

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

**TO: COLNE & DISTRICT COMMITTEE**

**DATE: 27TH MARCH 2024**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## REPORT TO COLNE AND DISTRICT COMMITTEE ON 27 MARCH 2024

**Application Ref:** 23/0690/AGD

**Proposal:** Prior Approval Notification: Conversion of an agricultural building to 5 no. dwellings (Use Class C3).

**At** Piked Edge Farm, Skipton Old Road, Colne, Lancashire  
BB8 7EP

**On behalf of:** Mr Stuart Jonhstone

**Date Registered:** 18.10.2023

**Expiry Date:** 13.12.2023 (EXT until 15.02.2024 agreed)

**Case Officer:** Alex Cameron

The application was deferred for discussion with the applicant regarding landscaping and moving parking away from the front of the building.

### **Site Description and Proposal**

A large steel-framed, wooden clad building in countryside approx. 3 kilometres to the north-east of Colne, adjacent to a group of buildings known as Piked Edge Farm. The building received planning permission in 2008 under 13/08/0509P with the description 'agricultural building to house free range laying hens'. According to the Agricultural Statement submitted in support of the current application it was completed in 2012. Access to the highway network is via an existing track constructed without planning permission between 2011 and 2018 (Google Earth Timeline).

This notification is made under the provisions of Schedule 2 Part 3, Class Q (a and b) of the General Permitted Development Order (England) (Amendment) Order 2018 for conversion (change of use and operational development) of the building to 5 No. dwellings (Use Class C3). No previous development has taken place under Class Q.

The proposal involves splitting the building in two by removal of the centre portion plus demolition of the eastern end, to leave two similarly-sized detached structures. The western structure is to contain a four-bedroom dwelling (Unit 1) and the eastern structure is to contain four smaller two-bedroom dwellings (Units 2-5). To effect the conversion new fenestration is proposed as is an area of parking along the frontage (south-east) of each portion.

A Structural Appraisal is submitted. It states in 4.0:

'The building is structurally sound and capable of full retention, subject to a suitable scheme of conversion/refurbishment which is outlined in the submitted plans.'

Note that amended plans were submitted during the course of consideration of the application, showing visibility splays at the point the access track meets the public highway.

### **Relevant Planning History**

22/0525/FUL - Extension to existing poultry shed to provide office space, break room, welfare facility and overnight accommodation (retrospective). Refused 28.09.2022.

21/0986/FUL - Erection of agricultural building. Refused 19.05.2022.

13/08/0509P - Erection of an agricultural building to house free range laying hens. Approved 21.10.2008.

## **Consultee Response**

### **Laneshaw Bridge Parish Council:**

Not received to date (06.02.2024)

### **Highways LCC:**

Following objections to the scheme as submitted originally:

‘Based on the further information submitted the highway authority considers that the applicant has demonstrated that adequate visibility splays can be provided at the site access onto Skipton Old Road and withdraws its previous objection.’

LCC Highways suggest the following Conditions:

1. Within three months of the grant of planning permission a scheme for the construction of the amended site access on to Skipton Old Road, to include the construction of the access to an appropriate standard, kerbed radii, verges within the access surfaced in a bound porous material and a drainage scheme across the access to collect surface water, shall submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The scheme shall be constructed and completed in accordance with the approved scheme prior to occupation of the first dwelling and maintained for the lifetime of the development.

Reason: In the interest of highway safety in order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site so that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

2. Prior to occupation of the first dwelling visibility splays measuring 2.4m back from the centre line of the access and extending 215m in both directions to the nearside carriageway edge shall be provided at the access onto Skipton Old Road. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level which would obstruct the visibility splays. The visibility splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development.

Reason: In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

3. The car parking facilities and manoeuvring areas shown on the plans hereby approved shall be made available in accordance with the approved plan prior to the occupation of any of the dwellings; such parking facilities and manoeuvring areas shall thereafter be permanently retained for that purpose.

Reason: To ensure adequate parking and manoeuvring are provided within the site.

4. Prior to first occupation each dwelling shall have an electric vehicle charging point. 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 Note**

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard, kerbed radii, verges within the access surfaced in a bound porous material and a drainage scheme across the access to collect surface water to prevent it from discharging onto Skipton Old Road and to drain to a suitable outfall. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk) , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

**PBC Engineering:**

Not received to date (06.02.2024)

**Environmental Health:**

Not received to date (06.02.2024)

**United Utilities:**

Not received to date (06.02.2024)

**Architectural Liaison Officer:**

Not received to date (06.02.2024)

**PBC Public Rights of Way:**

Not received to date (06.02.2024)

**Public Response**

Not received to date (06.02.2024)

**Officer Comments**

To test the proposal against the requirements of Class Q (**my comments in bold**):

'Q.1 Development is not permitted by Class Q if—

(a)the site was not used solely for an agricultural use as part of an established agricultural unit—

(i)on 20th March 2013, or

(ii)in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii)in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

**The submitted Agricultural Report states that the building was used for egg-laying between 2012 and 2016 with no other use. The Report describes the applicant's wider farming business as registered with the Rural Payments Agency, having both at Customer Reference Number and a Single Business Identifier Number. In addition the Report identifies the Holding Number, the Flock Number and the now rescinded 'laying hens' PR and P Numbers. Acceptable.**

(b)in the case of—

(i)a larger dwellinghouse, within an established agricultural unit—

(aa)the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb)the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

(ba)the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres;

**The Class Q definition of a larger dwellinghouse is one with between 100 – 465sq.m. Unit 1 as proposed has a gross internal floor area (GIFA) of 372sq.m and is the only 'larger dwellinghouse either existing or proposed at Piked Edge Farm. Note that the Report describes the 'agricultural unit' as including additional land at Silsden and Roughowden**

**Top, however for the purposes of this Class Q I am happy to accept Piked Edge Farm as the unit. Acceptable.**

**The cumulative floorspace of the portion of the building to be retained as a 'larger dwellinghouse' will not exceed 465sq.m. Acceptable.**

**No proposed dwelling will exceed 465sq.m. Acceptable.**

(c)in the case of—

(i)a smaller dwellinghouse, within an established agricultural unit—

(aa)the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or

(bb)the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;

**The Class Q definition of a smaller dwellinghouse is one with a floorspace of no greater than 100sq.m. Units 2-5 (four in total) have gross internal floor areas between 87 and 88sq.m. No further 'smaller dwellinghouses' approved under Class Q exist at Piked Edge Farm. Acceptable.**

(d)the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i)a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii)the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

**No record of previous development under Class Q exists at Piked Edge Farm. Acceptable.**

(e)the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

(f)less than 1 year before the date development begins—

(i)an agricultural tenancy over the site has been terminated, and

(ii)the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

**The Report states that the land is owned by the applicant and does not describe a tenancy. Acceptable.**

(g)development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i)since 20th March 2013; or

(ii)where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

**Class A (a) is 'works for the erection, extension or alteration of a building' 'in an agricultural unit of 5 hectares or more'.**

**Class B (a) is 'the extension or alteration of an agricultural building' 'in an agricultural unit, of not less than 0.4 but less than 5 hectares in area'.**

The building was extended between 2020-2023 (Google Earth Timeline). A retrospective planning application (22/0525/FUL) was subsequently submitted and refused using the description 'Extension to existing poultry shed to provide office space, break room, welfare facility and overnight accommodation'. This extension is not referred to in the Agricultural Statement, however the provision of facilities such as toilets, a shower and a farm office is. This is therefore an extension to the agricultural building. However, this extension was unauthorised and therefore cannot be considered as falling under Class A(a) or Class B(a). In any event the extended portion is to be demolished as part of the proposed Class Q works. **Acceptable.**

(h)the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

**This is not the case. Acceptable.**

(i)the development under Class Q(b) would consist of building operations other than—

(i)the installation or replacement of—

(aa)windows, doors, roofs, or exterior walls, or

(bb)water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii)partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

**This is the case. Acceptable.**

(j)the site is on article 2(3) land;

**It is not. Acceptable.**

(k)the site is, or forms part of—

(i)a site of special scientific interest;

(ii)a safety hazard area;

(iii)a military explosives storage area;

**It does not. Acceptable.**

(l)the site is, or contains, a scheduled monument; or

**It does not. Acceptable.**

(m)the building is a listed building.'

**It is not. Acceptable.**

Based on the information provided, the Class Q application does appear to meet all of the GDPO technical criteria.

Under Class Q the following matters only are for consideration:

(a)transport and highways impacts of the development,

(b)noise impacts of the development,

(c)contamination risks on the site,

(d)flooded risks on the site,

- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,
- (f) the design or external appearance of the building,
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses.

To consider each in turn:

#### Transport and highways impacts of the development

LCC Highways has been consulted and has no objection subject to Conditions. This view is reached following submission of drawing No. 8940-MJM-XX-XX-DR-D-6691 to show that adequate visibility splays can be achieved at the proposed point of access to the public highway. LCC states:

‘Based on an X measurement of 2.4m the highway authority considers that adequate visibility splays can be provided at the access over land within the applicant's ownership and/or the publicly maintained highway network.’

LCC requires that works to the junction be undertaken under the s.278 process, and that if approved, Conditions to this effect must be imposed.

In terms of traffic movements, it is the view of LCC (based upon information given in the submitted Agricultural Statement) that the proposal will result in fewer HGV and ‘large vehicle’ journeys, not including the construction phase.

The proposal is acceptable in respect of transport and highway impacts, subject to adherence with LCC’s Conditions.

#### Noise impacts of the development

The proposed residential use is unlikely to result in detrimental levels of noise. The closest receptors are existing dwellings within the Piked Edge Farm group approx. 35m to the south-west.

#### Contamination risks on the site

Whilst the building and environs have been used for agricultural purposes in the past, there is no indication within the application that the site contains contamination.

#### Flooding risks on the site

The site is within Flood Zone 1, therefore flooding of the site is unlikely.

#### Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order

There is no reason from a locational or siting point of view why the use of the building should not change to C3.

#### The design or external appearance of the building

The design and proposed external appearance, whilst not ‘conventional’ in the sense that the building isn’t a traditional upland stone structure, is acceptable on balance. The proposal involves

the introduction of a considerable amount of fenestration plus parking, however the combination of elements whilst visible from the public highway, are not sufficiently deleterious to the visual amenity of the locality to warrant refusal on this ground alone.

The application was deferred from the previous Committee meeting for discussions with the applicant to amend the plans to move parking away from the front of the building and for landscaping. A progress update will be made to Committee, however, the recommendation remains to approve as proposed.

#### The provision of adequate natural light in all habitable rooms of the dwellinghouses

All proposed habitable rooms will have adequate natural light.

### **Reason for Decision**

The proposal qualifies as a Class Q and all matters for consideration are acceptable.

### **RECOMMENDATION: Approve**

Subject to the following conditions:

1. The proposed development must be completed within a period of 3 years starting with the prior approval date.

Reason: Required to be imposed by Class Q (Q2(3)) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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

Drawing No. 8940-MJM-XX-XX-DR-D-6691

Drawing No. 410.01.001

Drawing No. 410.01.003

Drawing No. 410.01.101

Drawing No. 410.01.201

Drawing No. 410.03.003

Drawing No. 410.03.101

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

3. Within three months of the grant of planning permission a scheme for the construction of the amended site access on to Skipton Old Road, to include the construction of the access to an appropriate standard, kerbed radii, verges within the access surfaced in a bound porous material and a drainage scheme across the access to collect surface water, shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The scheme shall be constructed and completed in accordance with the approved scheme prior to occupation of the first dwelling and maintained for the lifetime of the development.

Reason: In the interest of highway safety in order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site so that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.



4. Prior to occupation of the first dwelling, visibility splays measuring 2.4m back from the centre line of the access and extending 215m in both directions to the nearside carriageway edge shall be provided at the access onto Skipton Old Road. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level which would obstruct the visibility splays. The visibility splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development.

Reason: In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

5. The car parking facilities and manoeuvring areas shown on the plans hereby approved shall be made available in accordance with the approved plan prior to the occupation of any of the dwellings; such parking facilities and manoeuvring areas shall thereafter be permanently retained for that purpose.

Reason: To ensure adequate parking and manoeuvring are provided within the site.

6. Prior to first occupation each dwelling shall have an electric vehicle charging point. 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 Note

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard, kerbed radii, verges within the access surfaced in a bound porous material and a drainage scheme across the access to collect surface water to prevent it from discharging onto Skipton Old Road and to drain to a suitable outfall. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk) , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

**Application Ref:** 23/0690/AGD

**Proposal:** Prior Approval Notification: Conversion of an agricultural building to 5 no. dwellings (Use Class C3).

**At** Piked Edge Farm, Skipton Old Road, Colne, Lancashire  
BB8 7EP

**On behalf of:** Mr Stuart Jonhstone

## REPORT TO COLNE & DISTRICT COMMITTEE 27<sup>th</sup> March 2024

**Application Ref:** 23/0750/ADV

**Proposal:** Advertisement Consent: Display of 1 no. fascia sign.

**At:** Primet Business Centre, Burnley Road, Colne.

**On behalf of:** Mr James Knowles.

**Date Registered:** 30/11/2023

**Expiry Date:** 25/01/2024

**Case Officer:** Joanne Naylor

This application has been called in the Councillor.

### **Site Description and Proposal**

The application site is part of the Holker Mill complex which has a range of uses within the mill complex. The business operates from Unit 5 Holker Mill and operates as an auctioneers. The application site is located within the Primet Bridge Conservation Area and within the Colne Neighbourhood Plan area.

The advertisement seeks to provide directions to the auctioneer business. The signage would be located on the side elevation of Primet Business Centre, it would have a black background with white text and an arrow directing to the business premises, the signage would be 1.5m high and 2m wide and set 1.85m above the ground.

### **Relevant Planning History**

13/92/0344P: SUB DIVISION OF MILL TO FORM INDUSTRIAL UNITS INCLUDING FORMATION OF NEW CAR PARK/SERVICING AREAS WITH NEW ACCESS AND ACCESS DOORWAYS. Approved with Conditions (21<sup>st</sup> October 1992).

13/97/0058P: CREATION OF COMPOUND AND STORAGE YARD. Approved with Conditions (10<sup>th</sup> April 1997).

13/94/0296P: USE FOR AEROBIC STUDIO. Approved with Conditions (22<sup>nd</sup> August 1994).

### **Consultee Response**

#### **LCC Highways**

The proposal raises no highway concerns. Therefore, the Highway Development Control Section would raise no objection to the proposal on highway safety grounds.

#### **Parish/Town Council -**

Colne Town Council objects to this application as it is not in keeping with the Conservation Area that it sits in.

#### **Environment Agency**

There is no objection to the development subject to comments that the application site is within flood zone 2 which is at risk of flooding. The standard comments Flood Risk Standing Advice may apply here.

## **Public Response**

A press notice and site notice have been displayed, and the nearest neighbours notified by letter without response.

## **Relevant Planning Policy**

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

Pendle Local Plan Part 1: Core Strategy Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 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 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.

### **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.

### **Colne Neighbourhood Development Plan**

Policy CNDP3 seeks high quality, beautiful and sustainable buildings and places, with new development to retain and enhance the defining characteristics and relate to the design code elements of the matrix.

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

The Conservation Area Design and Development Guidance Supplementary Planning Document.

Primet Bridge Conservation Area Appraisal May 2007.

## **Officer Comments**

The issues to consider with this application are Design and Impact on the Conservation Area, Amenity, and Highway Safety.

### **Design and Impact on the Conservation Area**

The application site is located within the Primet Bridge Conservation Area and there is a duty under Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The Design Principles provides guidance for the design of advertisements that they should be of high standard of design, relate well to the building they are fixed to, sympathetic to the surrounding locality and street scene, materials to be blend with surroundings, finished and coloured carefully, to not create a safety hazard to pedestrians or traffic, and to not dominate or clutter buildings or forecourts.

The signage would be located on the side elevation of the mill building Primet Business Centre. The signage would have a black background with white text and a directional sign indicating towards the auctioneer business within Holker Mill. The signage would be 2m wide and 1.5m high and it would be 1.85m above ground. The maximum height of any individual letter and/or symbols would be 18cm and have aluminium fronted by plastic. The signage would not be illuminated and the signage is traditional in colour and in text font. Overall, the proposed signage is small in size and has a more traditional text and colour scheme of black and white, the proposed advertisement would be simple and restrained in its colour and size and would be sympathetic to the surrounding locality due to the muted colours with a more traditional design. The proposed advertisement would be erected 1.85m above ground and would not create a safety hazard to pedestrians or traffic.

Although the signage could have been located on the premises where the business operates from, in a mill complex there are a number of businesses and a directional sign would enable customers to find the business.

The site is located within the Colne Neighbourhood Plan with Policy CNDP 3 being relevant, the application site is located in the Colne Design Code Settlement Focus Area SFAF: Mixed area with employment, commerce and residential uses. The Colne Design Code indicates that SFAF is dominated by large industrial mills, with the remaining structures of great local significance and now primarily occupied by supermarkets and large retail premises. The advertisement would be located on the side elevation of Primet Business Centre to support the auctioneer's business which is located in an area of mixed employment, commerce and residential uses. In this location it would be expected that advertisements were displayed in order to support the employment and commercial uses, the signage seeks to support this.

The application site is located within the Primet Bridge Conservation Area and the legislation places a duty under Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the desirability of preserving and enhancing the character or appearance of that area.

The Primet Bridge Conservation Area Appraisal identified the special character of late 19<sup>th</sup> century Victorian industrial development of textile mills and industrial premises. With the Primet Bridge the focus point of the conservation area and of particular value is the Grade II Listed Primet Foundry with two mill chimneys and adjacent Bridge Works. There are linear development forms of the railway, river and roads, with the viaduct creating a visual barrier. Buildings are mostly local sandstone and blue slate. The area remains relatively unchanged and is used for industry with buildings used and adapted for modern industrial processes.

In terms of the impact on the conservation area, the advertisement would be located on the side elevation of Primet Business Centre and not directly associated with the premises of the auctioneer business which is located in Holker Mill. Here the advertisement would provide direction to the business, the sign is 2.5m wide and 1.5m high, it would be black and white in

colour with a more traditional font and muted colours, it would not be illuminated and would be set above the ground by 1.85m, and it would only be visible when travelling from Nelson towards Colne along Burnley Road. There are other advertisements located on the wall which are larger and with more modern design with bright colours. If the proposed advertisement was taken on its own merits, it would be acceptable due to the size, design and muted colours which appear of a more traditional sign.

The nearest listed building is Primet Foundry which is set away from the signage, it would have no direct relationship to the listed building due to the distance and being set away from the advertisement, therefore would not impact on the Listed Building.

Due to the advertisement being muted, it would not be illuminated and set back from the road. Therefore, the advertisement would have a neutral impact on the conservation area.

The proposal accords with Policy ENV1 and ENV2 of the Local Plan, Policy CNDP3 of the Colne Neighbourhood Development Plan, the Conservation Area Design and Development Guidance SPD and the Design Principles SPD.

### **Amenity**

In terms of the visual amenity, the proposal is 2.5m wide and 1.5m high, it is set 1.85m above ground and is not illuminated, the design and colours are muted and of a traditional style. On Burnley Road there are residential properties opposite the application site, the advertisement would not be illuminated and is set circa 24m away and at a right angle to the residential properties, the distance between the signage and the residential properties opposite are sufficient distance away to have no unacceptable impact to these properties. The signage would be acceptable in residential amenity terms and would conform to Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

### **Highways**

The signage raises no highway concerns. Therefore, the Highway Development Control Section would raise no objection to the signage on highway safety grounds. The signage would not impact on highway safety and would conform to Policy ENV2 and the Design Principles SPD.

### **Flood Risk**

The signage is located within flood zone 2, here the proposal is for an advertisement located on the side elevation of Primet Business Centre which would be 1.85m above ground level and the signage would have no illumination. If a flood did occur the advertisement would not be adversely affected.

### **Reason for Decision**

The advertisement is acceptable in terms of design and material, amenity and highways safety.

### **RECOMMENDATION: Approve**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Drawings 20231109\_125643, Elevation Plan - Proposed

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

3. Any illuminated advertisement shall be designed so that:
- No part of the source of the illumination shall at any time be directly visible to users of the adjacent adopted highway;
  - Static illumination is provided and the sign shall not feature intermittent or flashing lights;
  - The level of illuminance shall not exceed the maximum level found within the Institution of Lighting Engineers (ILE) document PLG 5 Brightness of Illuminated Advertisements or its equivalent in any replacement guide;
  - Moving features are not provided.

**Reason:** In the interest of highway safety to avoid glare, dazzle or distraction to passing highway users.

4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the land entitled to grant permission.

**Reason:** Condition imposed by the Regulations

5. No advertisement shall be sited or displayed so as to –
- a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

**Reason:** Condition imposed by the Regulations.

6. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

**Reason:** Condition imposed by the Regulations.

7. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

**Reason:** Condition imposed by the Regulations.

8. Where an advertisement is required under these Regulations to be removed, the site shall be left in condition that does not endanger the public or impair visual amenity.

**Reason:** Condition imposed by the Regulations.

**Application Ref:** 23/0750/ADV

**Proposal:** Advertisement Consent: Display of 1 no. fascia sign.

**At:** Primet Business Centre, Burnley Road, Colne.

**On behalf of:** Mr James Knowles.

## REPORT TO COLNE AND DISTRICT COMMITTEE ON 28 March 2024

**Application Ref:** 24/0108/FUL

**Proposal:** Full: Erection of 5 no. motorhome pitches and the change of use from a single storey lean to, to form a toilet and shower block.

**At:** Piked Edge Farm, Skipton Old Road, Colne

**On behalf of:** Mr & Mrs Swales

**Date Registered:** 16/02/2024

**Expiry Date:** 12/04/2024

**Case Officer:** Alex Cameron

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

### **Site Description and Proposal**

The application site land associate with a farmhouse located within the open countryside. There is a large poultry building to the north which was previously associated with the farmhouse but is now in separate ownership.

The proposed development is the change of use of the land and formation of five touring caravan pitches, conversion of an existing lean-to extension to the barn to provide toilet and shower facilities and installation of foul water treatment plant and chemical waste storage tank.

### **Relevant Planning History**

13/06/0017P - Raise and level field no. 5171 to form new pasture land – Approved

13/08/0509P - Erection of an agricultural building to house free range laying hens - Approved

21/0986/FUL - Full: Erection of agricultural building. Refused

22/0388/HHO - Full: Erection of rear extension to barn to form a garage (Part retrospective).

### **Consultee Response**

United Utilities – No comment.

LCC Highways – Object:

There is an existing access to Piked Edge Farm on Skipton Old Road which will serve this proposed development. The site access is privately maintained and carries public footpath FP13-04023.

The existing site access is suitably wide enough to accommodate 2 vehicles and is paved and with gates set back sufficiently from Skipton Old Road for vehicles to clear the carriageway.

The visibility splays on Skipton Old Road appear acceptable to accommodate the vehicle movements.



Skipton Old Road is unlit and there are no footways. The carriageway is bounded by grass verges on both sides. However, these are narrow in places and contain drainage ditches which would pose a hazard to pedestrians stepping off the carriageway, particularly those unfamiliar with the road layout. The site is not in a sustainable location, being distant from local amenities and facilities, including public transport, so leading to a reliance on the use of private motor vehicles.

Given the nature of Skipton Old Road described above there are pedestrian safety concerns for visitors to the site walking to the nearest pubs in Laneshaw Bridge (Emmott Arms), The Alma Inn (Hill Lane) or Black Lane Ends, or the nearest bus stop adjacent to the Emmott Arms on Keighley Road. There is an hourly bus service (M4) along Keighley Road between Keighley and Burnley, also stopping in Colne and Nelson where shops, amenities and links to the wider public transport network are found.

The proposal is likely to result in vulnerable highway users (pedestrians) on an unlit, high-speed road with no formal footways or pedestrian routes. This raises significant highway safety concerns, and therefore the highway authority objects to this proposal in accordance with Paragraph 115 of the National Planning Policy Framework as it would result in an unacceptable impact on highway safety.

Laneshawbridge Parish Council -

### **Public Response**

A site notice has been posted and nearest neighbours notified – Responses received objecting on the following grounds.

The site is not a sustainable location  
Risk to pedestrians from site using Skipton Old Road  
Landscape impact  
Visual impact from the adjacent public right of way  
Detrimental impact on wildlife

### **Officer Comments**

#### **Policy**

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

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

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG. The impact of new developments on the natural environment (biodiversity and geodiversity) should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability.

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

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

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

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

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

## **Principle of the Development**

Policy WRK5 supports new tourist facilities where they do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport.

There is no nearby access to public transport and the site is not readily accessible by foot from any settlement, and access by cycle would involve be likely to involve riding along, at times narrow and steeply sloping, national speed limit roads. Therefore, the site is not readily accessible by sustainable transport modes and would be entirely reliant on private motor vehicles.

Planning permission was granted for camping at the neighbouring Harwes Farm, however, that is limited to being in association with an educational use approved at the site. A camp site has also been approved at Shay Gate Farm, however, that is approximately 1km nearer to the settlement of Colne.

Paragraph 89 of the Framework states that decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. However, this does not give blanket support to unsustainable development in rural areas, it is of note that this paragraph of the Framework uses the term 'not well served' by public transport, whereas this site has no feasible access by public transport, no feasible scope for access by foot and severely restricted cycle access.

There can be permitted development rights available to continuously use land for caravan pitches, however, these rights require a licence from a qualifying organisation, such as the Caravan Club. There is no evidence submitted that this fallback position is available.

This is not a sustainable location for the proposed use and is therefore contrary to policies SDP2 and WRK5.

### **Visual Amenity and Landscape impact**

The application site is located on a relatively flat plateau on the hillside, set down below the land to the north where there is an existing large poultry building. Due to the topography of the site the development and caravans would not be likely to be prominently visible in the landscape. The site would be prominently visible from the public right of way that runs up the access track and immediately past the site of the proposed development, this would result in harm to the rural character of the countryside.

It has been stated that this will be offset by improvements to the materials of the lean-to extension and the pitches will reduce the existing hardstanding. However, this offset not offset the harm of the alien feature of touring caravans in this rural location when viewed from the public right of way.

### **Residential Amenity**

The adjacent poultry building is proposed to be converted to dwellings. The development would be sufficiently separated from those proposed dwellings to ensure that it does not result in any unacceptable privacy, noise or overbearing impacts upon those or any other residential properties.

### **Drainage**

It can be acceptably ensured by condition that the site is adequately drained to ensure that it does not result in an unacceptable risk of flooding or pollution.

### **Highways**

The site is not sustainably located for the proposed use and therefore would result in unacceptable reliance on private motor vehicles by users of the site. Furthermore, Skipton Old Road is unlit and there are no footways. The carriageway is bounded by grass verges on both sides. However, these are narrow in places and contain drainage ditches which would pose a hazard to pedestrians stepping off the carriageway, particularly those unfamiliar with the road layout. Given the nature of Skipton Old Road described above there are pedestrian safety concerns for visitors to the site walking to the nearest pubs in Laneshaw Bridge (Emmott Arms), The Alma Inn (Hill Lane) or Black Lane Ends, or the nearest bus stop adjacent to the Emmott Arms on Keighley Road.

The development is therefore unacceptable in terms of accessibility and highway safety contrary to policy ENV4.

### **Planning Balance**

The development would result in a small degree of economic and social benefit in terms of the provision of tourist accommodation and the economic and social benefits tourism brings to the borough. However, those benefits would be significantly outweighed by the unsustainability of the location and resulting reliance of private motor vehicles.

## **RECOMMENDATION: Refuse**

For the following reason/s:

1. The application site is in a location with low accessibility that would not be readily accessible by public transport and sustainable modes of transport and the proposed development, it would not be conveniently accessible to users and would result in an unacceptable increase in car usage contrary to policies SDP2, WRK5 and ENV4 of the Pendle Local Plan Part 1: Core Strategy.
2. The use of Skipton Old Road by pedestrians from the site would result in an unacceptable risk to their safety contrary to policy ENV4 of the Pendle Local Plan Part 1: Core Strategy and paragraphs 114 and 115 of the National Planning Policy Framework.
3. The proposed development would be prominently visible from the adjacent public right of way and result in harm the rural character of the countryside and thus the visual amenity of the area contrary to policies ENV1 and ENV2 the Pendle Local Plan Part 1: Core Strategy.

**Application Ref:** 24/0108/FUL

**Proposal:** Full: Erection of 5 no. motorhome pitches and the change of use from a single storey lean to, to form a toilet and shower block.

**At:** Piked Edge Farm, Skipton Old Road, Colne

**On behalf of:** Mr & Mrs Swales

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NPW/MP**

**Date: 22nd February 2024**