

## REPORT TO WEST CRAVEN COMMITTEE ON 04 JUNE 2024

**Application Ref:** 24/0094/FUL

**Proposal:** Full: (Major) - Hybrid planning application (Full planning application for 39 no. homes to the North and Outline planning application for up to 31 no. homes to the South with access (all other matters reserved)).

**At:** Land To East Of, Colne Road, Earby

**On behalf of:** Dalesview Developments Limited

**Date Registered:** 15/04/2024

**Expiry Date:** 15/07/2024

**Case Officer:** Alex Cameron

As this application is for over 60 dwellings it has been brought before Committee for comments only, the Committee's comments will be reported to Development Management Committee.

### **Site Description and Proposal**

The application site is agricultural land to the east of Colne Road between Park Side and Brookfield Way. The land is open countryside outside of but adjacent to the settlement boundaries of Earby to the north and Kelbrook and Sough to the south. The site is of no other designation in the Local Plan. The land is divided into two parcels with a hedgerow running between, the southern part of the site falls within the Kelbrook and Sough Neighbourhood Plan area.

The proposed development comprises a full planning application for 39 dwellings on the northern part of the site and an outline application (access only) for up to a further 31 dwellings to the southern end of the site.

### **Relevant Planning History**

None

### **Consultee Response**

**LCC Lead Local Flood Authority** – Object, inadequate flood risk assessment and drainage strategy.

The applicant is preparing a response to address the points raised by the LLFA.

**Environment Agency** – Object, inadequate flood risk assessment.

**LCC Highways** – No objection subject to conditions for: construction method statement, retaining wall details, off site highway works (including bus stop upgrades, tactile paving, right turn lane, shared pedestrian / cycle provision along the frontage, new footway to the east side of Colne Road), visibility splays, management and maintenance of estate roads, estate road construction, car parking and cycle storage.

**Active Travel England** – No comment

**Yorkshire Water** – No objection subject to a condition for compliance with the submitted drainage strategy.

**LCC Archaeology** - Although the proposed development will retain the majority of this boundary in situ, a 10m wide section (C – Access road to run through existing gap in hedgerow, on drawing 3531-100, revision 00) will be needed for the proposed access road, in which both the surface water and foul water sewers will also run. It is anticipated that the excavations required for both the road and the sewers will be to a depth that would cause damage to or destroy surviving archaeological deposits associated with this boundary. Consequently, advise that a section be excavated archaeologically across the boundary, and that such works are secured by means of a condition.

**LCC Education** - An education contribution is not required at this stage.

**Kelbrook and Sough Parish Council** – The Development significantly contravenes the neighbourhood plan in several areas.

KS DEV 1 - Protecting and Enhancing the Character of Kelbrook and Sough

OBJ 1: To retain the historical look of Kelbrook village and Sough, maintain and enhance the physical character of the parish.

OBJ 2: To minimise the impact of new development on the settlement areas and within the wider landscape that comprises the Parish.

OBJ 3: To protect local open and green spaces, in particular historic and valuable views, biodiversity, wildlife and cultural heritage and the natural environment, both habitats and landscapes.

The site is designated as countryside outside the settlement boundary of Earby and Sough. It is a Greenfield site.

It is referred to in the Kelbrook and Sough Character assessment which is appendix 3 of the Neighbourhood plan. (This assessment is the guidance used to determine whether planning applications are appropriate to objectives in the NP)

‘Sough is a ribbon development with housing on both sides of the A56. To the east of the A56 there are a number of rows of terraced housing with alleys and further east

there is a small development of detached housing arranged around a loop road, Holme Close, which encloses a small piece of greenspace and an area of tarmac. Due to the nature of the rural environment, there are very few green spaces within the village other than fields belonging to local farmers. The green spaces that exist, provide a break in the built up area to enhance the environment.'

Also 'The main access to and from Kelbrook and Sough is along the A56 and the B6383 and these are the busiest and largest roads in the Parish although there are other vehicular routes into the Parish along narrow rural roads Old Stone Trough Lane and Cob Lane. These routes are frequently classed by Pendle Council as 'Green & Blue Corridors' – a description used for areas that are used for activities such as walking, cycling or horse riding, whether for leisure purposes or travel. This also includes canals, rivers, former transport corridors, etc., (Pendle Open Space Audit). They travel through a network of high quality open spaces, that consist of rolling landform and land cover. Travelling along these scenic routes of natural green open landscapes (corridors), it becomes obvious why these unspoilt natural surroundings are vitally important to the people who live in the area.'

- The proposed development would remove a key green space providing a break between other built-up areas and closing the gap that defines the break between the small hamlet of Sough and the larger Township of Earby.
- In the developers planning statement they include under council commentary that 'The site occupies the only area of remaining open countryside located between Sough and Earby with the site visible from both settlements. The development of all or part of the site will close and merge the two separate settlements or significantly reduce the existing gap. This will cause substantial and irreparable harm to the landscape and townscape character of both settlements and countryside located between.'
- The proposed development would impact on other key views, for example any pedestrians or drivers travelling along the A56 could no longer enjoy the view of open countryside and moorland to the east as the development would block this view.

#### KS ENV 1 Green Infrastructure

OBJ 3: To protect local open and green spaces, in particular historic and valuable views, biodiversity, wildlife and cultural heritage and the natural environment, both habitats and landscapes.

The site is designated as countryside outside the settlement boundary of Earby and Sough. It is a Greenfield site.

- This proposal is to develop an important local open green space which directly contravenes this objective to protect green infrastructure.

- The developers admit themselves in their planning statement that development would cause a significant negative effect on the sustainable assessment objective 'To conserve and enhance landscape character and townscapes'
- The Historic Environment Team in their response refers to how patterns of civil parish boundaries have typically evolved over centuries and advises a section of the boundary be excavated archaeologically.

Why is green infrastructure important? Green infrastructure is a natural capital asset that provides multiple benefits, at a range of scales. For communities, these benefits can include enhanced wellbeing, outdoor recreation and access, enhanced biodiversity and landscapes, food and energy production, urban cooling, and the management of flood risk. These benefits are also known as ecosystem services.

KS HOU 1 and KS HOU 2

This section of the Neighbourhood Plan identifies and allocates sites within Kelbrook and Sough that are suitable for housing development. The site in this application IS NOT identified as a suitable site in the neighbourhood Plan.

#### FLOOD RISK

The site has a history of flooding that is well documented, and this is backed up by the environment agencies report who refer to data indicating the site is inundated during flood events plus the many photos submitted by members of the public in comments on the planning consultation. The Environment Agency have objected to the development.

The proposed site is on a flood plain with part of the site in Flood Zone 3. Although this would not be developed, the surface water runoff from the nearby houses and roads would have an impact on this area. The proposal indicates that a SUDS system would be implemented but there are no details of the nature of the SUDS and how it would be managed. Without this information, it would appear that surface water would be fed into New Cut thus exacerbating the potential flooding impact which would be acute further downstream in Earby.

For all these reasons it was agreed unanimously that we feel application should be REFUSED. We wish to register our OBJECTION to the proposed application.

#### **Public Response**

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

- Impacts on the visual amenity and character of the area
- Merging of the settlements of Earby and Sough
- Loss of green space

- Loss of privacy and natural light to adjacent dwellings
- Loss of view from adjacent dwellings
- Impacts on biodiversity and wildlife
- The development is contrary to the Kelbrook and Sough Neighbourhood Plan
- Impact on local health and education services
- Insufficient services and facilities in Earby and Sough to sustainably serve the development
- Highway capacity and safety impacts
- Increase on-street parking in the vicinity
- The Transport Assessment underestimates the level of traffic that would be generated by the development
- Existing approved development are sufficient to meet housing requirements for the area
- Brownfield land should accommodate the need for housing
- Increased flood risk
- Inadequate foul water sewer infrastructure
- Increase in carbon emissions
- Lack of detail of proposed levels
- House price deterioration

### **Officer Comments**

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

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