

**REPORT FROM: ASSISTANT DIRECTOR, PLANNING, BUILDING CONTROL
AND REGULATORY SERVICES**

TO: COLNE & DISTRICT COMMITTEE

DATE: 08TH FEBRUARY 2024

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE & DISTRICT COMMITTEE 08TH FEBRUARY 2024

Application Ref: 23/0676/FUL

Proposal: Full: Siting of an additional 6 static park homes, four in retrospect.

At: Prospect Farm Caravan Site, Lenches Road, Colne, Lancashire BB8 8ET

On behalf of: Mr Culligan

Date Registered: 10.10.2023

Expiry Date: 05.12.2023 (EXT until 15.02.2024)

Case Officer: IC

This application comes to Committee as 3+ objections have been received.

Site Description and Proposal

The site is an established Caravan Park on Lenches Road, Colne containing 32 static caravans (plus the four in retrospect subject of this planning application). The site is located within the Open Countryside as defined by the adopted Local Plan.

The proposal is for an additional 6 No. static caravans for residential purposes, five in the north-east corner of the site and one along the western edge, four of which are in situ presently. Each unit is 12m x 4.2m with eaves height of 2.9m and 4m to ridge. Each has a lounge/kitchen, bathroom, two bedrooms and a hallway.

Relevant Planning History

23/0675/CND: Approval of Details Reserved by Condition: Discharge Conditions 6 (Surface Water and Foul Water Drainage Scheme), Condition 7 (Management and Maintenance Plan) and Condition 8 (Landscaping Scheme) of Planning Permission 23/0177/FUL.
Presently undetermined

23/0177/FUL: Siting of 6 static park homes.
Approved with Conditions 07.08.2023

22/0486/FUL Full: Reconfiguration and removal of holiday restrictions to allow residential occupation
Approved with Conditions 13.02.2023

13/93/0538P - Modify Conditions 2 and 3 of Application Ref No 13/92/0410P – Retain Residential Caravan Park to Increase Units to 15
Refused 14.10.1993

13/92/0410P Retain Residential Caravan Park
Approved with Conditions 28.09.1992

13/02/0031P Modify condition 2 of 13/92/0410P to increase number of caravans to 15 Refused
11.04.2002

13/12/0154C1 - Approval of Details Reserved by Condition: Discharge Conditions 5, 8, 10, 11 and 12 of Planning Permission 13/12/0154P. COS
Conditions Discharged Split Decision, 04.04.2014

13/12/0154P Full: Major: Alteration & reconfiguration of existing caravan park to provide 15 mobile homes & 11 holiday lets (26 units in total) with tarmacked access road, recycling point and siting of two storage containers 2m x 6m.
Approved with Conditions 13.04.2012

Consultee Comments

Colne Town Council
'No comment'

LCC Highways

'As highlighted in the highway authority's response to application 22/0486/FUL there is a concern that the site's location does not support sustainable travel with the nearest bus stops, food shop and primary school being located on West Street and Colne Town Centre, which are between 800-1000m distance. All routes have a steep gradient which is likely to be a barrier to walking and cycling.

Taking the above comments into consideration maximum parking standards should be applied to the site. That is, two adequately sized parking car parking spaces should be provided for each residential unit. A minimum manoeuvring distance of 6m should also be provided from the rear of the parking spaces.

The following Conditions are requested:

Prior to first occupation of any approved static home two car parking spaces shall be provided and retained for the lifetime of the development.

Reason: To ensure that an adequate level of off-road parking is provided.

Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.'

PBC Engineering
No comments received to date (24.01.2024)

Architectural Liaison Officer
No comments received to date (24.01.2024)

Environmental Health
No objection subject to the following Condition:

'No machinery shall be operated nor any potentially noisy processes carried out at the site outside the hours of 08:00 and 17:30 on weekdays and 09:00 and 13:30 on Saturdays and there shall be

no machinery operated or potentially noisy processes carried out at all on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.'

Coal Authority

'I have reviewed the site location plans and the proposals and supporting information submitted and available to view on the LPA website and can confirm that the site falls within the defined Development High Risk Area.

However, when considering the nature of this particular development proposal, it does not appear that the structures will require substantial foundations or earthworks and the proposal forms part of a wider existing caravan park. On this basis we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of the development proposed in this particular case and do not object to this planning application.

The following Informative Note is requested:

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

PBC TPO Officer

No comments received to date (24.01.2024)

United Utilities Water Ltd

Proposal acceptable subject to the following Condition:

'The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 23495-DR-C-0100, Rev P1 - Dated 02/10/2023 which was prepared by RT. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

Lancashire Fire & Rescue Service

The application has been noted and reference is made to the need for the applicant to comply with Building Regulations ACCESS - DOCUMENT B, PART B5.

Public Response

Seven representations have been received, points being:

New homes prioritised over existing homes and residents. Health and safety of existing residents should come first.

Existing electricity supply and drainage system not capable of servicing more units.

No more lines available on site for internet access.

Park becoming a housing estate.

Park visible from Colne Conservation Area.

Existing entrance unsafe.

All residents need cars.

Conditions on existing approvals not complied with.

Privacy standards not upheld.

No footways on the site.

Part retrospective.

Insufficient landscaping of site.

No drainage management and maintenance plan provided.

Trees removed to detriment of wildlife.

Officer Comments

Policy

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

Policy SDP3 (Housing Distribution) sets out the location of new housing in the Borough in conjunction with SDP2 and LIV1.

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

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

Policy ENV4 (Promoting Sustainable Travel) seeks to promote sustainable travel as well as development impacts and accessibility and travel plans for major developments to mitigate any negative impacts.

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

Policy LIV3 (Housing Needs) encourages the support and provision of a range of residential accommodation.

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

Open Countryside SPG requires that developments in the Open Countryside are in proportion with the area and appropriate to the setting.

Colne Neighbourhood Development Plan.

Principle of Development

The Colne Neighbourhood Development Plan supports new housing growth within the settlement boundary. Although the proposed development would result in six additional dwellings outside the settlement boundary, Policy LIV1 does make provision for sustainable sites outside the settlement boundary. As such, the proposed development is acceptable, subject to design & amenity policies.

Design

The proposed development is for the siting of six two-bedroomed static caravans, four in retrospect. The caravans would be finished in Canaxel Ridgewood Cladding to match the existing caravans on site. In terms of scale, the proposed caravans measure 12m in length, 4.2m in width and 2.9m to eaves and 4m to ridge height. They would have a pitched roof, a front and side access door and windows to front, rear and side elevations. Five of the proposed static caravans would be sited to the north-east of the site, with a sixth along the western boundary. Trees on the site boundary provide a limited form of screening from outside the site.

The Colne Neighbourhood Development Plan Policy 14 states that development in the Countryside should be in scale and consistent with the forms within the rural area. The proposal site is an existing caravan site and the additional dwellings would match the existing static caravans.

Overall, in terms of design the units will be clad in materials which are muted in colour, matching the caravans existing on the site.

The proposal includes electric vehicle charging points, which would accord with Colne Neighbourhood Development Plan, Policy 12.

The proposed development would result in an acceptable design which accords with Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

The proposal is for additional units on an existing caravan site. It is considered a sustainable location. There is no policy objection to the principle of development.

Impact on Amenity

The site is located within Open Countryside, with the settlement boundary circa 50m to the north of the site. The closest dwellings to the proposed units (other than other caravans on the site) are 15m to the east, on the opposite side of Lenches Road. The eastern boundary of the site contains tall, established planting and as such views from dwellings to caravans are restricted. As such, the proposed development would not result in an unacceptable neighbouring amenity issue.

Public footpath FP 1304189 exists to the west of the site. The proposed development does not affect it and views of the site from the footpath are obscured by existing boundary planting.

The proposal is therefore acceptable with regard to residential amenity and accords with Local Plan Policy ENV2. If approved I would suggest a landscaping condition to further restrict views into the site. Note that a presently undetermined application exists (23/0675/CND) for approval of details reserved by Condition in relation to 23/0177/FUL, itself an approval for siting of six caravans at the western side of the site. Landscaping is one of the matters for consideration.

Highways

The proposal would increase the number of static caravans on the site from 32 to 38. It is suggested by the LCC Highways consultee that the site does not support sustainable travel as the nearest bus stop, food shop and primary school are located on West Street and Colne Town Centre. However the consultee raises no objection to the proposal subject to Conditions requiring two parking spaces plus an electric charging point per caravan. This would accord with Saved Policy 31 Parking Standards. It should be noted that the submitted layout plan shows parking spaces for four of the six proposed units only, so if approved, a Condition in respect of two spaces per caravan should be imposed notwithstanding the submitted plans.

Drainage

The United Utilities consultee states that the proposed method of foul and surface water drainage shown on submitted drawing No. 23495-DR-C-0100, Rev P1 is acceptable. Under the proposed scheme foul is to drain to an existing public sewer connection in the north-eastern corner of the site, and surface water is to drain via a combination of ground infiltration and controlled discharge to an existing watercourse off site. If approved the UU consultee requests a Condition to ensure that this happens and that no surface water enters the public sewerage system.

Other Matters

Objectors raise a number of points, the majority not for consideration in this application as they relate to matters of site maintenance. The matter of safety at the entrance to the site is raised given the proposed intensification of use, and in this respect it should be noted that junction improvements were undertaken in accordance with approval No. 22/0486/FUL. The LCC Highways Consultee has not objected to an increased use of the point of access.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

Recommendation: Approve

Approve subject to the following Conditions:

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

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

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

GA3368-HP-001

GA3368-PSP-001C

GA3368-ESP-001

Block Plan

GA3368-LP-001

23495-DR-C-0100 DRAINAGE STRATEGY P1

Surface Water Drainage Maintenance and Management Schedule – Dart Engineers Ltd

Prospect Farm flow calculations – Dart Engineers Ltd

Caravan Proposed Plans and Elevations

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

3. Within three months of the date of this decision a detailed landscaping scheme shall have 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.

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 23495-DR-C-0100, Rev P1 - Dated 02/10/2023 which was prepared by RT. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

5. Unless approved in writing by the Local Planning Authority no further ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837 : 2012 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land. No work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. The fencing shall be located at least 1.00 metre beyond the protected area

detailed in BS 5837. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

Reason: To prevent existing trees from being damaged during building works.

6. Prior to the installation of any external lighting details including type, size, location, intensity and direction of the proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter at all times be maintained and operated in strict accordance with the approved details.

Reason: To ensure that light pollution does not occur.

7. Notwithstanding details shown on approved plans, prior to first occupation of any approved static home, two car parking spaces shall be provided and retained for the lifetime of the development.

Reason: To ensure that an adequate level of off-road parking is provided.

8. Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.'

Informative

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority'

Application Ref: 23/0676/FUL

Proposal: Full: Siting of an additional 6 static park homes, four in retrospect.

At: Prospect Farm Caravan Site, Lenches Road, Colne, Lancashire BB8 8ET

On behalf of: Mr Culligan

REPORT TO COLNE AND DISTRICT COMMITTEE 8TH FEBRUARY 2024

Application Ref: 23/0789/FUL

Proposal: Full: Change of use of land to site 4 no. holiday camping pods.

At: Moorlands, Skipton Old Road, Foulridge

On behalf of: Mr & Mrs I & D Handley

Date Registered: 27/11/2023

Expiry Date: 22/01/2024

Case Officer: Laura Barnes

This application is before committee due to the level of public interest.

Site Description and Proposal

The application site is 0.71 hectares of agricultural land located within the Open Countryside, with access along part of the existing access to Moorlands and the construction of a new access to the field to the rear of the dwelling.

The proposed development is for the change of use of the existing field to install four structures for tourist accommodation. The pods are to have ensuite facilities, so the proposed development is solely looking at the change of use of the land and siting of four pods.

Public Rights of way bound the site to the north and south but would not require diversion as a result of the proposed development.

Relevant Planning History

None relevant.

Consultee Response

Environment Officer (Trees)

In principle, I have no objection to the proposals in terms of trees on the site being impacted upon. The Arb report submitted is thoroughly detailed and correctly grades the trees in accordance with the BS5837. It also covers all aspects of tree protection during the development phase by showing the right areas for tree protective fencing. As there is only 3 relatively small trees are to be removed I have no cause for concern regarding tree loss.

I would suggest that a landscaping scheme be provided as a condition that looks at boundary treatment for a small area along the south and southeast boundaries, just inside the wall. A planting scheme should look not to screen the activity inside the site completely, but to break up views from the footpath and bridleway into the site with single native species trees or groups of 3.

LCC Highways

The submitted documents have been reviewed and the following comments are made.

History

Application reference 20/0698/PIP was refused and subsequently allowed at appeal under reference APP/E2340/W/21/3276380 for up to 3 new dwellings on land adjacent to Meadow View, Skipton Old Road, Foulridge.

The Inspector states:- *there is little evidence to suggest that the shared use of the carriageway (Skipton Old Road) has led to significant road safety concerns in the vicinity of the site or on the route towards the services within the village centre (Foulridge). Furthermore, there is little to indicate that the extent of proposed development would cause capacity issues within the local highway network.*

This site lies approximately 400m south of the application site. There is a change in speed limit on Skipton Old Road between this site and the application site, however the road layout doesn't change and vehicle speeds are unlikely to increase significantly, if at all due to this.

Proposal

This application seeks to erect 4 glamping pods comprising 2 x 2 bedrooms and 2 x 1 bedrooms.

Access

There is an existing privately maintained access on Skipton Old Road currently serving the dwelling 'Moorlands' and the 'Coach House' which had approval for conversion to a 3 bedroom holiday let under application 13/13/0345/P.

The access joins Skipton Old Road which is unclassified and subject to the national speed limit, at an acute angle. This results in difficulty for drivers of vehicles entering the access from the north (Kelbrook) and restricts visibility to the north for vehicles exiting.

Should the application be approved, we would seek to ensure that customers are advised at booking stage to access the site from Foulridge via Skipton Old Road rather than from Kelbrook. This should also be highlighted on the booking websites and social media pages.

Skipton Old Road is a single vehicle width with limited passing places and no separate footway for the majority of the route between the site and Foulridge centre. A distance of around 800m. The comments of the Inspector at the appeal for land adjacent to Meadow View are noted in terms of the lack of evidence to support a highway capacity or safety issue on Skipton Old Road which could support an objection to the proposal.

Generally, the traffic generated by the glamping pods will occur outside of the peak hours and would generate a lower impact upon the highway network than the 3 new dwellings allowed at the appeal site. We would have no grounds to raise an objection to this proposal on highway safety or capacity.

Construction

Large construction vehicles will need to access the site from Foulridge rather than Kelbrook to avoid the acute angled site access junction. We would request a condition for a construction traffic management plan to be submitted to address the routing to site and management of potentially large size of vehicles if the pods are delivered in a fully built form.

Layout and parking

Internally a new access road constructed of hardcore is proposed to provide vehicular access to each pod which has a single parking space. We would recommend that the 2-bedroom pods have 2 parking spaces and that the sizes are increased to 3.2m wide by 5m long plus 6m for manoeuvring.

FP 13-12-060 runs along the northern boundary of the site and bridleway BW13-12-043 runs along the southern boundary of the site. There are no connections proposed to these routes which could provide improvement for walkers and cyclists staying at the site.

The outfall to the watercourse will require consent from Lancashire County Council Flood Risk Team.

Conclusion

Lancashire County Council acting as the Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Should the application be approved the following conditions are requested.

1. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site – Vehicles shall access the site from Foulridge via Skipton Old Road.

Reason: To mitigate the impact of the construction traffic on the highway network.

2. Customers shall be advised at the point of booking that all vehicles shall access the site via Skipton Old Road from Foulridge rather than Kelbrook. Reason: For highway safety.

3. The access road, parking and turning areas shown on the approved drawing shall be constructed prior to the first use of the glamping pods. Reason: To ensure adequate access and parking provision.

4. A secure cycle store for 6 bicycles shall be provided prior to first use of the glamping pods. Reason: To support sustainable travel.

Further comment received 12th January 2024

Further to the original comments dated 20th December 2023, we would make the following updated comments which include the addition of a requirement, should the application be approved, for the applicant to provide a sign on Skipton Old Road, on the Kelbrook approach, to give drivers an advanced warning of the site access driveway due to it being set at an angle to Skipton Road and concealed from view by the high wall. The sign shall comply with highway regulations and be agreed and installed under an agreement with the Highway Authority, Lancashire County Council.

Foulridge Parish Council

A few residents have contacted the Council and raised concerns regarding this application. These include:

- 1. Noise issues, including setting off of firework displays close to fields with livestock. This is due to the main building, Moorlands, being used for large groups as a week/weekend party venue. The addition of four pods would allow for even larger groups to be accommodated.
- 2. Access issues onto Skipton Old Road, especially turning into, or out of, the Moorlands entrance toward or from Kelbrook.
- 3. Colour of materials proposed for use for the pods.

4. The site being visible from the A56 Skipton New Road.

The residents were advised that if they held strong views against the application, they should place their comments on the PBC Planning portal. On checking today, 17th December, the day before the deadline, we found nothing had been filed.

Based on no objections being filed, the Council's stance can only be neutral.

However, we would like Planning to consider the close neighbour's concerns regarding issues raised in a separate email to the planning officer.

The Parish Council believes that most of the other issues that have been raised could be covered by conditions applied by Planning if this application was successful.

Environmental Health – Private Water Supplies

The development is likely to be served by a private (i.e. non-mains) water supply. The applicant is advised to ascertain the quality and sufficiency of the water supply. If the water is used in a commercial or public activity, or if it is rented to tenants, it must be tested every year by the Council. If there is no commercial or public activity but more than one property uses the same water source, it must be tested by the Council every five years. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661031.

Public Response

Neighbours have been notified by letter and a site notice has been displayed for wider publicity.

Multiple comments have been received from members of the public, raising the following issues:

- Issues with firework displays at the existing property causing issues for locals
- The main dwelling is being used as a party house and can accommodate up to 29 people
- Restrictions on the site should be placed, including reference to music, fireworks and the adding of marquees
- Private water supply will not cope
- Applicant has diverted the surface water around the site which has resulted in an animal water trough drying up and some flooding of a farmyard
- The site can be seen from 2 public rights of way
- Surprised this is not Green Belt land
- EV charging points should be required
- Landscape impact
- Unsafe access
- Concerns that the number of pods will add to the number of people potentially renting the main house for parties
- There are no good public transport links

- Loss of wildlife

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

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

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

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

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

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

Replacement Pendle Local Plan

Saved Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

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

Supplementary Planning Guidance: Development in the Open Countryside.

Principle of Development

The Open Countryside SPD recognises the importance of sport and recreational land uses, provided the uses are appropriate and in harmony with the countryside. Policy WRK5 states that provisions for tourism and leisure will be supported, provided they promote sustainable tourism, improve the diversity of tourism on offer and are of an appropriate scale for the character of the area.

The proposed development would be located within the Open Countryside, however it would provide a leisure and tourism use to the area, allowing more opportunity for people to access the open countryside. The site is one defined field, accessed via the existing access which serves Moorlands. Although the proposed development would result in four additional structures on the site which is currently open, the buildings would be viewed against the backdrop of the existing cluster of buildings at Moorlands. The proposed pods are not of a significant scale, being only four in number and would improve the quality and diversity of the existing tourism offer.

This development is therefore acceptable in principle, in accordance with Policy WRK5 and the Open Countryside SPD, subject to accordance with landscape amenity and highway policies.

Landscape & Visual Impacts

The proposed development is a parcel of land broadly rectangular shape falling from east to west with a public right of way running to the north and one running to the south. However, the public rights of way themselves would be unaffected in terms of the route. There is no proposal to alter or divert the footpath. Clearly views from the footpath would change as a result of the proposed development. However, this would not result in an entirely different experience to footpath users, particularly given that directly adjacent to the development site the footpath runs along the edge of the curtilage of Moorlands, where a collection of buildings associated with Moorlands can be clearly viewed. As such, the application site is read in the context of the existing structures associated with the dwelling. Although some concerns have been raised that the application site is in an isolated location, the application site forms part of the context of the existing built development in this area. It is not in a remote field which is absent of other structures in the surrounding area. This field is directly adjacent to the main dwelling and a large outbuilding which is known as the coach house. As such, it would be read in the context of this cluster of development. The addition four timber structures, which could be well screened and assimilated into the surrounding landscape would not constitute an isolated dwelling in the same context as a building which was devoid of any built form in the surrounding area.

The site is screened by a number of interspersed mature trees and drystone walling. Any proposed landscaping could be controlled by a planning condition to ensure that an appropriate amount of species, along with the type and size could be planted, in order to assimilate the pods into the surrounding area.

Overall in relation to landscape and visual impacts, the proposed change of use to a camp site for timber pods would result in some change to the appearance of the site in the immediate vicinity. However, this would be read in the context of the wider surrounding cluster of buildings. As such, the proposed would not result in unacceptable impacts in landscape and visual terms, in accordance with Policy ENV1 of the Local Plan: Part 1 Core Strategy.

Trees

The applicant has submitted an arboricultural impact assessment. The majority of the trees on the site are unaffected by the development. Three low quality trees require removal, the majority of trees are unaffected, and the arboricultural impact assessment demonstrates that there is no

unacceptable impact on trees. Tree protection conditions could be put in place in the event of an approval.

The Council's Environment Officer has recommended that a landscaping condition is attached to any grant of planning permission in order to break up views into the site. This is something which could be secured by planning condition.

Design

The proposed pods are to have two different types. Two of them are to be single bedroom pods whilst the other two are to each have two bedrooms. Each of the pods are to have grey composite walls with dark grey roof tiles to the arch shaped roof. The windows and doors are to be UPVC with anthracite frames. The chosen materials are muted in colour and would not draw attention to the site in an unacceptable way. They would blend well into the existing landscape.

Residential Amenity

The application site would be closest to the house dwelling at Moorlands. As such, they would be the closest neighbouring dwelling likely to be affected by any adverse effects. The proposed pods would be sited greater than 21m from the dwelling, ensuring that there would be no unacceptable privacy effects.

Overall, in relation to neighbouring amenity the proposed use of the site and the significant separation distance from neighbouring occupiers would not result in significant detrimental loss of privacy or noise impacts on nearby residents. Whilst some issues have been raised relating to noise being heard from the site boundary, this is something which could be controlled under statutory nuisance powers. Outdoor lighting could be controlled, to ensure that the proposed development does not result in an unacceptable level of light pollution. It is therefore acceptable in accordance with Policy ENV2.

Access and Parking

The site proposes to use the existing track off Skipton Old Road which serves the main dwelling. There would be a deviation from the existing access track in the form of a diverted access around the rear of the dwelling and coach house. The Highways Authority have not objected in this regard. In relation to facilities and services, tourists visiting the site would be able to explore the wealth of public rights of way in the area. The village itself is not without services, including a school, church, pub and small parade of shops.

The Highways Authority have requested an amended parking layout which has been submitted by the applicant and is acceptable. They have also recommended a condition in relation to providing guests with information about travelling from the Foulridge end of the access road and a request for directional signage on the Kelbrook approach.

Given the scale of the proposed development and its location within reach of other village facilities and services, it accords with the National Planning Policy Framework and Policy ENV4 of the Local Plan: Part 1 Core Strategy.

Other Matters

Issues have been raised regarding the letting off of fireworks. This is controlled by statutory nuisance powers and is not something which the planning system controls.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. 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: Proposed Site Plan TS521-1B, One bedroom pod – elevation and floor plans 23/17-04, Two bedroom pod – elevation and floor plans 23/17-06.

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

3. Samples of all external materials shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

4. The holiday let hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of the occupiers of the holiday lets 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 unit and to prevent the establishment of permanent residency.

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

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed 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 approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

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

6. Prior to commencement of development, a foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.
- (iv) Details of how foul and surface water will be disposed of.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme which shall be implemented prior to the first use of the pods and remain in place for the lifetime of the development unless otherwise agreed in writing with the local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

7. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Details of working hours

ix) Routing of delivery vehicles to/from site – Vehicles shall access the site from Foulridge via Skipton Old Road.

Reason: To mitigate the impact of the construction traffic on the highway network.

8. Customers shall be advised at the point of booking that all vehicles shall access the site via Skipton Old Road from Foulridge rather than Kelbrook.

Reason: In the interests highway safety.

9. The access road, parking and turning areas shown on the approved drawing shall be constructed prior to the first use of the glamping pods.

Reason: To ensure adequate access and parking provision.

10. A secure cycle store for 6 bicycles shall be provided prior to first use of the glamping pods.

Reason: To support sustainable travel.

11. A sign shall be placed on Skipton Old Road, on the Kelbrook approach, to give drivers an advanced warning of the site access driveway prior to the first use of the glamping pods.

Reason: In the interests of highway safety.

12. The development here by approved shall be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement, prepared by GM Consultants dated 15/01/2024 Job Ref: 1906.

Reason: In order to appropriately protect the trees on site.

Application Ref: 23/0789/FUL

Proposal: Full: Change of use of land to site 4 no. holiday camping pods.

At: Moorlands, Skipton Old Road, Foulridge

On behalf of: Mr & Mrs I & D Handley

REPORT TO COLNE & DISTRICT COMMITTEE 08TH FEBRUARY 2024

Application Ref: 23/0810/HHO

Proposal: Full: Demolition of the existing kitchen and the erection of a single storey rear extension.

At: 82 Knotts Lane, Colne, Lancashire BB8 8AE

On behalf of: Mr M. Mazar

Date Registered: 05.12.2023

Expiry Date: 30.01.2024

Case Officer: IC

Site Description and Proposal

A two-storey inner terrace property of traditional stone/blue slate construction, in an established residential area. In common with other houses in the terrace it has a walled rear yard containing a single storey, pitch-roofed outrigger. It also has a flat-roofed dormer on the rear-facing roof plane.

The proposal is to demolish the outrigger and replace it with a single storey block & render extension with an artificial blue slate tile pitched roof. The extension would be a similar width to the existing outrigger, however would run to the rear boundary (the existing outrigger stops short of the rear boundary wall by approx. 2.2m) Note that when submitted the application was for an extension with a concrete tile roof, however after discussion with the Case Officer the Agent agreed by email of 15.01.2024 (saved on file) to change the roofing material to artificial blue slate.

This application is a revised version of 23/0633/HHO, a refusal on 08.11.2023 for 'Demolition of the existing kitchen and the erection of a new kitchen with first floor extension above'. It was refused for the following reasons:

1. The extension would have a detrimental impact upon the amenity of occupants of No. 84 Knotts Lane due to its height, proximity to a shared boundary and to habitable room windows. Consequently the proposal does not comply with the Council's adopted Local Plan Policy ENV2, the Council's Design Principles Supplementary Planning Document, the adopted Colne Neighbourhood Plan and Paragraph 130 of the NPPF 2023.

2. Use of rendered blockwork would make the extension unduly prominent in the street scene and as such the proposal does not comply with the Council's adopted Local Plan Policy ENV2, the Council's Design Principles Supplementary Planning Document, the adopted Colne Neighbourhood Plan and Paragraph 130 of the NPPF 2023.

The current application differs in that it is for a single storey extension only.

Within the Settlement Boundary as defined in the adopted Local Plan. Undesignated within the Colne Neighbourhood Plan.

Relevant Planning History

23/0633/HHO – see above.

Consultee Response

LCC Highways

No objection subject to a Condition preventing surface water from discharging onto the public highway:

‘Rainwater from the approved development's roof shall drain wholly within the existing site and shall not be allowed to discharge onto the adjacent publicly maintained highway network.

Reason: In the interests of highway safety.

Informative note

1. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.’

Colne Town Council

‘Colne Town Council object to this application as the design is not in keeping with the surrounding buildings’

Public Response

Not received to date (17.01.2024)

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

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

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

Replacement Pendle Local Plan

Saved Policy 31 sets out the maximum parking standards for development.

National Planning Policy Framework

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

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

The adopted Colne Neighbourhood Plan contains design codes that are relevant to operational development.

Design

The ground floor of the rear of the property and the existing outrigger are not clearly visible from public places currently as a contiguous substantial stone wall exists along the rear boundaries of houses in the terrace. As submitted, the proposal suggests that the length of this wall bounding the rear yard of the host property will be demolished in part and replaced by a rendered gable elevation. If approved, I would suggest a Condition requiring the retention of this wall and that details be submitted showing the extension to be located wholly within the yard area and not be built off the yard wall.

The Design Principles SPD advises that extensions should be constructed in materials and style to match the existing dwellinghouse. The proposed extension is to be rendered rather than faced in matching stone, contrary to the provisions of the SPD. This is acceptable on balance however on Condition that the existing yard rear wall is retained to shield it from direct public view and the extension is wholly contained within it. A pitched roofs utilising artificial blue slate (as per the Agent's email of 15.01.2024) is acceptable for the same reason.

The Design Principle SPD states in respect of single storey rear extensions:

'Subject to it being appropriate in terms of relationship to other properties, aspect, design and scale, a single storey rear extension located on, or immediately adjacent to, the party boundary with a neighbouring property will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling.'

In this instance given the outrigger appears to have been constructed as part of the original dwelling, the rear elevation can be argued to be the rear elevation of the outrigger and the length of additional extension therefore is less than 4.0m. This is an arguable point however as the character of the terrace is 'dwellings plus outriggers', i.e. dwellings plus elements with the appearance of extensions.

The SPD states further:

'In the case of some terraced properties, where more lengthy projections are characteristic; where essential facilities need to be provided; or where due to orientation and the relative position of an extension to habitable room windows in an adjoining property a projection greater than 4m may be acceptable, subject to it having an acceptable impact on neighbouring properties.'

In this instance the houses consistently have outriggers of the same projection as the one on the host property, however many of these have been extended to the rear yard wall. Whilst outriggers/extensions aren't clearly visible due to the height of the contiguous yard wall, this is clear when the terrace is viewed on Google Earth. Given that the yards are divided by both the existing outriggers and stone walls, the impact of the proposed extension on the amenity of neighbours will be minimal.

It should be noted that the terrace is constructed on a slope and that the neighbouring house, No.84, is at a slightly higher level than the host property. This difference in level reduces the potential detrimental impact upon the occupants of No.84.

The SPD states further:

'In many terraced streets there is a regular rhythm of single storey extensions in rear yards with similar roof pitches and projections. Single storey (and two storey) extensions to terraced properties should not normally extend beyond the line of existing additions in order to maintain the character and appearance of such areas.'

This terrace was constructed with outriggers of a consistent length, and had none been extended, I would argue that the proposal would be detrimental to the character and appearance of the terrace and therefore the larger area. However and on balance given the existence of other large extensions and subject to retention of the boundary wall I consider this acceptable.

The SPD states further:

'One of the most common forms of single storey extension is to the rear of terraced properties to extend the kitchen or other ground floor accommodation. Such extensions should still retain sufficient yard area for the storage of bins, seating and to hang out washing.'

The proposed extension is the same width as the existing outrigger. The width is determined by the position of an existing habitable window at ground floor level. The proposal retains an area of yard of sufficient size to accommodate bins. Seating and hanging area whilst reduced still exists on a scale typical of terraced property in the Borough. On balance acceptable.

The Colne Neighbourhood Plan in Architecture and Materials (USBF10) requires a high quality of design and that 'Material selections should be made based on an understanding of the immediate context and the wider Colne built environment'. On balance and subject to the suggested Conditions the proposal accords with the spirit of USBF10.

The view of Colne Town Council has been taken into account and Conditions are suggested that in my view make the proposal acceptable from a design point of view.

Residential Amenity

In respect of fenestration, the proposed extension will contain no habitable room windows facing either to the rear (towards the allotments) or in the side elevation facing the rear yard of No.84. It is intended to incorporate a kitchen window to face into its own yard and onto the blank side elevation of the existing outrigger of No. 80 at approx. 2.0m distance. On balance acceptable in this respect as the situation is no different from the relationship between windows in outriggers presently. If approved I would suggest a Condition preventing future openings in the elevation facing No.84 (elevation facing south-east) to ensure retention of privacy.

Note that the outrigger of No. 84 contains a window that faces the existing outrigger of the host property and would face the side elevation of the proposed extension if constructed. This window appears to be the main window to the kitchen, and is at approx. 2.0m distance. Whilst the proposed extension is taller than the wall between the properties and the roof will be visible from this window, on balance the net impact upon the amenity of occupants of No. 84 is not likely to be worsened to a sufficient degree to necessitate refusal of the application.

Highways/Parking

No further bedrooms are proposed and the proposal accords with Policy 31.

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 extension would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

Recommendation: Approve

Subject to the following Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following plans except where deviation is required by Conditions 3 and 4 of this approval:

Drawing No. U161 - P101

Drawing No. U161 - P102

Drawing No. U161 - P103

Drawing No. U161 - P104

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

3. Notwithstanding details shown on the submitted plans, the roof shall be constructed using natural blue slate or artificial blue slate of similar finish and coursing, and the ridge shall be constructed using materials of similar appearance, to the satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of visual amenity.

4. Notwithstanding details shown on the submitted plans, the south-western gable elevation of the extension shall not replace the existing stone rear yard wall. The existing stone yard wall shall be retained as a contiguous feature and the extension shall be constructed wholly within it. No element of the extension shall be constructed on top of the wall.

Reason: For the avoidance of doubt and to ensure retention of the contiguous rear yard wall in the interests of visual amenity and retention of the character of the terrace.

5. Notwithstanding details shown on the approved plans, no openings shall be formed in the south-east facing elevation of the extension hereby approved without the prior written consent of the Local Planning Authority. Any opening added with the prior written consent of the Local Planning Authority shall at all times conform strictly with the approved details.

Reason: To avoid potential overlooking of a neighbouring property in the interests of amenity

6. Rainwater from the approved development's roof shall drain wholly within the existing site and shall not be allowed to discharge onto the adjacent publicly maintained highway network.

Reason: In the interests of highway safety.

Informative note

1. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

Application Ref: 23/0810/HHO

Proposal: Full: Demolition of the existing kitchen and the erection of a single storey rear extension.

At: 82 Knotts Lane, Colne, Lancashire BB8 8AE

On behalf of: Mr M. Mazar

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 12th January 2024