

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

**TO: BARROWFORD AND WESTERN PARISHES COMMITTEE**

**DATE: 9<sup>TH</sup> OCTOBER 2024**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 9<sup>TH</sup> OCTOBER 2024

**Application Ref:** 24/0256/FUL

**Proposal:** Full: Erection of a 4 bedroom 2-storey, detached eco-home dwelling with integral double garage on existing garden plot.

**At:** Middleton Laithe Farm, Middleton Drive, Barrowford

**On behalf of:** Mr Colin Birchall

**Date Registered:** 19/07/2024

**Expiry Date:** 13/09/2024

**Case Officer:** Alex Cameron

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

## **Site Description and Proposal**

The application site is the garden of a dwelling located within the settlement boundary of Barrowford. The existing dwelling at Middleton Laithe Farm is to the north east, to the north west is a detached garage with planning permission for erection of a dwelling, to the west is garden also with planning permission for the erection of a dwelling and there are dwellings to the south and east. A public right of way passes to the west of the site carrying on from Middleton Drive.

The proposed development is the erection of a four bedroom dwelling (three first floor and one ground floor bedrooms). The proposed dwelling would be of a contemporary design finished in random stone and composite cladding and render with dark grey tiles and integrated solar panels to the roofs and aluminium window frames and doors.

## **Relevant Planning History**

24/0053/FUL - Full: Erection of a two storey new-build dwelling on existing garden plot. Approved

24/0255/FUL - Full: Erection of a 3 bedroom part two-storey self-build, eco-home detached dwelling with integral double garage on existing garden plot. Approved

## **Consultee Response**

**LCC Highways** – No objection subject to conditions for car parking and manoeuvring, electric vehicle charging, restriction on installation of gates and a note relating to the public right of way.

**Cadent Gas** – No objection subject to an informative note.

**United Utilities** – No response.

**PBC Environmental Health** – Please attach a construction method statement condition and contaminated land note.

**Barrowford Parish Council** - Objects due to the adverse impact of this large dwelling on the streetscape of both Middleton Laithe Farm and Middleton Drive and the PROW's.

Middleton Laithe Farm an old stone-built farmhouse sits at the top of Middleton Drive which containing 8 large houses set in ample gardens. Middleton Laithe Farm sat within a very large plot of garden but the two recently approved applications to build two houses to the left side of Middleton Drive have halved the size of the curtilage but could be viewed as an extension to the housing on Middleton Drive. The Council did not object to the principle of two houses in that area but had concerns regarding both the impact on the PROW and the open countryside. This 3rd application now proposes to build another large property to the front of Middleton Laithe Farm further reducing the curtilage and diminishing the current amenity of the streetscape and reducing the setting of this old stone-built farmhouse. It is highly unlikely that the Parish Council would have supported a single application for a development of three dwellings of this scale at that location. The visual impact on the PROW, streetscape and open countryside would be materially diminished by the loss of the open frontal aspect of Middleton Laithe Farm. The three applications have come onto the planning lists singly over a six-month period but the near consecutive application numbers indicate that they must have been submitted over a short period of time and if validated concurrently could have been seen as a whole allowing a more rounded judgement to be made, particularly in relation to surface water treatment, access and impact on the streetscape.

1. Access to the site: Middleton Drive is a comparatively narrow street not subject to on street parking due to the large curtilages of the existing properties but not ideally suited to access by large commercial vehicle at the junction with Gisburn Road and up the steep incline. Is Middleton Drive constructed to a standard that can take HGVs needed to deliver materials.

2. Surface Water Runoff: The surface area to be covered either by the roofs of the proposed dwelling and additional hard surfaces to the outdoors make up a considerable proportion of the plot, similar to the approved application 24/0053/FUL and 24/0055/FUL. If the three plans had been submitted together an efficient SUDS scheme for the whole site could have been incorporated. A joint SUDS scheme has been submitted for 24/0255/FUL and 24/0256/FUL but no inclination how this scheme will interact with Approved Application 24/0253/FUL. Possibly leading to the potential of the proposed scheme not being of a capacity required when Application 24/0253/FUL is built. Any shortfall in capacity could lead to surface water runoff running down Middleton Drive or running into properties below and joining Middleton Drive lower down the hill and onto Gisburn Road. A robust drainage scheme is essential to future proof against climate change preventing flooding down in the valley bottom and water creating a road safety issue on the A682 a main trunk road.

3. Carbon Footprint: Due to the elevation of the site and exposed nature consideration should be given best practices for both insulation, green heating systems and renewable energy to reduce the carbon footprint of the building.

### **Public Response**

Site notice posted and nearest neighbours notified. No response.

### **Officer Comments**

#### **Pendle Local Plan Part 1: Core Strategy (LPP1)**

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP2 sets out the roles each settlement category will play in future growth. Nelson is defined as a one of the Key Service Centres which will provide the focus for future growth in the borough and accommodate the majority of new development.

Policy SDP3 identifies housing distribution for the M65 Corridor as 70%, the amount of development proposed here is not disproportionate to the level of housing development Brierfield would be expected to provide, as a minimum, over the plan period.

Policy ENV1 of the Replacement Pendle Local Plan 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 of the Pendle Local Plan Part 1 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 ENV7 does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere.

Policy ENV4 seeks the promotion of sustainable patterns of travel.

Policy ENV 5 considers pollution and unstable land. Emissions and public exposure to pollution are required to be minimised.

Policy ENV7 considers water management. It sets out a sequential approach to site selection for flooding and the use of sustainable urban drainage systems. Surface water run off systems have to mimic the natural discharge process.

Policy LIV 1 sets out the minimum level of housing the Borough should achieve over the life of the Plan. It sets a minimum of 298 units to be delivered each year.

Policy LIV 4 sets out affordable housing targets. There is no requirement of affordable housing in the M65 corridor.

Policy LIV5 states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties.

#### Replacement Pendle Local Plan

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

#### Barrowford Neighbourhood Development Plan (BNDP)

BNDP 01 – States that housing developments which are acceptable in principle in accordance with the LPP1 will be considered in relation to the following relevant criteria: design confirming to policies ENV2 and LIV5, protection and enhancement of the Parish's landscape settings in accordance with BNDP 08 and ENV1, do not have an unacceptable impact on residential amenity impacts, are sustainably located and appropriate to the surrounding context.

BNDP 03 – States that developments which results in traffic impacts which are detrimental to people's living or working conditions or highway safety will be resisted. Proposals will be assessed in relation to reduction in need to travel by car, measures to include sustainable transport, compliance with LCC recommendations on parking standards, pedestrian safety.

## **Principle of the Development**

The site is located within the settlement boundary of Barrowford and is an acceptable location for a new dwelling in principle in accordance with policies SDP2 and LIV1.

## **Visual Amenity**

The proposed dwelling is high quality contemporary design, although this would be in contrast to the adjacent vernacular farmhouse, the surrounding dwellings are of varying design and the proposed building would not appear incongruous in its setting, it would be set against existing dwellings and trees and would not result in harm to the visual amenity of the area.

The proposed development is therefore acceptable in terms of design and visual amenity in accordance with policies ENV1, ENV2, LIV5 of the LPP1 and BNDP 1 of the BNDP.

## **Residential Amenity**

The terrace and windows in the south elevation would be in an elevated position approximately 17m from habitable windows in Higherford Lodge. The proposed windows in the south elevation have been amended to be high level and the terrace to have a privacy screen to the south side, this would acceptably preserve the privacy of Higherford Lodge.

The raised patio and other windows would be sufficient distances from other properties to ensure that they would not result in any unacceptable loss of privacy. The building would not result in any overbearing impacts, unacceptable loss of light to any adjacent properties and would provide an adequate level of privacy and acceptable living environment for the occupants of the proposed dwelling.

Concerns have been raised in relation to impacts from construction activities, however this is temporary and would be acceptably controlled by the submitted construction management plan.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policies ENV2 and LIV5.

## **Highways**

Middleton Drive is suitable to serve the additional traffic that would be generated by this dwelling and an acceptable level of car parking provision is proposed.

The proposed development is acceptable in terms of highway capacity, safety and sustainability in accordance with policies ENV4 of the LPP1 and BNDP 03

## **Drainage**

Concerns have been raised by the Parish Council regarding the drainage of the site and how the proposed drainage would interact with the other approved dwellings. The site is not within an area that is identified to be at risk from flooding and an acceptable drainage scheme has been submitted which goes beyond what would be typically required of a non-major application, by providing an attenuated surface water discharge. The proposed development would be acceptably drained.

## Biodiversity Net Gain

The proposed development would result in a net loss of biodiversity of -28% by development of an area of vegetated garden. There is limited opportunity for on-site biodiversity gains to be provided to meet the requirement of 10% net gain and therefore off-site provision will be required, this is likely to be from a biodiversity bank or statutory credits and can be ensured by conditions.

## Other matters

Comments have been made by the Parish Council regarding energy efficiency and renewable energy to reduce the carbon footprint of the building. There is no policy basis for requiring this though the planning process and energy efficiency is a matter for the Building Regulations stage.

## **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 accords with Local Planning Policy and 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 approved plans: 01 Rev A, 03 Rev A, 04 Rev B, 05 Rev A, 528-P2-01 Rev B, 06, Material Samples, 2024-034-01, LTC248-TPP2.

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

3. Unless otherwise approved in writing by the Local Planning Authority the external materials of the development shall be in accordance with the submitted document Materials Samples.

**Reason:** To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity.

4. Notwithstanding the provisions of Article 3 and part 1 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no new or altered openings shall be made in the south west gable elevation.

**Reason:** In order to preserve the privacy of the adjacent dwelling.

5. Prior to occupation of the dwelling hereby approved the screen fence shall be erected along the south west side of the terrace and maintained at all times thereafter.

**Reason:** In order to preserve the privacy of the adjacent dwelling.

6. The submitted Construction Method Statement shall be adhered to throughout the construction period.

**Reason:** In the interest of residential amenity.

7. Prior to the occupation of the dwelling hereby approved the parking and manoeuvring areas shall be constructed in a bound material, which shall either be porous or drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority, and made available for use and they shall at all times thereafter be maintained free from obstruction and available for parking and manoeuvring purposes.

**Reason:** To ensure an adequate level of car parking provision and turning area in the interest of highway safety.

8. Prior to the occupation of the dwelling hereby approved it shall be fitted with an electric vehicle charging point with a minimum power rating output of 7kW fitted with a universal socket that can charge all types of electric vehicle currently.

**Reason:** To support sustainable transport.

9. The approved landscaping scheme (528-P2-01 Rev B) 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.

10. No ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected in accordance with the submitted Tree Protection Plan. 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.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

**Reason:** To prevent trees on or adjacent to the site from being damaged during building works.

11. The development shall be carried out in accordance with and thereafter maintained in accordance with the recommendations of the Ecological Survey and Assessment June 2024.

**Reason:** In order to preserve the ecological value of the site.

12. Prior to the occupation of the dwelling hereby approved the drainage shall be installed and be fully operational and maintained thereafter in accordance with the approved plans and Drainage Impact Assessment.

**Reason:** To ensure that the development is adequately drained to reduce the risk of flooding and pollution.

13. Notwithstanding the provisions of Article 3 and part 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no gates shall be erected across the site access from Middleton Drive without the prior written approval of the Local Planning Authority.

**Reason:** In the interest of highway safety to prevent vehicles from waiting on Middleton Drive where they could cause an obstruction or hazard to other highway users.

14. No part of the development shall commence unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for monitoring of Biodiversity Net Gain over a 30-year period.

**Reason:** To ensure that the proposed development makes provision for 10% Biodiversity Net Gain and that this can be monitored for a period no less than 30 years following completion of the development.

**Biodiversity Net Gain Condition:**

1. The development may not be begun unless—  
(i) a biodiversity gain plan has been submitted to the Planning Authority and  
(ii) the Planning Authority has approved the plan

Phase plan

- (b) the first and each subsequent phase of development may not be begun unless—  
(i) a biodiversity gain plan for that phase has been submitted to the Planning Authority and  
(ii) the Planning Authority has approved that plan

**Reason:** In order to fulfil the obligations for Biodiversity Net Gain, in accordance with the Environment Act 2021, Schedule 14

**Notes:**

If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the Local Planning Authority.

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only

take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions). Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

The setting of Public Footpath FP13-02-051 Barrowford may be affected by the proposed development. The grant of planning permission does not entitle a developer to obstruct a right of way. Any proposals for the temporary diversion or closure of the above footpath should be made to Lancashire County Council's Public Rights of Way team before any development works begin. They can be contacted by email at [PROW@lancashire.gov.uk](mailto:PROW@lancashire.gov.uk) – the location, district and planning application number should be included in any correspondence.

**Application Ref:** 24/0256/FUL

**Proposal:** Full: Erection of a 4 bedroom 2-storey, detached eco-home dwelling with integral double garage on existing garden plot.

**At:** Middleton Laithe Farm, Middleton Drive, Barrowford

**On behalf of:** Mr Colin Birchall

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 9<sup>TH</sup> OCTOBER 2024

**Application Ref:** 24/0366/FUL

**Proposal:** Full: Demolition of existing mill building and the erection of a 2.5 storey apartment building to accommodate 6 no. apartments and associated site works.

**At:** Sandy Lane Business Centre, Sandy Lane, Barrowford

**On behalf of:** Premier Vue

**Date Registered:** 09/07/2024

**Expiry Date:** 03/09/2024

**Case Officer:** Laura Barnes

This application was called in by a Councillor.

## **Site Description and Proposal**

The application site is a two storey stone building positioned on the junction between Garnett Street and Calder Vale. It is known as Sandy Lane Business Centre and is physically attached to an adjoining building which is also within the applicant's ownership. The building which is physically attached to the application site is currently used as an MOT car garage.

The proposal is for the existing building to be demolished to make way for an apartment block comprising six individual dwellings. The apartments are a mix of one and two bedroom dwellings, with a total of two apartments having two bedrooms and four apartments having one bedroom. The proposed building is to be three storey in height and is to be positioned broadly on the same footprint as the existing building.

## **Relevant Planning History**

13/06/0212P: Full: Convert first floor to flat; erect garage; enclose forecourt.  
Approved with conditions

19/0559/FUL: Full: Proposed change of use of vacant building to form 4 No. self-contained residential flats (Use Class C3) including demolition of existing two storey flat roofed extension and erection of replacement extension.  
Approved with conditions

## **Consultee Response**

### **LCC Highways**

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development. The principle of residential development on this site has been previously established under Planning Permission reference 19/0559/FUL. However, the highway authority not raising an objection is subject to the following comments being noted and further information being provided satisfactorily.

Recent site planning history

19/0559/FUL - Proposed change of use of vacant building to form 4 No. self-contained residential flats (Use Class C3) including demolition of existing two storey flat roofed extension and erection of replacement extension. Approved.

### *Proposal*

The proposed development is for the demolition of the existing mill building and the erection of a two and a half storey building containing four x one bed apartments and two x two bed apartments. This is an increase to the previously approved scheme which was for four x one bed flats.

From the highway authority's highway records a section of the proposed development would be on land currently dedicated as part of the highway network maintained at public expense.

Part of the three storey extension on the southern elevation would encroach over the highway network maintained at public expense. Therefore before determination of this application the applicant should apply to have this section of publicly maintained highway stopped up under Section 247 of the Town & Country Planning Act.

This encroachment was highlighted under the previous application and amended plans (Site Plan ref HAD3135-0-A) were submitted and subsequently approved.

At that time the highway authority requested appropriately scaled plans showing both the existing and proposed extensions facing Sandy Lane together with the surrounding footway.

This was to assess whether the remaining footway width would be acceptable and whether the highway authority would support the stopping up of this section of the publicly maintained highway network under planning legislation. In addition it was also to establish whether the replacement extension building would obscure the visibility splay from the adjacent MOT garage. The highway authority makes the same request for this application for the same reasons.

Alternatively the extension could be re-built on its existing footprint for which amended plans would be required.

### *Car & cycle parking*

No off-road parking is proposed for this development, although it is within an area of terraced housing with no associated parking. However, the site is within acceptable walking distances to local amenities and facilities, including public transport.

The developer proposes cycle storage facilities on the ground floor within the refuse bin storage area. Given the above comments regarding encroachment over the public highway network alternative cycle storage facilities would need to be provided. The highway authority also does not consider the proposed storage facilities appropriate given the communal access, remoteness from the apartments and openness to view by the general public.

### *Highways*

As the building is proposed to be demolished the highway authority recommends that the existing footway along the Garnett Street elevation is extended and a properly constructed 1m wide footway is provided to improve pedestrian movements and safety. (Approx length 10m.) The provision of the footway would slightly reduce the footprint of the proposed development and would require amended plans submitting.

The formation of the new section of footway would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to, the construction of the footway to Lancashire County Council's specification, including full height kerbs and buff coloured tactile paved dropped pedestrian crossings on both sides of Garnett Street at the junction with Sandy Lane.

The new section of footway would be dedicated as part of the public highway network under a Section 38 agreement.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process and should not wait until condition discharge stage. Due to the high volume of agreement submissions currently being received by the county council this process can take at least six months to complete. No works should be undertaken within, or which affect, the highway network maintained at public expense without the necessary agreement first being in place in order to prevent legal action from being taken against the developer.

Street Lighting Column No 1 may need to be re-located as it could be vulnerable to damage during the demolition and construction works. This would be at the developer's expense.

To ensure that any demolition or construction works do not have a detrimental impact on the construction of the footways on Sandy Lane and Garnett Street a pre-commencement survey should be undertaken.

A similar survey should be carried out once a month for the duration of the development and temporary repairs made as necessary. Within one month of the completion of the development and prior to first occupation the developer shall make good any damage to the footways to return these to a minimum of their pre-construction state, with the final reinstatement being in consultation with the highway authority.

The developer should also provide tying in details to the edge of the highway network so that this is properly delineated.

It should also be noted that no part of the development should project over the highway network, which the proposed balconies on the southern elevation are likely to do, and which the highway authority would not support.

#### *Demolition & construction phases*

As the development site is within a residential area and that full demolition of the existing building is proposed a Construction Method Statement including site plan should be provided to demonstrate that the development would not be detrimental to the surrounding highway network nor its users.

Subject to amended site and floor layout plans, including the provision of a new section of footway, and cycle storage details being satisfactorily received the following conditions should be applied to any formal planning approval being granted.

#### Environment Agency

We have no objection to the development as proposed, however we do wish to make the following comments:-

#### *Contaminated Land*

The previous use of the proposed development site as a Mill presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is on a secondary B aquifer.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of an appropriate site investigation. This

should be carried out by a competent person in line with paragraph 189 of the National Planning Policy Framework.

Without this condition we would object to the proposal in line with paragraph 180 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

#### Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

#### Reasons

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of a water quality element to a lower status class in the underlying aquifer and the adjacent water course.

#### Barrowford Parish Council

Barrowford Parish Council submits that historically this building has never been associated with the cotton industry and has never been any form of mill. The site was originally part of Calder Vale saw mill with a stone building to the rear of the present building and a timber yard. The existing building was built prior to 1910 and was initially used as the Oddfellows Lodge before later becoming a Working Men's Club which existed under various names until the late 1980's. The use of the term mill is an excuse to overdevelop the site with a generic pastiche of a mill building has no foundation in truth. The site falls within the Newbridge Character Area and the proposed dwelling would detract from that area through both size and massing. The site has had previous permission for 4 flats but this was passed quite a number of years ago when two car parks existed between Lowerclough Street and Joseph Street. The proportions of both Sandy Lane and Garnett Street preclude parking on both sides of the highway and are already oversubscribed by existing dwellings and the garage. The development is not providing any off road parking for the potential 12 plus cars that could easily be needed for 4, 1 bedroom and 2, 2 bedroom apartments and should be refused on these grounds alone. The design and materials especially the use of artificial

stone within the Character Area should be resisted. Existing buildings outside the Character area and those predating its adoption should not be seen as justification to use non-traditional materials within the Character Area.

#### Lancashire Fire & Rescue Service

The design should meet with Building Regulations Part B5.

#### United Utilities

No objection. Advocate the drainage hierarchy set out in the Planning Practice Guidance. Conditions suggested.

### **Public Response**

Nearest neighbours have been notified by letter, three responses have been received objecting to the proposals and can be summarised as follows:

- Lack of car parking
- Concerned about the occupants this development would attract
- Demolition of the building should present an opportunity to create parking but none is being provided

### **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.

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 ENV7 (Water Management) reflects the requirements in the Framework for a Flood Risk Assessment and not to increase the risk of flooding down stream. It sets out that change of use to residential in existing building within Flood Zone 3 will not be acceptable.

Policy LIV5 (Designing Better Places to Live) sets out that dwellings should be built in accordance with the spatial needs and density of the location.

##### 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.

### Barrowford Neighbourhood Plan

BNDP01 (New Housing in Barrowford) sets out that new development should not have an unacceptable impact upon neighbouring amenity.

BNDP08 (Landscape Views) Important local vistas and views are designated in the neighbourhood plan. It sets out that these locally important views should be protected from development which would be intrusive and detrimental.

BNDP10 (Newbridge Character Area) sets out that the application site falls within an area which is characterised by buildings with natural stone, slate and wrought iron. It encourages using local building materials and encourages proposals to conserve and enhance the character of this area.

### **Principle of Development**

The proposed development is located within a character area within the Barrowford Neighbourhood Plan. Pre-application advice has been sought on this development and consideration of the character area was flagged at an early stage. It was recommended that the height of the proposed building did not exceed the height of the existing one, which is to be demolished as part of the proposals, in order to respect the key views and vistas within the character area. This will be discussed further in the subsequent design section of the report.

The application site is located within the settlement boundary where the principle of residential development is acceptable, subject to accordance with design, amenity, flood risk and highways policy.

During the pre-application process, it was stated that the conversion of the building would be preferable to demolition and re-build and that the re-use of materials was encouraged. The application is accompanied by a Structural Report from a chartered surveyor who has recommended that the building is in such a poor state of repair that the refurbishment of the building would be uneconomical and the costs of the repair works would likely exceed its value. The report cites issues with dry rot, damp, a roof which requires overhauling and walls which need to be demolished and re-built.

### **Design & Visual Impact**

The proposed building is to reflect the character of a mill building. However, the Parish Council have noted that this building has not been a mill at any point in the past. Rather it has been a working men's club and former offices. The design which has been put forward is 2.5 storey, with the second floor accommodation in the roof space of the building. There is also a three storey flat roof section towards the front of the building which would be closest to Calder Vale / Sandy Lane. The flat roof three storey section dominates the front of the building.

It is unclear whether the proposal seeks to re-use the existing stone and slate, which is encouraged in Policy BNDP10. The amended plans indicate that the walls are to be natural coursed stone and the roof is to be a natural blue / grey slate. A render finish is to be applied to the flat roof three storey section to the front of the building. This would be out of character with the surrounding area and the prominent flat roof section would dominate the frontage of the building, leading to a discordant structure within the wider visual amenity and causing harm to the character and appearance of the Newbridge Character Area. This is contrary to Policy BNDP08 of the Neighbourhood Plan. Policy BNDP08 specifically sets out that development which would be intrusive and detrimental to the vistas and views outlined in the character area would not be supported.

Overall, the proposed development amounts to poor design which would harm the character and appearance of the wider visual amenity and is contrary to paragraph 139 of the Framework, Policy ENV2 of the Local Plan: Part 1 Core Strategy, Policies BNDP08 and 10 of the Barrowford Neighbourhood Plan and the Design Principles SPD.

### **Residential Amenity**

The proposed development is to be positioned on broadly the same footprint as the building which it is to replace. It is to be 8m from the dwellings in the terraced row on Garnett Street. Although a Daylight and Sunlight Assessment has been undertaken, it notes that there would be a minor adverse impact upon No. 4 Garnett Street and the impact would be very close to the BRE criteria. The report concludes that overall this would not result in a significant adverse effect upon the daylight or sunlight to neighbouring properties and it states the minor losses are acceptable. The existing building is 7m in height. The proposed building is to have an eaves level of 7.5m and a ridge height of 9.5m. This is not a significant increase in height from the building which is currently standing on the site.

In terms of the proposed windows, the windows in the side elevation which is closest to Garnett Street are to accommodate habitable rooms including bedrooms and living rooms. These would be directly opposite windows to the ground and first floors of the terrace on Garnett Street. This kind of window to window relationship between properties is not uncommon in this particular area of Barrowford, where there is a large majority of terraced housing stock either side of narrow street. Indeed, it is not uncommon across the wider Pendle area. As such, for this specific reason it would be acceptable for the design of the building to have windows on the elevation to the side closest with Garnett Street. If necessary, a condition could be imposed which required obscure glazing to the windows. However, this is not necessary as members of the public would have views from the public highway into the terraced dwellings on Garnett Street just as much as they would from the public highway into the proposed development.

Turning next to the impact upon Joseph Street. Although the proposed building is to be greater in height than the existing one, it is sited 18m from the existing dwellings on Joseph Street. There are no habitable room windows proposed in the elevation which faces Joseph Street and there is another building (garage) which wraps around the proposed development site in the area between Joseph Street and the proposed dwellings. As such, it would not result in an unacceptable impact upon the occupiers of the dwellings on Joseph Street in terms of the overbearing effect, loss of light or privacy.

There would be a distance greater than 12m between the side elevation of the proposed building and the side elevation of the dwellings on Calder Vale. To the front of the application site is the watercourse and to the other side of this is land owned by Nelson & Colne College. Given that there are no residential uses to this elevation, it would not result in an unacceptable impact in this regard.

The application is accompanied by a Noise Assessment which sets out that the background noise from the surrounding area would require mitigation measures including trickle vents and double glazed windows. Clearly, there is a car repair garage directly adjacent to the application site. It is included in the blue edged land on the Location Plan indicating that it is also within the ownership of the applicant. This needs careful consideration in terms of the noise impact with a residential use directly adjacent. The noise assessment concludes that the impact of the car repair garage would not be such that it would result in unacceptable living conditions for the future occupants of the building. Mitigation measures are recommended and these measures could be the subject of a suitably worded planning condition, in the case that the application were to be approved.

## **Highways**

There is currently no parking on the site and whilst it is acknowledged that there had previously been an approval here for four dwellings, as part of a conversion of the building the application currently before the Council is for six dwellings. The proposed development is in a sustainable location where there is access to local facilities and services on foot and it is within acceptable distances of public transport in Barrowford.

The Highways Authority have not objected to the proposed development based upon a set of amended plans. The footprint of the proposed development no longer encroaches into the adopted highway network. As such, they have removed their objection. Cycle parking is recommended and this could be provided by a suitably worded condition. A construction method statement is recommended, to be secured by condition.

## **Biodiversity Net Gain**

The applicant has submitted some information regarding Biodiversity Net Gain. It sets out the reasons that this site is exempt. The applicant has put forward the case that these six dwellings would be exempt because the area of land involved is “de minimis” and is previously developed hard surfaces, with no baseline Biodiversity Value. As such, there would be no need to require the applicant to enter into a 30 year maintenance and management agreement for biodiversity enhancements.

## **RECOMMENDATION: Refuse**

For the following reasons:

By virtue of its height, massing and proposed materials, coupled with the three-storey flat roof section which is visually prominent and discordant to the front elevation, the proposed development would amount to poor design. This is contrary to paragraph 139 of the National Planning Policy Framework, Policy ENV2 of the Local Plan Part 1 Core Strategy, Policies BNDP08 and 10 of the Barrowford Neighbourhood Plan and the Design Principles SPD.

**Application Ref:** 24/0366/FUL

**Proposal:** Full: Demolition of existing mill building and the erection of a 2.5 storey apartment building to accommodate 6 no. apartments and associated site works.

**At:** Sandy Lane Business Centre, Sandy Lane, Barrowford

**On behalf of:** Premier Vue

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 9<sup>TH</sup> OCTOBER 2024

**Application Ref:** 24/0545/FUL

**Proposal:** Full: Demolition of existing farmhouse and several outbuildings and the erection of a 1 no. self build dwelling.

**At:** Ing Ends Farm, Barley Lane, Barley.

**On behalf of:** Mr Richmond

**Date Registered:** 14/08/2024

**Expiry Date:** 09/10/2024

**Case Officer:** Joanne Naylor

## **Site Description and Proposal**

The application site is located within the Open Countryside and the Forest of Bowland National Landscape (formerly known as the Area of Outstanding Natural Beauty). The application site is a traditional farmhouse with an attached barn of natural stone and stone roof slates, a second barn building to the front of the farmhouse with natural stone walls and slate roof tiles, a tractor shed to the rear of a more modern barn of breeze block and metal roofing sheets, and a garage.

The proposal seeks to demolish the existing farmhouse and several outbuildings and for the replacement of a new dwelling. The farmhouse and other buildings are of poor condition. The proposal seeks to build a new dwelling house on the same site of the farmhouse. It would be single storey and two storeys high with a detached garage and annex above. It would have pitched roofs and natural stone walls.

## **Relevant Planning History**

21/0724/HHO: Full: External alterations to outbuilding and attached barn including alterations to window and door openings and insertion of flues and erection of a detached double garage. Approved with Conditions.

## **Consultee Response**

Parish Council  
Objects.

We have been asked to comment on the following application submitted in relation to Ings End Farm and we considered the application at our meeting held on 11 September 2024.

The main reason for raising an objection is that the Parish Council considers there is too much glass in the structure meaning that the design is not in keeping with local distinctiveness and does

not respect the architectural character of Barley; there are no buildings with elevations that are mainly glass.

Large glass areas are a source of light pollution. The Parish Council are very supportive of the Forest of Bowland AONB position statement intended to reduce obtrusive lighting and protect dark skies. Where there is excessive glass, for example having gable ends that are fully glass as seen in this application (west elevation), this causes a lack of contrast between a dark and a light sky.

Another concern was that an existing heritage asset was being demolished when it could be restored. Traditional farmsteads and their buildings are heritage assets which, through all types of use, make a significant contribution to the local character and distinctiveness, communities and economies of rural areas. This farmhouse contributes to the rural agriculture character of both Barley and the AONB as an historic farmhouse of local distinction.

The consultee response from LCC Historic Environment Team records that the farm building, by virtue of its age and building type, is considered to merit consideration as a non-designated heritage asset of some historical importance with its fabric providing a record of changing agricultural practices over the last 200 years.

The PC will have to rely on the Planning Authorities assessment of the applicant's assertion that the existing building is so badly dilapidated that a new building is required. If this application goes ahead, we trust it will not set a precedent for other developers to demolish other heritage assets and introduce new-builds in the area.

The Council are also concerned that the new buildings are much higher than the existing buildings. We can see that the ridge height of the new buildings is 7.8m but we cannot compare this with the existing buildings as the architect has failed to provide any dimensions. There is a public footpath FP 1308051 passing close to the development and the Council will want to see considerable vegetation screening ensuring the impact on users will be minimal or none.

The Council supports the new owners wanting to upgrade the farm area both in terms of buildings and landscape. We are pleased to read the various environment reports and of the appointment of landscape architects and we fully support the aim to ensure that the whole of the site is managed with full environmental care and consideration so providing an ecological habitat.

#### PBC Environment Officer (Trees)

There are numerous mature trees on this site and some are of a high grade, in particular 3 Sycamore in the centre. The applicant has submitted a fully detailed Arboricultural Impact Assessment (AIA) that correctly grades the trees on site in accordance with the relevant BS 5837. As far as I can see, there is no need for removal of any trees to facilitate the proposals, however, there are 3 trees categorised as 'U' which means they should be removed regardless of any development. These trees are 2 diseased Ash and a small Holly that is in decline.

The points of concern with regards to the trees to be retained on the site are all covered in the report. Tree Protective Fencing and areas of 'No Dig' are clearly marked on the plan in the AIA,

and coupled with the fact that there are numerous areas of existing hardstanding I am not too concerned about the trees being damaged.

In principle, I have no objection to the proposals and if the development phase is carried out in accordance with the submitted AIA document, then I would have no real concerns about trees being damaged on the site.

Please can you highlight in your summary that the Tree Protective Fencing needs to be in place at the start of the proceedings and that any demolishing of the existing building needs to consider the points raised in the AIA.

### United Utilities

#### UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

We recommend the applicant visits our website for further information on how to investigate the existence of water and wastewater pipelines and what to do next if a pipeline crosses or is close to their red line boundary: Working near our pipes - United Utilities

United Utilities will not allow building over or in close proximity to a water main. United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities.

Any construction activities in the vicinity of United Utilities' pipelines, including pipelines that may be outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines' which can also be found on our website: [standard-conditions-for-works-adjacent-to-pipelines-issued-july.pdf](https://www.unitedutilities.com/standard-conditions-for-works-adjacent-to-pipelines-issued-july.pdf) ([unitedutilities.com](https://www.unitedutilities.com))

The level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

## DRAINAGE

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

## LCC Highways

No objection.

Site planning history

21/0724/HHO - External alterations to outbuilding and attached barn including alterations to window and door openings and insertion of flues and erection of a detached double garage.

Approved.

## Proposal

The proposal is for the demolition of the existing farmhouse and several outbuildings and the erection of a replacement two bed dwelling and detached garage with one bed annexe at first floor level.

## Car & cycle parking

The proposed detached garage is considered adequately sized internally to provide three car parking spaces, secure storage for at least two cycles and an electric vehicle charging point. The charging point shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential Buildings, which states that 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 vehicles.

The highway authority considers that an adequate level of car parking and manoeuvring area have been provided on site.

The following conditions should be applied to any formal planning approval granted

#### Conditions

1. The detached garage including first floor annexe hereby approved shall only be used ancillary to the enjoyment of the existing dwelling and shall not be used by way of sale or sub-letting to form separate residential accommodation.

Reason: To avoid the creation of separate dwellings which may be sub-standard in terms of parking provision and/or vehicular manoeuvring area.

2. Prior to first occupation of the approved development an electric vehicle charging point shall be provided. 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 supports sustainable forms of transport.

#### PBC 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.

##### **Construction Phase Nuisance Condition**

With regards to this development we are concerned about the development causing nuisance for residential neighbours and would like the condition below to be used. Construction Phase Nuisance Condition

A Construction Method Statement shall be submitted to the Local planning authority and approved prior to commencement of the development. The Method statement must cover the topics detailed below, including:

- Hours of operation
- Hours of deliveries
- Construction site noise and vibration
- Control of Dust - Burning onsite

##### **Hour of Work – Operations**

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.

#### Hours of Deliveries

No deliveries shall be taken at or dispatched from 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 deliveries taken or dispatched from the site at all on Sundays, Bank or Public Holidays.

No Vehicles shall be left idling onsite with the engine running.

Reason: In the interests of the amenity of nearby properties.

#### Construction Site Noise/Vibration

Demolition or construction work shall not begin until a scheme for protecting the residential and business neighbours from noise and vibration from the site during these works has been submitted to and approved in writing by the Local Planning Authority. All measures which form part of the approved scheme shall be adhered to throughout the period of demolition and/or construction.

#### Note

1. The contractor shall have regard to the relevant parts of BS 5228 1997 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.
2. The local planning authority expects that the best practical means available in accordance with British Standard Codes of practice 5228:1997 Parts 1 to 4 shall be employed at all times to minimise the emission of noise from the site.
3. Reference should be made to the Council's 'Code of Practice for Construction and Demolition Sites'. Reason: To ensure a satisfactory standard of amenity for neighbouring properties.

#### Control of Dust

Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development for the suppression of dust from the site; all agreed details shall be implemented throughout the course of the development.

#### Note

1. The details of dust control measures for Haul Roads, the use of suitable wheel cleaning facilities and proposals for the sheeting of vehicles carrying dusty materials shall be included by the applicant.
2. Reference should be made to the Council's 'Code of Practice for Construction and Demolition Sites'. Reason: To protect human health and the environment from adverse effects of air pollution.

#### Burning on site

The Borough of Pendle Council has announced a climate emergency, therefore to help improve air quality there should be no burning of any materials on site. Pendle Borough Council receives many complaints about smoke from bonfires, which are inappropriate in any area of the borough. The practice of burning wastes on site is an old-fashioned practice, which normally constitutes an offence under the Duty of Care provisions of the Environmental Protection Act 1990. The applicant is cautioned against permitting any bonfire to take place during demolition, site clearance or

construction. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.

#### Contaminated Land Informative

If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the local planning authority.

#### Lancashire County Council Archaeology

Planning Application: 24/0545/FUL

Demolition of existing farmhouse and several outbuildings and the erection of a 1 no. self build dwelling. Ing Ends Farm, Barley Lane, Barley

Ing Ends Farm is depicted on the 1st Edition Ordnance Survey 1:10560 (Lancashire Sheet 48, surveyed 1844, although it might be earlier as a structure is depicted on Yates' 1786 The County Palatine of Lancaster in the area of the current farm, although the scale of the map prevents a definitive conclusion being reached that they are the same building.

The period 1750-1880 has been recognised as the most important period of farm building development in England. The Council for British Archaeology's *'An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy'* has indicated that *"there is an urgent need for all local authorities to ensure that farm buildings undergoing adaptation are at least considered for recording" (p. 140) so that "a regional database of farm buildings can be derived and variations across the region examined."* (ibid.)

Unfortunately none of the information supplied as part of the planning application gives any clear indication as to the presence or absence of features of archaeological and/or historic interest.

The building, is however, by virtue of its age and building type, considered to merit consideration as a non-designated heritage asset of some historical importance with its fabric providing a record of changing agricultural practices over the last 200 years, such that it has the potential to contribute to the aims of the Regional Research Framework. Such historic farm buildings are becoming increasingly rare due to their dereliction, conversion or demolition.

Consequently should the Local Planning Authority be minded to grant planning permission to this or any other scheme, the Historic Environment Team would advise that a record of the farmhouse & barn be made prior to demolition, secured by means of the following condition:

Condition: No site preparation, clearance or demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a Level 2-3 record as set out in "Understanding Historic Buildings" (Historic England 2016). The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards

and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

Notes: Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages: <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org>. 'Understanding Historic Buildings' can be accessed online at <https://historicengland.org.uk/images-books/publications/understanding-historicbuildings/>.

This is in accordance with National Planning Policy Framework (MoHCLG 2023) paragraph 211: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

### **Public Response**

A site notice was posted and nearest neighbours have been notified by letter, no responses received.

### **Relevant Planning 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 SDP2 (Spatial Development Principles) states that new development within the settlement boundaries unless it is an exception outlined in the Framework or elsewhere in the LPP1.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that the historic environment and heritage assets of the borough, will be conserved and where appropriate should be enhanced.

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.

Policy ENV4 (Promoting Sustainable Travel) seeks to minimise the need to travel. It requires new development to have regard to the impacts which may be caused to the highways network.

Policy ENV 5 (Pollution and Unstable Land) seeks to minimise air, water, noise, odour and light pollution and address risks from contaminated land, unstable land and hazardous substances.

ENV7 seeks to address potential flood risk to new developments and changes of use, and to manage surface water run-off.

Policy LIV3 encourages the support and provision of a range of residential accommodation.

### Replacement Pendle Local Plan

Saved Policy 2 of the Replacement Pendle Local Plan sets out the position in terms of new development within the AONB. It states that proposals for replacement building should bring about an environmental improvement and not result in a significant (i.e. no more than 25% of the volume of the original building) increase in bulk, extent or visual impact. It also states that dwellings should not include materials which are alien to the architectural traditions of the area and its setting.

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.

Paragraph 191 seeks to consider the impacts of pollution in health, living conditions and the natural environment, and to mitigate and reduce adverse noise, protect tranquil areas and limit light pollution from artificial sources.

Paragraph 209 relates to the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application.

The Design Principles Supplementary Planning Document (SPD) sets out guidance in relation to the layout and orientation of development which should be followed and sets out the aspects required for good design.

The Supplementary Planning Guidance: Development in the Open Countryside offers advice to applicants on the type of development which will be acceptable in rural areas of the borough which are located within the Open Countryside. These can be particularly sensitive sites from a landscape perspective so the guidance offered centres around the impact which proposed development would have upon the wider visual amenity.

### **Officer Comments**

The main considerations are design and materials, residential amenity, highways, drainage, construction process and landscaping.

## **Principle of Development**

The application site is within the Open Countryside and in the Forest of Bowland National Landscape (formerly known as the AONB). The principle of development in this location has been established through the existence of the existing farmhouse on the land.

The Council would prefer that the buildings were retained and reused, however from the information provided it appears that the farmhouse is in poor condition, during my site visit it was clear that the building was in poor repair, with noticeable cracks to the external walls of the farmhouse and adjoining barn, with water ingress into the building due to missing slates. Inside the farmhouse, the underside of the beam in the lounge was a height of 1.8m which would be too low for most adults to easily walk under.

The proposal seeks to demolish the farmhouse and replace it with a new dwelling on the same site as the farmhouse. The proposal would seek to create a farmstead feel formed around an informal entrance courtyard.

Policy 2 of the Replacement Local Plan sets out the Council approach to replacement of buildings in the National Landscape, which states that replacement buildings should not be more than 25% increase in volume, bulk, extent or visual impact.

The proposed development here would demolish several buildings and replace them with one dwelling and a detached garage in a court yard arrangement. The calculations show that the development would be within 25%. Therefore, the principle of development in this location would comply with Policy 2 of the Replacement Local Plan.

## **Design and Heritage**

The application site is located in the Open Countryside and is within the Area of Outstanding Natural Beauty (National Landscape). The application site is a farmhouse with associated buildings built sometime between 1750 to 1880 which was an important period for farm building in England. The building would be considered as a non-designated heritage asset due to its age and building type.

The proposal seeks to erect a replacement dwelling house with a detached garage. The proposed buildings would be organised around a courtyard arrangement, with single storey and two storey elements, the height of the proposal has purposefully kept the height of the building as minimal as possible so as to reduce any impact on the landscape, with the maximum ridge height at 8m high and the minimum ridge height at 5.6m high, the farmhouse has a ridge height of 6.15m but as this is an older building the roof levels are lower with the lounge room having a clearance of 1.8m under the beam which would not provide enough clearance for an adult to comfortably walk under, the proposed development would have to meet with building regulation standards in terms of height levels.

The proposed dwelling house would have single storey and two storey heights with the height of the buildings being reduced and making use of the roof line so as to reduce the overall height of the development.

The design of the buildings would include the characteristics of the area with natural stone walls, natural slate roofs, and pitched roofs. The applicant would reuse the building materials which would embody the carbon of the old property into the new buildings, the applicants intention is to also incorporate renewable energy. To the front elevation it would have three pitched roofs elevations with three windows to this elevation and a glazed entrance door. To the rear elevation it would have three pitched roofs with ground and first floor windows to the two storey building.

The proposed windows would be a more modern design, the windows would be located to the southerly elevation, the front and rear elevation, here the front elevation would face towards the proposed garage which would limit the views of the windows from the wider site, and to the rear elevation the windows face towards the rear land where the land starts to slope gently up towards a bank of trees with pendle hill rising up, the view of the rear windows would be screened by the bank of trees and the sloping levels towards Pendle Hill.

It is noted that the Parish Council is concerned about light pollution from the proposed windows of the development and the impact of that on dark skies. Paragraph 191 of the NPPF seeks to limit the impact of light pollution from artificial light. The existing buildings have windows and external lighting which would have resulted in some light pollution. The proposed development would have windows to the front, rear and southerly elevation which would result in some light impact.

191. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>70</sup>;
  - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
  - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

The site is in an isolated location with several mature trees and hedgerows which would dissipate some of the light. The main aspect with the most glazing is that of the proposed kitchen with windows on the southerly elevation which would be set away from Pendle Hill, here there is a large tree located close to the southerly elevation, these windows would be in association with the other buildings and reasonably close to the settlement at Barley which has street lighting.

Recently approved in 2020 (19/0755/OUT) was a large barn opening to be fully glazed at Manknows Ing, Barley, and Cross Lane Farm, Barley had a similar design of openings to the proposal as being considered here, Cross Lane Farm was recommended for refusal and included the amount of glazing as one element for the refusal, however at Appeal the Inspector approved the development. In this case, a consistent approach needs to be undertaken in terms of addressing the concern of light pollution and glazing. The local area committee had approved

Manknows Farm and Cross Lane Farm appealed the decision which was overturned by the Planning Inspectorate as they determined that this development, and the amount of glazing is appropriate in the setting.

There needs to be consistency in decisions, and there is not a sufficient issue to refuse the proposal based on the glazing. Therefore the proposed glazing would have some impact, but it would not be so great that it would be unacceptable.

To the side of the site there is a well used Public Right of Way FP1308051 which is a popular route to Pendle Hill, there is a hedgerow along this side of the PROW, the proposed garage and the proposed pool room would be adjacent to the hedge and public right of way, no windows are proposed to the elevations facing towards the PROW.

The proposed garage would accommodate three parking spaces, and to the first floor it would provide an annex bedroom and bathroom. The proposed annex would be conditioned that its use is ancillary to the dwellinghouse so as to ensure a new dwelling is not formed.

In terms of materials, the existing buildings have natural stone walls, natural stone roof tiles, timber windows and doors, breezeblock walls and profiled roofing materials to the more modern barn, with a number of windows boarded up. It is the intention of the applicant to reclaim materials and reuse where possible, however if the reclaimed materials are not suitable or viable, then a condition would be placed for samples and details for the proposed materials. Although the farmhouse has timber windows and doors, the proposed aluminum frames would be acceptable as historically windows would have leaded lights, therefore the use of aluminium frames would be similar as the material is a metal. A condition would be placed for details of the design of windows and doors and for a RAL colour to ensure the proposed windows and doors are in keeping with the character of the area.

Ing Ends Farm is classified as a non-designated heritage due to its age and building type but is not classified under any other designation. The buildings are in poor state with cracks evidenced to the walls, water ingress to buildings and low internal roof heights. The farmhouse would require extensive remedial work to bring the farmhouse to a decent standard.

Ing Ends Farm is classified as a NDHA, the significance of the asset is in how important it is, in this case there is no other designation attached to Ing Ends Farm. It is proposed that the NDHA is replaced with a replacement dwelling, the impact would be the loss of the buildings. A balanced judgement is required in regard of the scale of harm or loss and the significance of the heritage asset. The non-designated heritage asset is in poor repair and would require extensive works which would likely harm the building further. The non-designated heritage asset would be a total loss, however a condition would be placed for the non-designated heritage asset to have a record of the farmhouse and barn and included in LCC Archaeology historic records. On balance, the farmhouse as it stands would require extensive renovation which may not address the issues raised of cracked walls, water ingress and lower ceiling heights, any remedial work may cause further harm to the building, the loss of the non-designated heritage asset has no other designation associated with it. The proposal would be within the same location of the farmhouse and would reuse material for the proposed dwelling, therefore, on balance the loss of the non-designated

heritage asset would be acceptable and records of the non-designated heritage asset recorded for perpetuity.

The proposed development would use materials which are in keeping with the area, and reflects the vernacular of the area but with contemporary elements shown in the window design which result in a sympathetic design within the National Landscape. Subject to conditions for the annex to be ancillary to the dwelling house, details of material and windows and doors, and for a record of the farmhouse and barns, the proposed development would comply with Policy ENV 1, ENV 2, ENV 5 of the Pendle Local Plan Part 1 Core Strategy, Design Principles SPD and paragraph 191 of the National Planning Policy Framework.

### **Residential Amenity**

The application site is in an isolated location with neighbours being greater than 21m distance apart.

There is a PROW FP1308051 which is a main route to Pendle Hill, there is a boundary of hedging along the footpath, the proposed development would have no windows facing towards the PROW, therefore the proposal would have no unacceptable impact on amenity and would conform with Policy ENV2 and the Design Principles SPD.

### **Highways**

LCC Highways raise no objection. The proposed garage is adequately sized internally to provide three parking spaces, secure storage for two plus cycles and an electric charging point. There is adequate parking and maneuvering on site.

Subject to conditions for the annex to be ancillary to the dwelling and for electric charging points provided, the proposal would conform with Policy 31 of the Replacement Pendle Local Plan.

### **Drainage**

United Utilities require that no buildings are erected over or in close proximity of public sewers or other wastewater pipes.

In terms of drainage, no details have been submitted. Therefore, details for the management of surface and foul water would need to be submitted.

The NPPF emphasizes the importance of the hierarchy of drainage options to reduce the causes and impacts of flooding. The hierarchy set out below aims to discharge surface water run-off as high up the drainage hierarchy as reasonably practicable:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Subject to a condition for details for a drainage scheme for the disposal of foul and surface water to be submitted, the proposal would be acceptable and comply with Policy ENV7.

## **Landscaping**

The applicant has submitted a detailed Arboricultural Impact Assessment which identifies that no trees will be removed as the development has been carefully designed to retain the trees. However there are three category U trees which should be removed, two diseased ash trees and one small holly that is in decline. Therefore, a landscaping scheme shall be submitted for the replacement of the three lost trees.

The proposed works would be within close proximity of the retained trees, therefore, tree protection fencing needs to be erected around the root protection area prior to any works being undertaken and install tree fencing BS5837 as shown on the submitted plan 23.71 04. The Arboricultural Impact Assessment shall be strictly adhered to in order to protect the retained trees.

The submitted Arboricultural Impact Assessment and the submitted plan 23.71 04 is acceptable subject to the Arboricultural Impact Assessment being implemented, a replacement landscaping scheme submitted, and protective tree fencing, the proposal would be acceptable and comply with Policy ENV1 and ENV2 of Pendle Local Plan Part 1: Core Strategy.

## **PBC Environmental Health**

The proposed development seeks to demolish the existing buildings and build a replacement dwelling house, a condition would be placed to reduce any potential nuisance to neighbours and other users. Therefore a condition would be placed for a method statement, for the hours of operation, hours of deliveries, for construction site noise/vibration.

The property may be on private water supply, if the property will be rented out, used commercially or for public activity, if more than one property uses the water supply then it must be tested every five years. The proposal is for a single dwelling house with ancillary accommodation above the garage, the proposed dwelling will be used by the applicant.

The proposed development would demolish the existing buildings and replace it with a new dwelling, there is concern that the proposal would cause nuisance to neighbours, therefore a condition would be placed for a Construction Method Statement to address hours of operations, deliveries, construction noise and vibration.

Subject to conditions for a construction method statement, the proposed development would be acceptable and would comply with Policy ENV2.

## **Ecology**

A bat survey report and method statement was undertaken as the site has barns and outbuildings. An preliminary bat roost assessment was undertaken in May 2024 which offered moderate bat roost potential. In June and July it established a small non breeding roost of Common Pipistrelles

bats (circa 19 to 25) in the farmhouse front porch, which will be destroyed for the proposed demolition.

The farmhouse and barn has moderate bat roost potential.

The single storey detached barn was found to have potential roost features on the southern gable end and offers moderate bat roost potential.

The concrete block and corrugated fibreboard barn offered negligible roosting for bats, however a barn owl breeding box was recorded within the store and a breeding pair observed, a method statement and compensatory barn owl box would be required to mitigate the loss.

Therefore, a license from Natural England EPS Mitigation License would be needed for the works to be lawful.

Compensatory bat boxes on trees within the site offers compensation for the loss of the roost, and for a method statement for the management of destroying the bat roost would need to be submitted to the Local Planning Authority.

A method statement and compensatory owl box would be required to mitigate the loss of the existing owl box.

### **Biodiversity Net Gain**

The proposed development is for a self-build and custom build application. There are exemptions for certain types of development which are exempt from the mandatory biodiversity net gain requirements, as such the proposal is for the demolition and replacement of the dwelling house. The proposal would comply with a dwellings that are self-build or custom house building. The applicant has been involved through the process and has included elements of the pool for the applicants health and wellbeing. The replacement dwelling has been designed with the applicant and therefore would be exempt from BNG legislation requirements.

### **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**

Subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 23.71 00B, Proposed Site Plan 23.71 20 REV A, Tree Survey 23.71 04 Rev A, Proposed Floor Plans 23.71 22 REV A, Proposed South and East Elevations 23.71 23 REV A, Proposed North and West Elevations 23.71 24 REV A.

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

3. Prior to any above ground works involved in the erection of the external walls of the development samples of all the external materials to be used in the proposed development shall have been submitted to and approved in writing by the Local Planning Authority, this shall include a 1m x 1m sample panel of the natural stone walling and its coursing to be provided on site, and samples for the stone dressings and architraves, the development shall thereafter be carried out in strict accordance with the approved materials.

**Reason:** To ensure the design and materials are appropriate to the locality and to control the external appearance.

4. 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) Details of hours of deliveries
  - x) Details of hours of work operation
  - xi) Measures to control site noise and vibration
  - xii) Routing of delivery vehicles to/from site

**Reason:** To ensure that adequate measures are in place to protect the environment and amenity during the construction phase(s).

5. Prior to first occupation the parking areas shall be constructed and maintained thereafter for that purpose.

**Reason:** To provide adequate car parking at the dwelling.

6. 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; and the trees removed to be replaced;
  - 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.

7. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans before the dwelling is occupied.

**Reason:** To control foul and surface water flow disposal and prevent flooding.

8. Prior to the installation of the development hereby permitted, details of the design, materials and finishes and RAL colour of the windows and doors shall be submitted to, and agreed in writing by the Local Planning Authority and shall not be varied without prior written permission of the Local Planning Authority.

**Reason:** To ensure the design and materials are appropriate to the locality and to control the external appearance.

9. The detached garage including first floor annexe hereby approved shall only be used ancillary to the enjoyment of the existing dwelling and shall not be used by way of sale or sub-letting to form separate residential accommodation.

**Reason:** To avoid the creation of separate dwellings which may be sub-standard in terms of parking provision and/or vehicular manoeuvring area.

10. Prior to first occupation of the approved development an electric vehicle charging point shall be provided. 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 supports sustainable forms of transport.

11. The development hereby permitted shall be in strict accordance with the submitted Arboricultural Impact Assessment dated August 2024 and the submitted plan Tree Survey 23.71 04 REV A.

**Reason:** To protect the retained trees.

12. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837 : 2005 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, and 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 trees from being damaged during building works.

13. Prior to the commencement of development a survey shall be carried out to identify the presence of any asbestos on the site, either bonded with cement or unbonded. Where any asbestos cement is found it shall be dismantled carefully or otherwise collected without generation of dust, it shall be dampened down with water and removed from site in secure, sealed, air-tight containment. If unbonded asbestos is found the Health and Safety Executive shall be contacted and the asbestos shall be removed by a specialist licensed contractor.

**Reason:** To protect the health and amenity of people in the vicinity, including those working on the development.

14. Prior to the commencement of development, a scheme for the protection and enhancement of the bat and barn owl habitat shall be submitted to the Local Planning Authority for prior written approval. The scheme shall be wholly implemented before the development is brought into use and thereafter retained.

**Reason:** To ensure protection of the habitat of bats and barn owls which are protected under the Wildlife & Countryside Act, 1981.

15. No site preparation, clearance or demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a Level 2-3 record as set out in "Understanding Historic Buildings" (Historic England 2016). The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

**Reason:** To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

#### **Informatives:**

1. A new duty now exists to manage the risk from asbestos in buildings. If you own, occupy or manage a building which may contain asbestos you will either have:
- a legal duty to manage the risk from this material, or
  - a duty to co-operate with whoever manages that risk

It is now illegal to use asbestos-containing materials in the construction or refurbishment of buildings. However it was in common use up until the 1980's and is likely to exist in many buildings. Further advice on your duty is available from the Health & Safety Executive.

2. Contaminated Land Informative: If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately

and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the Local Planning Authority.

**Note:**

1. The contractor shall have regard to the relevant parts of BS 5228 1997 “Noise and Vibration Control on Construction and Open Sites” during the planning and implementation of site activities and operations.

2. The Local Planning Authority expects that the best practical means available in accordance with British Standard Codes of practice 5228:1997 Parts 1 to 4 shall be employed at all times to minimise the emission of noise from the site.

Reference should be made to the Council’s ‘Code of Practice for Construction and Demolition Sites’.

**Reason:** To ensure a satisfactory standard of amenity for neighbouring properties.

**Control of Dust**

Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development for the suppression of dust from the site; all agreed details shall be implemented throughout the course of the development.

**Note 1.**

The details of dust control measures for Haul Roads, the use of suitable wheel cleaning facilities and proposals for the sheeting of vehicles carrying dusty materials shall be included by the applicant.

2. Reference should be made to the Council’s ‘Code of Practice for Construction and Demolition Sites’.

**Reason:** To protect human health and the environment from adverse effects of air pollution.

**Burning on site**

The Borough of Pendle Council has announced a climate emergency, therefore to help improve air quality there should be no burning of any materials on site. Pendle Borough Council receives many complaints about smoke from bonfires, which are inappropriate in any area of the borough. The practice of burning wastes on site is an old-fashioned practice, which normally constitutes an offence under the Duty of Care provisions of the Environmental Protection Act 1990. The applicant is cautioned against permitting any bonfire to take place during demolition, site clearance or construction. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.

**Application Ref:** 24/0545/FUL

**Proposal:** Full: Demolition of existing farmhouse and several outbuildings and the erection of a 1 no. self build dwelling.

**At:** Ing Ends Farm, Barley Lane, Barley.

**On behalf of:** Mr Richmond