 1.8 - 2m wide footway on one or both sides and carriageway widths varying between 5.5 – 8m wide. These sections of highway are considered suitable to accommodate additional highway users.

The carriageway of Pasture Lane itself is a low standard rural road with limited surface water drainage and low-level of street lighting, the upper sections have no 5 lighting or drainage. To accommodate the development traffic both the lighting and surface water drainage would need upgrading for the full length of Pasture Lane.

Pasture Lane U40462– Kendal Avenue U20582– Appleby Drive U20578– Lupton Drive U20573– Church Street C672

Kendal Avenue, Appleby Drive and Lupton Drive form a modern housing estate layout with 5.5m wide carriageway widths and 2m footways on both sides. This route is likely to provide an attractive route for traffic travelling south towards J13 M65 and vice versa. This is a route through a well-established residential area which has a speed limit of 20mph but is without any physical traffic calming measures. The increase in traffic from the development is likely to result in speed compliance issues with traffic seen to be 'cutting through' the estate to avoid vehicle conflict points on Pasture Lane.

Notwithstanding any residual amenity impacts in capacity terms, the internal road links and junction geometry of Pasture Lane/Kendal Avenue, Kendal Avenue/Appleby Drive and Appleby Drive/Lupton Drive are likely to be able to accommodate some additional traffic. However, the operation of the junction of Lupton Drive and Church Street raises significant concern due to the sub-standard visibility splays available. In addition, and footway provision beyond this point is again poor.

The gradient of Lupton Drive appears to exceed 1:20 on certain sections which is not conducive to access for pedestrians who may be mobility impaired or wheelchair users.

Speed data collected on Church Street at the Lupton Drive junction indicates observed 85th% dry weather speeds of 26mph which would require visibility splays of 2.4m by 35m (Manual for Streets) along Church Street in both directions.

The actual visibility splays at the junction are splays of 2.4 metres by 20 metres (suitable for speeds of 17mph) to the west and 2.4 metres by 16 metres (suitable for speeds of 14mph) to the east, off set 1m from the edge of carriageway due to there being no footway and a wall immediately adjacent to the carriageway (shown on drawing 0731-F05).

The existing splays cannot be improved without use of third party land outside the control of the developer and Highway Authority. Measures to reduce vehicle speeds on Church Street in the vicinity of Lupton Drive could be considered to mitigate this concern, although reducing vehicle speeds to a sufficient degree would be challenging.

It is noted that this is an existing junction and there are no recorded collisions in the previous 5 years. However due to the limitations of the alternative route onto Gisburn Road via Pasture Lane, it is likely that this will form a desirable route for a significant portion of the traffic generated by the development. Again, a lack of collisions should not be considered a reason to support significant increased use of a road junction that has such substantially compromised visibility splays. The Council view is that to do so would significantly increase the risk of future collisions.

Beyond this point there are a number of routes for vehicles to distribute to the strategic network including (i) Wheatley Lane Road C672, Carr Hall Road C672 and Barrowford Road A6068 and (ii) Wheatley Lane Road C672, Higher Causeway U20560 and Gisburn Road A682 and (iii) Wheatley Lane Road C672, Higher Causeway U20560, Nora Street U20535 and Gisburn Road A682, side roads Lee Street and Mount Street also link Nora Street to Gisburn Road and vice versa.

Church Street C672 between Lupton Drive and Gisburn Road A682

This route leads to services within Barrowford such as convenience shops, for pedestrian and cycle traffic and is the alternative route to using Pasture Lane itself.

The first 25m section of Church Street (C672) from Gisburn Road provides a wide footway on the south side, although there is a pinch point on the footway adjacent 121 Gisburn Road and heavy

on-street parking partially on footway into the junction of Hill Top compromises available pedestrian widths for much of the day. This obstructs pedestrians from crossing the mouth of the junction of Hill Top and could be improved with formalisation of the on-street parking and build out of the footway to ensure that access for all is provided.

Between Hill Top and No.11 Church Street, the carriageway and footway on the south side are acceptable for pedestrian use.

The footway on the south side narrows to approximately 0.75m wide between No.11 Church Street and Lupton Drive, a distance approximately 80m. (Photos appended). These footways are below the minimum usable width dictated by guidance and cannot be considered appropriate to provide access for all users.

Any widening of the footways may adversely impact the on-street car parking in this area which we would unlikely support due to the lack of off-street provision nearby and the displacement of parking into areas already subject to heavy competition for parking. As such it is unlikely this issue could be appropriately mitigated.

Site access junction Pasture Lane

Pasture Lane is an unclassified road subject to the national speed limit, with a limit of 60mph by nature of being single carriageway and unlit. A 20mph speed limit is in place from a point close to the proposed site access down to Gisburn Road.

Speed data has been collected on Pasture Lane, at the proposed site access, on Tuesday 21st December 2021 in order to determine the visibility splay requirements at the site access. The 85%ile speeds are recorded 32mph SE and 33mph NW. These recorded speeds will require visibility splays of X2.4m by Y47m and Y49m respectively.

The County Council would not accept a lower visibility splay requirement of X2.4m by Y25m for speeds of 20mph (Manual for Streets) by moving the 20mph speed limit signage northwest of the proposed site access, as even with dragons teeth road markings as shown on the submitted drawing, actual vehicle speeds would unlikely be influenced sufficiently.

The layout submitted proposes to provide a connection for cyclists and pedestrians from the site onto Pasture Lane close to the reservoir and to widen the existing footway by utilising the carriageway. This is acceptable subject to the width being 3m minimum, the gradient being a maximum 1:20 and an internal footway for pedestrians being provided to travel along Pasture Lane rather than walking in the carriageway along the development frontage. Alternatively, a new footway along Pasture Lane development frontage could be provided. Currently the internal layout does not provide a direct route and would require amendment.

It should be noted that a new footway along Pasture Lane would likely moderate vehicle speeds by changing the street scene to create a more urbanised feel. It would also provide protection to visibility splays and provision to locate street lighting columns and other statutory undertakers equipment. There will be a significant increase in vehicle movements on this section of Pasture Lane and pedestrians travelling along Pasture Lane itself will benefit from a footway. This would however result in the loss of mature trees and the ground level on the development site is higher than the road level.

Secondary/Emergency link

There is a secondary/emergency link proposed between the site and Wheatley Lane Road, running along the western boundary of St. Thomas School and the rear of properties 6-9 St. Thomas Close. Public footpath 13-2-16 lies along this route.

This route forms the direct route to St. Thomas School which is the nearest primary school and the nearest bus stops which are served by Service 66, 68 and 922. The gradient of the land exceeds 1:20 which is not compliant with Inclusive mobility and not conducive to providing access for all users. The gradient appears to be approximately 1:10 which would preclude mobility impaired pedestrians, wheelchair users and parents controlling prams from using this route.

Nevertheless, if approved we would consider a secondary/emergency access as being required for 257 dwellings, especially at this location given the issues regarding compromised access highlighted above. The Council would seek this to be constructed prior to occupation of the 100th dwelling.

A detailed design for the emergency link at its junction with Wheatley Lane Road would be required to include provision for cyclists to re-enter the carriageway and vehicle access prevented with lockable/removal bollards.

Sustainability

The nearest bus stops are on Wheatley Lane Road and are served by LCC subsidised services 66 (Mon- Sat 2 hourly Clitheroe – Nelson), 68 (Mon- Sat hourly Colne – Nelson) and 922 (School service Barrowford-St. Christopher's High, Accrington). The bus stops require upgrading to quality bus stop standard.

Nearby committed developments (Trough Laithe and Pendle Park) have planning obligations to improve service 66 by increasing the frequency at peak times and this 8 application if approved would need to have the same obligation secured to support the service and provide a suitable provision every day for residents to travel sustainably. A contribution of £120,000 per annum for 5 years would be required, with the first contribution paid to the County Councils transport service upon occupation of the 51st dwelling.

The local service bus stops on Wheatley Lane Road exceed the maximum walking distance of 400m, equating approximately to a five minutes' walk which is stated in the CIHT document and IHT 'Planning for Public Transport in Developments' (1999) and the gradient of the direct route exceeds the guidance in Inclusive Mobility and Manual for Streets. The nearest mainline bus stops on Gisburn Road A682 are approx. 700m.

Barrowford Town Centre including Booths, Barrowford Park is approx. 700m walking distance and other local facilities are located within 1.2km, which is within the recommended maximum distance in the CIHT documents, although the footways on the route are of poor quality, lacking continuity with narrow widths and heavy on-street parking. This not conducive to supporting sustainable travel.

Wider footways see increased footfall and due to the constrained footway widths on the routes between the site and the Town Centre, this is likely to become a barrier to many residents walking and will lead to a reliance on the private car.

The site is located approx. 1.2km from the Leeds and Liverpool Canal towpath which provides long distance off-road cycle link - Pennine 68, through neighbouring Towns. There are some barriers to cycling between the site and the route due to the narrow carriageway widths and heavy on-street parking.

I note that a Framework Travel Plan is submitted. A Full travel plan is required and Lancashire County Council offer a range of Travel Plan services which include:

- Appraise initial Travel Plan(s) submitted to the Planning Authority and provide constructive feedback.
- Work closely with the Developer's appointed Travel Plan Coordinator, the end use where appropriate, local community groups.
- Oversee the progression from the Interim Travel Plan to the Full Travel Plan/s in line with agreed timescales.
- Monitor and support the development, implementation and review of the Full Travel Plan. This will include reviewing:
 - o Annual surveys
 - o Progression of initiatives / actions plan
 - o Targets
- Where appropriate suggest further cost effective meaningful intervention to maintain/satisfy travel plan targets using local knowledge

If the application is approved, a 106 contribution of £18,000 would be sought to fund this approach.

PROW

A response has been provided by Pendle Borough Councils Countryside Access Officer regarding the footpath in the vicinity and crossing the site.

Footpath 13-2-15 connects the site to Appleby Drive via a narrow ginnel to the side of 14 Eden Close, rear of 3 Eden Close and side of 40 Appleby Drive and would require improvement to allow it to be used by residents as part of a commute or school travel. It is currently unlit, extremely overgrown and has a poor surface with excess leaf litter. This results in a dark, secluded section of footpath which provides poor surveillance and lack of security which would deter many users. The sub-standard width of the ginnel cannot be increased due to third party land, not within the control of the developer or Highway Authority therefore the route is not accessible to all users.

Internal Layout

The main access road is proposed as a 5.5m wide carriageway with 2m footways on both sides. The layout consists of a main spine road with 9 cul-de-sacs spurring off to the site boundaries, this does not allow good connectivity for service vehicles and could be improved by designing linking loop roads to minimise the need for numerous reversing manoeuvres by HGV's.

The spine road is relatively long and straight with good forward visibility and it will require physical traffic calming measures to ensure speed compliance to the 20mph speed limit. There is no designated route for pedestrians along the frontage of plots 50 – 54 to Public Right of Way FP 13-2-15 which links to Appleby Drive. This is considered necessary to ensure connectivity to the external links.

There is no designated route for pedestrians between plot 180 and Public Right of Way FP 13-2-16 and FP 13-2-15.

Parking

There are 257 dwellings proposed across the site comprising 27 x 2 bedroom, 156 x 3 bedroom and 74 x 4 bedroom dwellings.

All dwellings have two driveway spaces and certain plots have garages. There are various sizes of single garage across the site measuring internally 5.48m x 2.61m, 5.50m x 2.74m, 5.50m x 2.60m, none of these would count as car parking spaces unless increased to 3m by 6m. The double garages measure 5.19m x 5.19m and 6.32m x 5.08m and the latter would count as a single space but otherwise they should be increased to 6m x 6m to accommodate two vehicles.

They do however all count as secure, covered cycle parking.

All dwellings without garages should have an external secure, covered cycle store.

All dwellings require an electric vehicle charging point with a minimum power rating output of 7kW, being fitted with a universal socket that can charge all types of electric vehicle currently.

The level of car parking across the site is acceptable in accordance with the Pendle car parking standards subject to the cycle parking and EV charging being provided.

Refuse

There are several plots which exceed the maximum distance of 30m for residents to carry their waste. Plots 4, 5, 6, 7, 8, 246, 193, 194, 207, 208, 209, 53, 54, 158, 159, 160, 161, 84, 155, 133, 134, 135, 136, 137, 138 and 108. Refuse vehicles do not drive on private drives due to the lower specification of paving which is generally not suitable for the heavy vehicles.

A swept path analysis is submitted within the Transport Assessment to show tracking within the main turning heads for a 10.4m long refuse vehicle. This is acceptable.

Conclusion

The main reasons for objection by the Highway Authority are summarised below. The site is on the edge of Barrowford with poor connectivity which will result in a reliance on the private car which is contrary to the principles of the National Planning Policy Framework and Guidance.

The development traffic cannot be accommodated safely on the highway network and will have a severe impact on highway safety for all users.

The impact of the development traffic cannot be mitigated sufficiently due to the constrained layout of the highway network and built environment, particularly the lower section of Pasture Lane and Church Street and the junction of Lupton Drive/Church Street.

1. The application fails to demonstrate that the proposed development can be safely accessed on foot and by cycling.
2. The nearest bus stops are not within desirable 400m walking distance of the site to support the use of public transport.
3. The footways on Pasture Lane and Church Street and Public Rights Of Way 13- 2-15 (Appleby Drive) and 13-2-16 (emergency link Wheatley Lane Road) are inadequate width and gradient.
4. Sub-standard carriageway width on the lower 200m long section of Pasture Lane.
5. Sub-standard visibility splays at Lupton Drive/Church Street junction.
6. Sub-standard visibility splays at site access/Pasture Lane junction.
7. The internal layout raises concerns for service vehicle access and connectivity to external FP and lack of cycle storage, electric vehicle charging points.

Point 5 can potentially be mitigated with a scheme of works to reduce vehicle speeds on Church Street, Point 6 can potentially be addressed with an amendment to the site access and Point 7 can potentially be addressed with amendment to the layout.

Coal Authority – The Coal Authority Response: Material Consideration

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

More specifically, the Coal Authority's information indicates that the Pasture coal seam outcrops at or close to the surface within the southern part of the site. This seam may have been worked in the past. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The planning application is accompanied by a Phase I Geo-environmental Site Assessment report (September 2021, prepared by E3P Ltd). Based on a review of relevant sources of coal mining and geological information, the report concludes that possible unrecorded Protecting the public and the environment in mining areas shallow coal workings pose a high risk of ground instability within the southern portion of the site.

Accordingly, the report goes on to make appropriate recommendations for the carrying out of intrusive ground investigations, in the form of the drilling of boreholes to depths of c.35.0m bgl, in order to establish the presence of any unrecorded mine workings that could pose a potential risk of subsidence at the surface.

The Coal Authority welcomes the recommendation for the undertaking of intrusive site investigations. These should be designed and carried out by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development.

The results of the investigations should be used to inform any remedial works and/or mitigation measures that may be necessary to ensure the safety and stability of the proposed development as a whole, including buildings and external parts of the site such as roads, driveways and car parking areas. Such works/measures may include grouting stabilisation works and foundation solutions.

The applicant should note that Permission is required from our Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property. Any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site.

However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

SuDS

It should be noted that where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Phase I Geo-environmental Site Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above conditions. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

LLFA – The Lead Local Flood Authority objects to the development proposal on the basis of:

Objection 1 – Inadequate Drainage Strategy

In the absence of an acceptable drainage strategy to assess the principle of surface water sustainable drainage associated with the proposed development, we object to this application and recommend refusal of planning permission until further information has been submitted to the local planning authority.

Reason: Paragraph 169 of the NPPF requires major developments to incorporate sustainable drainage systems that:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

The submission of basic information on how surface water is intended to be managed is vital if the local planning authority is to make informed planning decisions. In the absence of acceptable information regarding surface water sustainable drainage, the LLFA cannot assess whether the development proposed meets the requirements of Paragraph 169 of the NPPF or the PPG in principle. This is sufficient reason in itself for a refusal of planning permission.

In particular, the submitted drainage strategy fails to address the following points:

- Urban creep has not been accounted for within the drainage strategy and therefore the applicant has not demonstrated how an allowance for urban creep will be managed and maintained within the lifetime of the development.
- The applicant has failed to provide a plan B for proposed drainage strategy for phase 1, and therefore have not demonstrated that the principle of the development can be agreed, insofar as it obtains to surface water flood risk.
- The applicant has failed to calculate the runoff estimations and storage volumes adequately according to the proposed drainage strategy and therefore the drainage strategy proposed fails to prevent the risk of surface water flooding.

Overcoming our Objection

You can overcome our objection by submitting information which demonstrates how surface water will be managed on site, satisfying the principles of Paragraph 169 of the NPPF and the PPG.

If this cannot be achieved we will consider whether there is a need to maintain our objection to the application. Production of this information will not in itself result in the removal of an objection.

Objection 2 – Proposal contrary to National SuDS Standard: Volume Control

The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until evidence is provided to demonstrate that the runoff volume from the development to the sewer and surface water body for the 1 in 100-year, 6-hour rainfall event should never exceed the greenfield runoff volume for the same event in line with Standard S4 of the Non-Statutory Technical Standards for Sustainable Drainage Systems

Reason: Standard S4 of the Non-Statutory Technical Standards for Sustainable Drainage Systems requires applicants to demonstrate that post-development surface water runoff volume from the development in the 1 in 100-year, 6-hour rainfall event does not exceed the greenfield runoff volume for the same event

The submitted proposed drainage design and drainage calculations fails to contain surface water volume flows within the parameters set out in Standard S4 of the Non-Statutory Technical

Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

Overcoming our Objection

You can overcome our objection by submitting evidence of how peak runoff rate discharge to the sewer and surface water body will be constrained to the 1 in 1 year rainfall event or peak runoff rate during the 1 in 100-year rainfall event does not exceed the peak greenfield runoff rate for the same event for the development proposal. Production of a revised drainage strategy and drainage calculations will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of any amended drainage strategy and drainage calculations. We will provide you with comments within 21 days of receiving formal re-consultation. Our objection will be maintained until adequate evidence has been submitted.

LLFA Advice

In relation to Objection 2, the LLFA expects the applicant to demonstrate that greenfield runoff volumes do not exceed runoff volumes in the 1 in 100-year, 6-hour rainfall event and that the attenuation storage volumes reflect these calculations. The current proposals, state that the impermeable for each phase has been calculated to be approximately 60% of that phases total area, this impermeable area as well as including the buildings, roads driveways also includes 'surrounding landscaped and grassed areas adjacent to the access roads, private gardens and the areas of open public space', this therefore leaves 40% of each phase that has not been factored into the attenuated storage volumes, with no explanation as to why the calculations have been carried out this way or how this omitted 40% is to be drained from the development that does not cause a risk of flood on or off site. In the event that this is a miss print and the applicant expresses that the 40% is the 'surrounding landscaped and grassed areas adjacent to the access roads, private gardens and the areas of open public space', then the applicant will need to demonstrate that these areas will not be contributing to the combined run off from each phase or include them as part of the calculations for run-off volumes and attenuated storage with the impermeable areas for each phase. If this is not addressed, it would result in the impermeable calculated area being discharged from the site regulated to the entire calculated Qbar for that phase, with an additional unrestricted discharge for the uncalculated area out falling from the site via the same method, to which the storage and piped systems would not have been calculated to convey and discharge that water and thus resulting in the risk of flood both on and off site, thus not satisfying S7 or S8 of DEFRA Technical Standards.

The LLFA expects the applicant to demonstrate how an urban creep allowance will be factored into the management and maintenance for the lifetime of the development. The reason that this needs to be factored in at this stage in the process is due to its implications to the run-off and volume calculations. The ability to retrospectively apply this factor at a later stage could significantly affect the attenuation volumes required for either phase of the development and therefore with the layout of the development already being agreed, the ability for the applicant to not cause flooding within the development would be at risk, which would fail to satisfy S7 or S8 of DEFRA Technical Standards.

The LLFA expects the applicant to provide evidence of a plan B in relation to a drainage strategy for phase 1. The proposed drainage strategy outlines that phase 1 will be drained by into the existing culvert and then into a private reservoir. The applicant has not obtained an agreement with the private owner at this stage. Furthermore, the applicant at this stage has been unable to locate the culvert as well as its diameter and levels, in which they intend to drain the surface water from phase 1 to the reservoir, as well as failing to show evidence that current surface water from phase 1 indeed drains into the existing culvert, before out falling to the reservoir. Without the information showing the condition and capacity of the culvert, and its current ability to drain phase

1 of the development, the LLFA are unable to agree the principle of the development. In addition to this, the applicant would need to provide a plan b approach to phase 1 to factor in a situation that the discharging to the reservoir becomes an unviable option or evidence shows that the culvert does not naturally receive water from the phase 1 area of the site and convey it to the reservoir. This proposal therefore does not satisfy S7 or S8 of DEFRA Technical Standards.

Material Changes to this Planning Application

If there are any material changes to the submitted information which impact on surface water, the local planning authority is advised to consider re-consulting the LLFA.

Natural England – No objection.

Protected Landscape Advice - Forest of Bowland

Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

LCC (Education) – Requests a contribution towards secondary school places of £253,679.25.

NHS (Contributions) – Requests a contribution of £1,107 per dwelling towards unplanned visits for the NHS Trust. A total of £438,573.00.

United Utilities – It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. We recommend the developer contacts United Utilities for advice on identifying the exact location of the water main. It is also the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Should the Council be minded to approve the application conditions should be added to any approval to ensure foul and surface waters are drained on separate systems.

National Grid (Cadent) – Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Lancashire Fire & Rescue – The Access should accord with Document B part B5 of the Building Regulations Approved Document.

Architectural Liaison Unit – Recommend Secured By Design security standards including appropriate pedestrian and cycle routes, boundary treatments, access control, defensible spaces, landscaping, driveways, design out climbing aids, doors, windows, garage security, intruder attack alarm, lighting, utility meters and construction site security in order to keep people safe and feeling safe and to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998.

PBC Environmental Health Services

PBC Footpath Officer – There are two public rights of way within the site of the proposed development. Public footpath 13-2-FP 15 runs from Appleby Drive and enters the site near Plot 54, running in a north westerly direction and leaving the site near plot 187. Public footpath 13-2-FP 16 enters the site at a point near St Thomas's School and runs north westerly and then in a more northerly direction running along the edge of the site to join footpath 13-2-FP 15 near plot 187. The proposal has shown plots 126, 127, 128 134 and 135 set out over the line Footpath 13-2-FP 16. (NB I have not been able to overlay the rights of way network on the site plan so this may be slightly out).

The impact on the footpath is a material consideration in determining the application and the advertising should mention that the proposed development affects the public footpath. (The Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) provides that development affecting a public right of way must be advertised in a local newspaper and by posting a notice on the site (this is entirely separate from any notices and advertisements required when making and confirming a subsequent extinguishment or diversion order)).

The planning application should therefore be re-advertised to draw the attention to the need for one of the public footpaths to be diverted. In addition, the masterplan (1:500 plan Ref BARR-SP.01 Rev. G) should be amended and resubmitted to show the existing footpaths through the site and the proposed diversion. I can only comment on the impact on the public of any proposed diversion once a revised plan has been submitted. I would very much hope to see the diversion away from the estate road so that the new footpath passes through an open or landscaped area at the edge of the site.

Notwithstanding any diversion proposals the construction of 257 houses will have a significant impact on the public rights of way network as a result of the likelihood of temporary path closures during construction and by the additional pressure on the network from the new residents. As a result, I object to this application. My objection would be addressed by making some provisions to improve a number of footpaths which directly serve the site. This could be through a Section 106 Agreement or the Community Infrastructure Levy by which the applicant is required to pay the Council a sum of money so that such improvements could be carried out. The footpaths which are likely to be most affected, and thus ones which should be improved include footpaths 13-2-FP 15, 13-2-FP 16, 13-2-FP 8 and 13-2-FP 10. If required I can provide more detailed information and the approximate cost of the improvements.

If planning permission is granted then please include a note relating to the affected rights of way.

Suggested Note

The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of the development. Any breach of the legislation which protects public rights of way can result in legal action, fines and default action carried out and re-charged to the landowner. Any proposals for the temporary diversion or closure of a footpath should be made to Lancashire County Council's public rights of way team. An enquiry about permanently diverting or closing the footpath may be made to Pendle Council.

Barrowford Parish Council – Before outlining the concerns of the Parish Council with regard to the scheme as a whole, it is noted that the proposed development, if approved, would appear to require the diversion of public right of way 13-2-FP 16 and may also impact on the line of footpath 13-2-FP 15.

Grounds of objection

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the adopted development plan, unless material considerations indicate otherwise. These requirements are repeated within the National Planning Policy Framework (NPPF 2021) which sets out the Government's planning policies and details how they should be applied. The Parish Council's objections relate to both the principle of development and a number of associated material considerations, which will be outlined and expanded upon in this response.

3.1 Local policies

The adopted development plan in question is the Pendle Local Plan Part 1: Core Strategy ('the Core Strategy') and the relevant policies of the Barrowford Neighbourhood Plan. Pendle Council's proposals map (as replicated in the Neighbourhood Plan map) confirms that the application site lies beyond the defined settlement boundary for Barrowford, within the Open Countryside and in close proximity to the boundary of the Forest of Bowland AONB which lies to the north.

The Borough Council are in the process of preparing Part 2 of the Local Plan ('Site Allocations and Development Management Policies') which will expand on the Part 1: Core Strategy, allocating land for future development and providing an updated suite of policies to reflect the Council's strategic vision.

On the 25th November 2021, the Publication Report of the Part 2 document was presented to the Council's Policy and Resources Committee for consideration, before being referred to Full Council on the 9th December 2021. Agreement was sought from Members to consult on this preferred version of the Plan in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, before submission to the Secretary of State and the subsequent 'Examination in Public' process.

Within the Officer report which was presented to the respective Committees, it was recommended that Members accept a housing figure of 240 dwellings per annum (which has been used in the preparation of the Publication Report), above that of 142 dpa which is arrived at when using the Government's 'Standard Methodology' for the Borough. The higher figure was sought to reflect economic growth in Pendle and to align with the aspirations set out in the Part 1 document.

At the Full Council meeting on the 9th December 2021, Members resolved the following:

- That a housing number of 142 be agreed for the Pendle Local Plan Part 2
- That officers re-visit the Core Strategy and Pendle Local Plan Part 2 and its supporting policies in order to protect greenfield sites.

It is understood that due to this resolution, further consultation and work on the evidence base supporting the Part 2 document will be required, delaying its potential adoption for an indeterminate period of time. Accordingly, in line with paragraph 48 of the National Planning Policy Framework and the stage of preparation of the emerging Part 2 Plan, it cannot be afforded significant weight in the determination of this application. Therefore the policies listed below, as contained within the Core Strategy, Neighbourhood Plan and the Framework are relevant to the determination of the scheme at Pasture Lane.

It should also be noted that owing to its age, the Council undertook a review of the Core Strategy in December 2020 to test the relevance and consistency of its policies with those of the Framework. The Review found that the majority of its policies remained consistent with the Framework but highlighted areas where any lack of conformity arises. This will be discussed against the relevant policies below.

3.2 Local Plan Part 2 site selection and assessment

The application site was considered as a potential housing allocation in the preparation of the emerging Part 2 document. However, it has not been carried forward (amongst other alternatives) with the Council confirming that they *"do not believe that these sites are best placed to meet our development needs up to 2030"*.

In scoring the site within its Sustainability Appraisal, the Council confirmed the following likely effects of a housing allocation:

- Increased pressure on services and facilities, including health;
- Its distance from transport services;
- Existing, known capacity road capacity issues on Pasture Lane (with the suggestion that an alternative access route would be needed);
- High risk of flooding from ground water; and
- With regard to the objective of conserving and enhancing landscape character, the Council consider that *"the Site is within the Industrial foothills and Valleys Landscape Character Area (Zone 6a). The Site contains features which contributes towards this LCA. The Site features an extensive area of settlement edge agricultural land which rises gently at first from the edge of Barrowford. The Site features hedgerow and dry stone wall boundaries and separates Barrowford from rural farm steads located to the north west. The development of the LCA will have adverse effects on the LCA in the local area. The Site is greenfield, adjoining Barrowford to the west. Development of the Site would represent a significant extension to Barrowford, which fails to reflect the current settlement pattern and would result in an isolated field to the east. The land rises gently from Barrowford increasing in steepness to the west and is largely open. The Site would therefore be visible from the wider area to the west, but is of limited visibility from with Barrowford"*.

All of these factors demonstrate why the site represents a poor choice for future housing growth and reflect the concerns of the Parish with regard to its impact and suitability.

3.3 Pendle Local Plan Part 1: Core Strategy

•**Policy SDP1** outlines the Council's approach to sustainable development. The policy reflects the position of the Framework, insofar as the Council will seek to support new development unless the adverse impacts arising from the grant of planning permission would significantly and demonstrably outweigh its benefits;

•**Policy SDP2** sets out the Council's spatial development strategy and the hierarchy of settlements. Barrowford is defined as a 'Local Service Centre', a role which supports the larger 'Key Service Centres' and is intended to accommodate a scale of development which is to "serve a localised catchment". The policy also states that "where Greenfield land is required for new development, such sites should be in a sustainable location and well related to an existing settlement".

•**Policy ENV1** seeks to protect the Borough's natural and historic environments, including its biodiversity and landscape character. In areas not subject to national landscape designations (such as the application site) development should aim to safeguard or enhance the character of the area. Due consideration should be given to the Lancashire Landscape Assessment, with proposals demonstrating how they respond to the particular landscape character type they are located within;

- Policy ENV2** seeks to deliver the highest possible standards of design, with schemes that are practical and legible, attractive to look at, and seek to inspire and excite. Proposals should contribute to the sense of place and make a positive contribution to the historic environment and local identity and character;
- Policy ENV4** promotes sustainable modes of travel. Proposals for new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion. Where an adverse impact is identified, applicants should ensure adequate cost effective mitigation measures can be put in place. Where the residual cumulative impacts of the development are severe, planning permission should be refused;
- Policy ENV7** requires new development to consider flooding and the risk the proposed development may pose to areas downslope/downstream;
- Policy LIV1** relates to housing need and distribution, but was found to be out of date in the Core Strategy Review as it is based on an assessment of housing need which is no longer consistent with the Framework. It will, however, remain part of the development plan and be a material consideration until it is replaced in the Part 2 document. Aside from setting out housing targets, the policy also states that until Part 2 of the Plan is adopted, sites outside of but close to a settlement boundary will be considered for housing. Such proposals are expected to follow the spatial principles set out in Policy SDP2;
- Policy LIV3** outlines the type of homes required in Pendle and required new development to have particular regard to the requirements of policies LIV4 and 5;
- Policy LIV4** relates to the requirement for affordable housing within the Borough, but was found to be out of date in the Core Strategy Review due to certain definitions and thresholds. Need has also shifted since the CS was adopted, as evidenced in the 2020 Housing Needs Assessment;
- Policy LIV5** seeks to deliver better places to live and to diversify the current housing stock in the Borough. Future housing schemes should deliver the following mix of property types to address need – 25% detached; 35% semi-detached; 10% terraced houses; 10% flats and 20% bungalows/elderly housing.
- Policy SUP2** supports the delivery of new infrastructure which improves the health and wellbeing of residents.
- Policy SUP3** advises that the Council will support the provision and improvement of new educational facilities where need exists.

3.4 Barrowford Neighbourhood Plan

The Barrowford Neighbourhood Plan was made in November 2019 and is part of the statutory development plan. As a result its policies should be given due weight in the determination of any planning application within the Plan area.

The following policies are relevant to this scheme:

- Policy BNDP01** states that new housing developments will be considered where they align with the relevant policies of the Core Strategy (including ENV1 and LIV5); enhance the landscape setting of the Parish and are appropriate to the surrounding local context in terms of size, scale, design and character;
- Policy BNDP08** seeks to protect important local views and vistas. Locally important views should be protected from development that is intrusive and detrimental to the landscape character. Any new development should not be of a scale, height and form which is discordant and disrupts the immediate surroundings and views.

3.5 National Policies

The National Planning Policy Framework (2021) ('the Framework') sets out the Government's planning policies for England and how they should be applied. It requires local planning authorities to apply a presumption in favour of sustainable development which means, as paragraph 11c

explains, that development which accords with an up to date development plan should be approved without delay.

Relevant paragraphs within the Framework include:

- Paragraph 7** - The purpose of the planning system is to contribute to the achievement of sustainable development;
- Paragraph 11** - The presumption in favour of sustainable development lies at the heart of the Framework. For decision-taking this means approving development where it accords with an up-to-date development plan, or where there are no relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the Framework indicate development should be restricted;
- Paragraph 62** - The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent and people wishing to commission or build their own homes);
- Paragraph 119** - Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land;
- Paragraph 124** - Development should make efficient use of land taking into account the need for different types of housing and other development and the availability of suitable land; market conditions and viability; availability and capacity of infrastructure; the scope to promote sustainable travel; the desirability to maintain the character and setting of an area or promote regeneration; and the importance of creating well-designed, attractive, healthy and safe places;
- Paragraph 126** - The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Paragraph 130** – Development should function well and add to the overall quality of the area; be visually and architecturally attractive and be sympathetic to local character and history, including the surrounding built environment and landscape setting.

4.0 Principle of Development

Whilst Barrowford is identified as a 'Local Service Centre' in the spatial hierarchy as set out in Policy SDP2, it is the smallest settlement within the M65 corridor and is expected to play a supporting role to the larger towns of Nelson and Colne. Accordingly the level of development it is intended to accommodate should be proportionate to this role, taking into account its scale, infrastructure and landscape considerations.

Barrowford already accommodates the Borough's strategic housing site at Trough Laithe, which is expected to deliver in the region of 500 dwellings. To locate another scheme of over 250 dwellings to the north of the settlement would represent a degree of expansion which is disproportionate to the role of the settlement and would undermine the Council's spatial strategy.

It is noted that in the emerging Part 2 document, no new housing allocations are proposed within Barrowford, with the exception of a 'reserve site' for up to 60 dwellings off Wheatley Lane Road. It is intended that such sites will only be engaged should they be required to meet under-delivery or to address as yet unforeseen future need during the life of the Plan.

Whilst the Part 2 document is yet to be formally examined and will be subject to change, the recent Core Strategy Review confirms that:

“The Local Plan Part 2 provides the opportunity to rebalance the amount of development delivered at the local level by identifying and allocating sites where there are residual housing and employment needs to be met taking into account completions and commitments. The basis of this distribution was previously consulted on by the Council in 2017 and is a sound assessment methodology.”

The lack of any intended allocations within or at the edge of Barrowford is a clear indication that the level of development proposed in the application does not form part of the strategic rebalancing envisioned by the Council and would have numerous adverse impacts which will be considered later in this objection, including landscape and highway capacity concerns.

Accounting for the recent decisions of the Council with regard to the direction of the Part 2 document, it appears likely that the scope and amount of housing sites to be allocated within Pendle will be reduced to reflect the lower annual figure resolved at the Full Council meeting in December 2021. Accordingly, it is highly unlikely that Barrowford would be the target of significant growth as a result of any such review.

Policy LIV1 supports housing development which follows the spatial strategy laid out in Policy SDP2 and until Part 2 of the Plan is adopted, sites outside of but close to settlements will be considered. However, this approach is predicated on such sites being sustainable and appropriate in terms of their scale, nature and proximity to the relevant settlement.

In addition to the impact on the spatial role of Barrowford and housing distribution as a whole, the proposed scheme at Pasture Lane is not well related to the northern edge of the settlement and is not a natural infill site, resulting in a significant, anomalous projection into the open countryside.

Accordingly, the principle of development at this site presents conflicts with Policies SDP2, ENV1 and ENV2 of the Core Strategy; Policies BNDP01 and BNDP08 of the Neighbourhood Plan and the requirements of the Framework to create high quality, beautiful places which make effective use of land whilst safeguarding and improving the environment.

Additionally there appears to be conflict with Policy LIV5, which outlines the balance of dwellings to be delivered in new development, by type. The development contains no bungalows or dwellings for older people, with LIV5 requiring at least 20% of new schemes to deliver such provision. There is a demonstrable national requirement for adaptable housing due to the ageing population of the country and as such any major development would be expected to assist in addressing this shortfall.

In light of all these factors, the principle of housing in this location is unacceptable and does not represent sustainable development.

5.0 Other material considerations

5.1 Design and Layout

The proposed layout offers little in terms of integration with Barrowford and the wider area and subsequently presents itself as an overly dominant sprawl into the open countryside.

The Framework is clear in that design is a key component of sustainable development and seeks to create ‘*beautiful places*’ (para 126). Whilst landscape impact will be considered in more detail below, the proposed high density layout represents poor design, with little or no consideration

having been given to its interface with the surrounding countryside, creating a hard edge to the site.

The proposed design is formulaic as a result and does little to reflect its surroundings. The elevated nature of land also means that it falls within key views and vistas as detailed within the Barrowford Neighbourhood Plan Policy BNDP 8 vista 17 (see figure 10 page 52), and would appear as a discordant landscape feature from these vantage points.

Pasture Lane frontage will be the main entrance into the site. This proposed stretch of new frontage will completely erode away the established and distinctive natural hedgerow which runs the full length of Pasture Lane.

There are a total of 12 individual house types across the site, all suburban in style and there is no reference to the chosen design or evidence that any reference has been made to the surrounding types of housing.

5.2 Highways

Barrowford Parish Council have major concerns over the creation of the new access onto Pasture Lane. It must be noted that highways was a main concern during the assessment of the 2018 pre-application; *'The main concern here is access and the capacity of the highway network into Barrowford and how this can be achieved in terms of existing infrastructure.'* (Source: Council pre-app response)

The proposed access to the site is located on Pasture Lane, a narrow "B" road which is one of the main routes to Roughlee and the Pendleside villages of Barley and Newchurch beyond. The proposed entrance is located on a steep incline. There would appear to be a proposed extension of the footpath along the southern side of Pasture Lane close to the 90 degree left hand turn. This section of road, for traffic going to Roughlee or returning to Barrowford, is highly constrained, adding to existing constraints on the road and the wider local network.

Specific Concerns are as follows:

- Sight lines at the entrance to the proposed development in relation to the current National Speed Limit on that section of road
- Lack of pavements to either side of the carriageway in the immediate vicinity of the development entrance
- The potential for Kendal Avenue to be used as a rat run through Appleby Drive and Lupton Drive to Church Street during peak times
- Restrictive width of Pasture Lane and above the junction with Gisburn Road, giving very poor sight lines at the bend above Booths supermarket
- Egress onto Gisburn Road during peak periods through poor sight lines and the close proximity of the roundabout at the bottom of Halstead Lane

A much smaller development of 1.2Ha at Albert Mills with a proposed access from Factory Lane was refused and the decision upheld on Appeal through highway infrastructure concerns.

A subsequent application accessing off Mint Avenue onto Lupton Drive and Church Street was refused and again the appeal decision on highways grounds (application 96/0519). In the intervening years no significant improvements to the local highway infrastructure have been carried out that would support a 257 house residential site at this location.

Gisburn Road - The additional traffic generated from a further 257 houses would considerably add to the congestion at peak times. - Existing congestion would lead to the use of Kendal Avenue as a rat run to either Newbridge via Church Street, Higher causeway and Nora Street or to Carr Hall via Wheatley Lane and Carr Hall Road.

Parking

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

The supporting statement states that; *Parking for all 257 no. properties is provided off-road, to the front or side of the properties on private driveways and garages. Each of the properties will be assigned two parking spaces. The level of parking accords with the parking standards set out via Policy 31 of the Replacement Local Plan.*

There are a total of 74 units which will be 4 bedroom which would require 3 car parking spaces. This does not appear to have been addressed in the proposed layouts and neither Pendle Council nor LCC will not want to see a high level of on street parking on the proposed new roads.

5.3 Trees and Ecology

The NPPF seeks to incorporate measures to conserve and enhance the natural and local environment, including 'Biodiversity and Geological Conservation'. Paragraph 179 of the NPPF requires that in determining planning applications significant harm resulting from a development should be avoided, adequately mitigated, or, as a last resort compensated for; and opportunities to incorporate biodiversity in and around developments should be encouraged.

The application has been supported by an Ecological Appraisal but on a site of this scale a Biodiversity Net Gain Assessment should have been provided by the applicant. Whilst not mandatory at present, Natural England have formulated DEFRA Biometric Calculator 3.0 which is a method of measuring quantitative losses and gains that result from a development and land use changes. This is considered to be a major gap in the application submission. The absence of a Biodiversity Net Gain Assessment does not allow a full assessment of the application and its impacts on the environment.

5.4 Landscape Impact

Whilst the application has been supported by a Landscape Impact Assessment, it fails to detail the most basic landscape character types which are publicly available through LCC's Mario map website.

In the Lancashire Landscape Character Types the site is defined as 'Industrial Foothills and Valleys', refer to extract plan below. Detail of this Character type was also referenced by the Council in the site allocations site selection and assessment.

Whilst not officially located within the AONB, the site is located within the Forest of Bowland Landscape Character Area, designated as 'The Heights', farmed ridges.

The site is on an elevated position where there is a clear change in landscape character from the settlement boundary of Barrowford to the open fields and farmland only a short distance from the Forest of Bowland AONB. Both sides of Pasture Lane have a very open nature aside from characteristic sections of dry stone wall, hedging and a scattering of trees. The land has a gradual west-east fall, with a more distinct fall to the housing on Appleby Drive and Wheatley Lane.

While the application site may not be located in a 'valued' landscape in the context of the NPPF (paragraph 174a) the site does have two Public Rights of Way running through it and is most certainly valued by the community of Barrowford as can be evidenced from the amount of public interest in it. The site lies in the countryside which is valued by the Parish and wider 12 January

2022 community and where its intrinsic character and beauty should be recognised in accordance with Paragraph 174 (b) of the NPPF.

Development on the scale of this application would therefore compromise the landscape's rural character and in turn would have a detrimental impact on the landscape views within, across and outside the site.

The development would be an urbanising feature, eroding the visual qualities of the current open fields which make a positive and valued part of the rural landscape.

5.5 Other considerations

5.6 Social Infrastructure

It is noted that the East Lancashire NHS Trust have requested section 106 monies for the contribution to increase demand for health care services. At the time of this report comments from LCC schools have not been submitted to the Council.

Schools

When a detailed planning application for the 1st phase of the Trough Laithe Strategic Housing Site development was submitted, Lancashire County Council's Education assessment showed a lack of places at primary level within 2 km of that site, and a Section condition for the developer to contribute to school places provision was applied. This site is further away from primary school provision within Nelson and Colne from Trough Laithe, which will exclude some of the schools in those towns due to distance. Although it is nearer to Barrowford's Schools, the LCC assessment for Trough Laithe identified a lack of local capacity and this situation will only deteriorate when planning for phase 2 of Trough Laithe is approved and the houses built. The additional number of children generated from building 257 new houses over and above the 2nd phase of Trough Laithe would necessitate the extension of one or both Barrowford schools to create the necessary additional capacity. However, this would not be feasible at the late Victorian era Barrowford Primary School due to lack of land availability for both additional classrooms and increased playgrounds.

Doctor's Surgeries

There are two doctor's surgeries within Barrowford which have either full patient lists or limited availability.

Dentist's.

There is currently one practice with no availability.

5.7 Lack of renewable energy on site

There is an absence of any renewable energy considerations in accordance with Policy ENV 3 - Renewable and Low Carbon Energy Generation.

5.8 Lack of affordable housing

There is no provision of affordable on site homes in line with Policy LIV 4.

5.9 Drainage

The NPPF provides policy guidance relating to flood risk. Paragraph 163 states that local planning authorities, when determining planning applications, should ensure flood risk is not increased elsewhere.

As well as sloping down Pasture Lane the land also slopes southward towards Clough Springs on Wheatley Lane Road. Surface water from the site drains predominantly to that area, which already suffers from severe water run-off problems, partially from rainfall and partially from natural springs along the hillside. This surface water already causes significant problems on Wheatley Lane to the sides of St Thomas Close and Clough Springs as well as to the public footpath leading from the site. Mr. G. Aspey, one of Pendle Council's drainage officers, is well aware of the flooding problems there.

The Parish Council can provide photographic evidence making clear grounds for major concern regarding water run-off in this area, especially onto Wheatley Lane Road.

6.0 Conclusions

The principle of development at this site presents conflicts with Policies SDP2, ENV1 and ENV2 of the Core Strategy; Policies BNDP01 and BNDP08 of the Neighbourhood Plan and the requirements of the Framework to create high quality, beautiful places which make effective use of land whilst safeguarding and improving the environment.

In summary the application should be refused for the following reasons;

1. Development of this scale would compromise the rural character and have a detrimental impact on landscape views within and out of the area contrary to policy ENV1 and Barrowford Neighbourhood Plan policy BNDP 08.
2. The development would create an urbanising feature which would erode the visual qualities of the historic field patterns contrary to policy ENV1.
3. Impact on the two PROWs which have not been fully considered or described as part of the application, contrary to policy ENV1.
4. Inappropriate suburban housing with no consideration of the surrounding context contrary to ENV2.
5. No integration with the surrounding area, creating a separate urban extension into a green field site contrary to policy ENV1.
6. Increasing pressure on the social infrastructure, which is already at capacity, including health schools and roads, contrary to Policy ENV7.
7. Detrimental impact on existing drainage systems placing increasing pressure on known drainage 'hot spot' areas contrary to policy ENV7.
8. No proper consideration of the Biodiversity Net Gain which the site should be bringing forward, contrary to policy EN2.
9. A lack of any form of renewable energy considerations and designing for climate change contrary to policy ENV2.
10. Unbalanced mixture of housing type, not fulfilling requirements set out in policy LIV3.

Roughlee Parish Council – Please note that Roughlee Parish Council object most strongly to the above proposal. There has been a huge body of objection from local residents of both Pendleside and Barrowford and the Parish Council fully support the key points of objection. Specifically our concerns are as follows:

The only vehicular access point to the site is off Pasture Lane at a steep narrow point close to the sharp bend at the bottom of the hill. This is a particularly difficult part of Pasture Lane especially in inclement weather. Opposite this access point are the allotment gardens and on the proposed

development side there is a bank topped by a hedge and trees. The construction of any suitable access would result in wholesale destruction of the hedge and trees but would also result in significant numbers of vehicles turning onto a narrow Lane just before a sharp bend. The Parish Council consider that this would create a traffic hazard.

At the moment traffic from Pendleside into Barrowford uses either the lower part of Pasture Lane to the White Bear junction or follows the “rat run” through the Appleby Drive housing area. Both options are unsatisfactory and in parts hazardous and adding another 300 plus vehicles a day onto these routes would make a bad situation dramatically worse.

At the moment the sharp bend below the proposed site access is a clear demarcation of open countryside from the urban part of Barrowford. The proposed development would constitute a massive intrusion into the countryside outside of the settlement boundary and would be severely detrimental to the landscape of the area and to natural habitats.

The proposal would clearly add a significant number of houses into Barrowford which already carries a disproportionate amount of new development in the Pendle area. The Parish Council believe that the proposed revision of the Local Plan should review the housing requirement figures for the Borough and also review the distribution of new housing to avoid an over-concentration of housing in more popular areas.

Associated with the above point is that the services and facilities serving Barrowford, notably education and General Practice services, are at or over capacity. Any proposal to improve these facilities will take many years to implement and will be needed to deal with developments which have already been approved.

In summary the Parish Council would earnestly ask that this application be refused.

Barley with Wheatley Booth Parish Council – Barley Parish Council objects to this development for the following reasons believing this development will impact upon residents of Barley and Roughlee as well as those from Barrowford:

Increased Traffic Congestion in a Congested Area

The only vehicular access point to the site is off Pasture Lane, close to the sharp bend at the bottom of the hill. The vast majority of journeys out of this new estate will be towards Barrowford travelling around 700m along Pasture lane which has three difficult bends to negotiate and a narrow section with domestic properties. Pasture Lane then meets the A682 Gisburn Road at a junction that has limited visibility and insufficient space for two vehicles to pass unless they are small vehicles, a HGV will block the Pasture Lane arm of the tee-junction. The A682 is a very busy road and so the junction is a well-known traffic bottleneck, particularly at peak travel times. There is no alternative route other than to drive through a number of housing estate avenue's which are not designed for through traffic, then the access on to the A682 is still very difficult. Traffic generated from the proposed development would make the existing problems much, much worse in terms of congestion and air pollution, essentially the road infrastructure is inadequate to support the extra car journeys generated by this development.

Detrimental Impact on the Environment & the Open Countryside

Pasture Lane is open countryside and the gateway to the Pendle AONB. This development would expand Barrowford into the open countryside so reducing open spaces and wildlife habitat as well as generating noise, light and emissions pollution. The Council strongly objects to developments in the open countryside because they reduce our amenity and our well-being and are irreversible.

Lack of Services to Support Resident and Increased Flood Risk in an area prone to Flooding

Barrowford continues to grow but key services such as schools and medical facilities struggle to meet current demand and it is uncertain how they will cope in the future. Barrowford has a history of drainage and flooding problems and this development will add to these.

Public Response

Site and press notices posted and nearest neighbours notified by letter. Over 394 responses plus a petition containing 600+ signatures have been received objecting on the following issues:

- Roads inadequate;
- Safety and access;
- Flooding;
- Unstable land;
- Both schools and Dentists and Doctors are full;
- Barrowford is a bottleneck;
- Green spaces will be destroyed;
- There are brown spaces in Nelson and Colne which would benefit from regeneration;
- No pedestrianisation on Pasture Lane;
- A huge wildlife habitat would be lost forever;
- Barrowford will lose its semi-rural village aesthetic;
- We need our countryside intact for the benefit of our physical and mental health and well-being;
- It is a shame the Pendle Plan was overturned and we are left undefended against these developers;
- It is a nature rich area with deer, owls, Hawks, hedgehogs and many more declining animals that need protecting;
- There are plenty of already built houses that are empty all around the Pendle area;
- Church Street is completely gridlocked some Thursday and Friday afternoons;
- I was under the impression that the required amount of new housing was 140+, 500 of which are being built at the other end of the village so, why do we need 257 more?;
- Increased erosion; planting trees rather than building houses on greenbelt should be a priority;
- Pasture Lane is narrow and access difficult. In addition heavy plant will cause a huge disruption if they use Pasture Lane or Lupton Drive;
- Noise and disturbance would increase due to traffic on Kendal Avenue and Appleby Drive;
- The current drainage system was laid 50 years ago and isn't suitable for additional wastewater and would be a higher risk of blockages and flood;
- Trees and hedgerows;
- Foot access is difficult and potentially dangerous in that first stretch of Pasture Lane with the absence of any walkway;
- The brief traffic surveys carried out bear no resemblance to reality and this one issue alone is sufficient for the planners to accept that this development is not sustainable, sensible or supportable;
- Many of these homes will not be affordable for local people and will attract commuters, this will not bring any benefit to our local economy;
- In 2005 Lupton Drive was blocked by a major sink hole at the junction with Kent Court. Increased traffic or HGV's will damage not only roads but homes;
- Church Street is very constrained with parked vehicles and request for one way traffic has been requested;

- Industry in the area is very limited and residents commute distances in excess of 100 miles daily with environmental impact;
- Barrowford suffers at peak transport times with so much traffic into and through the village creating bottlenecks and blockages on the main road making it impossible to get into and out of the village;
- Pasture Lane is the gateway to an area of outstanding natural beauty which would be negatively impacted by this development;
- Impact on the whole of Pendleside during the 7 year construction phase;
- Significant pollution at a variety of choke points in Barrowford;
- The proposal will result in an accelerated run-off of the surface water and the local geography will be unable to cope. I would be interested to see what modelling the LPA have done to address this threat;
- The need for new housing in Pendle is currently in dispute and that the Part 2 Local Plan is being rewritten. Many towns in Lancashire have development like ringworm with growth on the periphery and the centre increasingly empty;
- The fields are well used for walking and exercise, bird spotting and nature observation by local residents, even if the paths are retained these will no longer provide the same benefit the currently offer;
- This development will be seen for miles and miles, imposing on the vast green views and landscape;
- The company are not local and do not understand the area, the community or the needs of its locals;
- My cellar has been converted as I work from home and I worry about the extra water causing flooding to my property and my ability to carry out my business;
- The size and position of the proposed estate does not fit with any of the Government's wishes with regards to social housing being made affordable; and
- Concerns raised about potential impact on structure of the reservoir which is located at the bottom of the hillside.

Officer Comments

The application is brought before the Area Committee for comment. Those comments will be included in the final report which will make a recommendation to the Policy and Resources Committee. Members are asked therefore to make a resolution incorporating the Committee's comments on the application.