

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

TO: BARROWFORD AND WESTERN PARISHES COMMITTEE

DATE: 5TH MARCH 2025

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 5TH MARCH 2025

Application Ref: 24/0857/FUL

Proposal: Full: Change of use of land to be used as a Shooting Club (Sui Generis) including formation of Earth Bund at end of existing track and the creation of car parking area on existing yard.

At Hunters Holme, Grove Lane, Higham, Lancashire

On behalf of: Mrs Adele Hanson

Date Registered: 20.01.2025

Expiry Date: 17.03.2025

Case Officer: Athira Pushpagaran

This application has been sent to committee due to it receiving 3+ objections

Site Description and Proposal

The application site is part of a farm situated outside the settlement boundary of Higham within Open Countryside, Green Belt and a High-Risk Coal Area. The main access is from Grove Lane which is also a public bridleway (BW1314022, BW1314034). Public footpaths FP1314019, FP1314021, FP1314131, FP1314020 and bridleway BW1314130 lies in close proximity to the application site.

The proposed development is the change of use of land to be used as a Shooting Club (Sui Generis) including formation of Earth Bund at end of existing track and the creation of a car parking area on existing yard. An earth bund has been formed and shooting range has been in operation at the time of the site visit.

Relevant Planning History

23/0828/AGR Prior Approval Notification (Agricultural Building): Erection of Agricultural Building to be used as Feed and Machinery Store. Accepted. 2023

18/0059/FUL Full: Erection of agricultural building (14m x 10m x 7.17m, Height). Approved with Conditions. 2018

Consultee Response

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the highway authority makes the following initial comments and requests further information.

The applicant should submit an Operational Statement. This should include, but not be exclusive to, the days and times of operation, the maximum number of people on site at any one time, other associated facilities available or events taking place on site. As this is a retrospective application details should be readily available.

The highway authority has noted from the business's website that it offers members only nights. What is the maximum number of people at such an event?

The website also refers to inter-club competitions. Will any be held on site at Grove Lane? In addition, the website has details of indoor facilities including 10 firing lanes (The Range). Are these located at Grove Lane?

Public Rights of Way

The highway authority notes the borough council's Countryside Access Officer's response and support his comments, in particular regarding the proximity of the firing range and earth bund to Public Footpaths ref FP1314019, FP1314020 and FP1314021. Therefore, the applicant needs to submit additional information about the site's operation so that traffic generation and movements can be properly assessed and how these are likely to impact on all users on Grove Lane. The highway authority will then provide a response which may include any conditions considered necessary.

Further comments 19.02.25

Following the highway authority's initial comments dated 7 February an Operational Statement was submitted on 12 February.

The National Planning Policy Framework (NPPF) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios' (Paragraph 116).

Having reviewed the additional information submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and concludes that there are no highway grounds to support an objection as set out by NPPF, subject to a number of conditions being applied to any formal planning approval granted.

Public Rights of Way

The highway authority notes that the applicant is in discussions with the borough council's Countryside Access Officer regarding the proximity of the firing range and earth bund to Public Footpaths ref FP1314019, FP1314020 and FP1314021. The Countryside Access Officer may recommend conditions or informative notes following these discussions.

Conclusion

The highway authority considers that, with appropriate conditions applied to control and limit the site's operation, it is unlikely to have a significant impact on highway safety or capacity in the immediate vicinity of the site to such a degree that would warrant an objection as set out by NPPF.

In addition to the following conditions, the highway authority recommends that a condition restricting the days and times of operation as outlined in the submitted Operational Statement is applied to any formal planning approval granted. 2

Conditions

1. The site shall operate on a pre-booking basis only. The operators of the site shall maintain an up-to-date register of the member bookings and shall make this information available at all reasonable times to the local planning authority.

Reason: In order to ensure proper control of the use of the site so that its operation does not generate traffic movements which have not been fully assessed.

2. The maximum number of people on site at any one time shall be 15 including members, instructors and staff. Reason: In the interest of highway safety to limit the number of vehicle movements on Grove Lane.

3. Sessions at busy times shall be staggered with a cross over of a minimum of 15 minutes. Reason: To ensure that the site's operation does not generate traffic movements which would be detrimental to highway safety and capacity.

4. The car and motorcycle parking shown on the Proposed Site Plan (Drawing 02A) shall be made available at all times and remain free of obstructions for the lifetime of the development. Reason: To ensure that adequate off-road parking is available to prevent parking on Grove Lane which would be detrimental to highway safety.

Parish Council

Having considered this application, Higham Parish Council wishes to object on the following grounds:

- This is commercial development within the Green Belt and as such it is inappropriate. A commercial venture of this sort will generate additional vehicle movements along a very popular and well used bridleway, which already has minimal room for pedestrians and cars to pass safely and even less so for horses and vehicles to pass safely. To consider this kind of application, in this area, would cause disruption and environmental damage of various kinds to a particularly attractive, popular and environmentally sensitive area, as further detailed below

- The basic presumption under NPPF para.154 is that this would be inappropriate development, unless specific exceptions apply and the openness of the Green Belt is preserved. There is no Planning Statement explaining the detailed nature of the proposal or establishing a case for any specific exceptions and the proposal does not appear to be of any sufficiently public or participatory benefit to justify classification within the exceptions. Furthermore, the huge and unsightly Earth Bund, the six additional parked cars and the car parking area itself would detract from and damage the scenic openness of the Green Belt in this area

- There are two Bridleways and four Footpaths surrounding and within very short distances from the proposed firing range - see below annotated and coloured extract from the Public Footpath Map (LCC Mario Maps). The two Bridleways are extensively used throughout the year by members of the public including walkers, runners, dogwalkers, cyclists, and horse-riders. One Bridleway (BW1314022/034) constitutes part of a popular walk along the River Calder from Padiham (Grove Lane Plantation) to the Ightenhill Footbridge, which is immediately adjacent to the application site; that bridleway runs along Grove Lane and parallel, within approximately 40 metres, to the proposed shooting range; it would be substantially affected by noise and possibly danger from the shooting. The other Bridleway (BW1314029), part of the Pendle Way, is a centuries-old ancient highway from the Ightenhill Footbridge up to Higham Village running up the field immediately to the east of the application site and this is joined also by Footpath 1314034 running from close beside the 'firing end' of the proposed shooting range up the field to join that Bridleway; these would be similarly affected by the noise and also have direct views down over the application site which would be damaged by the out-of-place and unsightly Earth Bund, the large number of proposed Flags and Warning Signs indicated on the filed Signage Plan and the proposed car-parking

- Grove Lane is a mile-long single-track road with minimal passing places. The last half mile is a private access road only. Combined with this, it is also a very popular bridleway round-route for numerous walkers, runners, cyclists and horse-riders who would suffer significantly increased

levels of disruption, danger and/or inconvenience from the introduction of more regular traffic using and servicing the proposed venture

- Footpath 1314021/019 runs immediately behind the proposed Earth Bund that is the target for the proposed range. The Bund itself, in this position, would obscure from view persons using this footpath and consequently place them at danger in the event of a shot missing or passing through, or over, the Earth Bund
- The numerous proposed Warning Signs and Flags, whilst visually unappealing, would also be intimidating and a potential deterrent to users of the above-mentioned footpaths and bridleways
- There is no information as to the type of weapons or ammunition intended to be used in this venture. Therefore, the level of firepower, noise and risk is unknown. No risk assessments or reports have been provided as part of the application
- If, which is likely, the ammunition is made of or contains lead or similar materials there is potential risk of pollution and danger to human, bird, and animal life and to the ground, the stream running immediately behind the Earth Bund and the River Calder just below. Again, no risk assessments or reports have been provided

In conclusion, this proposed venture is within a popular, peaceful and particularly attractive rural area, the environmental qualities of which, would suffer extreme damage. Many people enjoy a quiet walk or ride by the river and a sit-down on the seat at the Ightenhill Bridge within c30 metres of the proposed firing range. It is also an important and sensitive area for fishermen and birdwatchers. Other wildlife in the area likely to be affected by this venture includes deer, badgers, otters and bats. These benefits and qualities would be disturbed by the noise of shooting and the additional traffic to which, once again, no noise assessment or environmental impact report has been provided. The Parish Council therefore submits that this application should be refused.

PBC Environmental health

With regards to this development, we have a few questions we would like answer to: - 1. How will noise from the site be controlled? –

2. How many people can be on the range shooting at any one time? –

3. Are riffles/ guns provided, or can people bring their own? –

4. If they can bring their own will there be rules around what riffles/guns they can bring? –

5. Can you provide the sound power rating for the riffles/guns that will be permitted?

Further comments (05.02.25)

With regards to this development, we are concerned about residential neighbours in the area, we are of the opinion that a noise impact assessment is required to be submitted before approval.

Further comments (19.02.25)

With regards to this I feel I need more information:

1. The report needs a bigger, better map that is more easily readable.
2. Where does the 55db environmental noise limit come from?
3. The report basically says that there are exceedances, but we should give it planning permission and then monitor the noise afterwards, I don't think this is the right way to deal with this.

As this is a commercial premises, maybe we should ask for a bs 4142 assessment.

Further comments (20.02.25)

Subject to a condition restricting the firearms used at the shooting range to only low calibre fire arms such as the .22 rimfire and below, and no firearm used that exceeds 55db(A) at the boundary of the development property to any approval the noise impact would be acceptable.

Mining Remediation Authority

Thank you for your notification of 20 January 2025 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority response: MATERIAL CONSIDERATION

The application site falls marginally within the Coal Authority's defined Development High Risk Area (DHRA). Our information indicates that the existing vehicular access route to the main development site lies partly in an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. Such workings can pose a risk to surface stability and public safety.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

We note that the application is accompanied by a Coal Mining Risk Assessment (6 March 2018, prepared by MM-EC Geoenvironmental Ltd). However, based on the 'Enquiry boundary' shown on the mining report appended to the risk assessment, it is evident that this report was produced specifically to inform a development proposal comprising the erection of an agricultural shed on a parcel of land to the north of the application site. As such, the report does not relate to the scheme of development currently under consideration by the LPA.

Nevertheless, in this instance we note that the proposed development will be situated entirely outside the DHRA, i.e. in the Development Low Risk Area. The Coal Authority's Planning & Development Team therefore does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and we DO NOT OBJECT to this planning application.

However, we do recommend that the following wording is included as an Informative Note on any planning permission granted:

The application site lies in an area defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place. If any suspected coal mining feature is encountered on site, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

Architectural Liaison Unit

Thank you for consulting the Lancashire Constabulary Designing Out Crime team in respect of this proposal. We would strongly advocate Commercial Developments in Lancashire be designed and constructed to Secured By Design security standards, using the Secured by Design 'Commercial 2023' Design Guide specifications. Further details about Secured by Design, including application forms and security specifications can be found at www.securedbydesign.com.

Independent academic research shows that SBD certified schemes experience less burglary, criminal damage, and vehicle crime. The Lancashire Constabulary Designing Out Crime Officers can support the applicant through the Secured by Design process from the application stage through to certification. Contact ALO@lancashire.police.uk.

Potential Risk Factors at Commercial Premises:

- Burglary
- Criminal Damage to units and vehicles
- Theft of and from parked vehicles
- Arson
- Theft from the person
- Unauthorised access to restricted areas
- Anti-Social behaviour
- Theft and criminal damage throughout the construction period

Burglary trends show that unobserved ground floor doors, shutters and windows are most vulnerable to criminal attack by prising them open with easily concealable hand and power tools, smashing glazing, 'snapping' europrofile cylinder door locks and accessing commercial premises via the roof space or adjoining walls and properties. Valuable commercial items, equipment and tools can be attractive commodities to criminals, such as easily removable IT and electronic devices, hand and power tools, and vehicles, most of which can be easily removed for personal use or financial gain.

Therefore, it is most beneficial to address any crime and security issues as early as possible in the design process to allow crime prevention strategies and a layered approach to security to be effectively integrated into the final scheme. In existing developments, making minor changes to the design or layout of the development can help make it less attractive to potential intruders and can reduce harm and the fear of crime for users of the buildings, visitors, and the overall community.

Recommendations

Secure Boundary: A secure boundary limits trespassers and will channel visitors into the site through the appropriate main entrance. A secure boundary will also frustrate the intruder intent on breaking into units and buildings and limit the quantity or type of goods that can be stolen. 2.4m high weld mesh fencing and matching post and gating systems are recommended along site perimeters; and be to LPS 1175: Issue 8 security standards, using a weld mesh that is of anticlimb and vandal resistant construction. Installation of these systems should consider the varying levels of terrain and be as close to the ground as possible to prevent access underneath.

Vehicle Access: Vehicular Access should be restricted and managed by security rated, automatic access-controlled gating systems or rising arm barriers with skirts to prevent unauthorised vehicular access. ANPR capability could be considered to identify vehicles entering and exiting sites to assist in surveillance and identification of offenders and vehicles travelling in convoy. Vehicle access routes should be clearly defined throughout commercial sites and direct visitors to appropriate car parks, delivery points and main reception areas via with as much overlooking occupation as possible such as offices which will provide good natural surveillance. Numbers of

access points into and out of sites should be kept to a minimum to prevent excessively permeability.

Pedestrian Access: Pedestrian Access points should be kept to a minimum and designed so that people with no legitimate reason to be on site are inhibited from uncontrolled or unobserved access. People found wandering around the forecourts of commercial buildings will often use the excuse that they could not find their way to the reception and the presence of clear signs will go some way to dismiss this excuse and help capable guardians including security staff and the police establish the legitimacy of the claim. Likewise, signs that identify areas that are not open to public access can act as a reminder that unauthorised persons should be challenged.

Pedestrian Footpaths: Footpaths should not run to the rear of commercial units, rear yards, or neighbouring buildings as these have been proven to generate crime and provide hiding places for criminals out of plain sight of legitimate users. Private footpaths that serve as emergency exit routes at the rear or sides of commercial / industrial premises should be secured with gates with locking systems that restrict access but still facilitate emergency egress if required.

Secure External Areas: Service and delivery areas, along with designated secure areas (such as storage areas) should be protected with a gate or barrier that is operated by an access control system. The design, height and construction of lockable pedestrian gates or vehicle access control systems within a perimeter fencing system should match that of the adjoining fence so that the boundary is not compromised. Defensible Spaces

Defensible Spaces: should be created in open plan developments where buildings are immediately available to public areas, footpaths, and roads. Ideally, no part of a commercial building should border these areas, and defensible spaces should be created to prevent vehicle borne attacks to penetrate walls, doors or windows or prevent high sided vehicles parking close enough to a building to allow climbing to upper floor windows or roofs. These can be introduced using high kerbs, low level walls and soft and hard landscaping solutions.

Anti-Ram Bollards: Anti-ram bollards certified to PAS68 and installed to PAS69 standards or IWA14 should be installed to protect vulnerable areas e.g. main entrance doors, roller shutters, pedestrian walkways etc.

Parking Facilities: Parking facilities (Including those for HGV's) should be designed to the National Safer Parking 'Park Mark' specifications. The specific security measures and standards recommended within this Scheme can help to reduce crime, anti-social behaviour, and the fear of crime, to ensure the safety of people and vehicles. Further information about the Scheme, security measures, standards and security rated products can be found at www.parkmark.co.uk.

Two-Wheeled Motor Vehicle Parking: Two-wheeled motor vehicle external parking should be located close to and in view of main buildings and be provided with secure anchor points certified to a minimum of Sold Secure Silver Standard. Further details can be found at www.soldsecure.com.

Bicycle Storage: Bicycle storage should be certified to LPS 1175: issue 8 SR 1/2 or Sold Secure SS314 Bronze standard. Such a structure should facilitate the locking of both wheels and the crossbar and be located close to supervised areas of the building. It should be roofed and with walls open to surveillance using materials such as welded mesh grilles or polycarbonate glazing. When in use, the structure should be well lit after dark using vandal resistant light fittings such as compact fluorescent. Further information about secure cycle parking can be found at www.bikeoff.org/design_resource.

Landscaping: Landscaping and planting on the site should not impede opportunities for natural surveillance, and care should be taken to avoid the creation of potential hiding places. Plant growth above 1m and tree overhangs below 2m should be absent to provide a window of surveillance, this does not preclude the use of hedging plants and feature shrubs and trees, providing surveillance opportunity is maintained. Plant growth in car park areas should be below 500mm to deter against vehicle interference, and the planting of new trees should be considered in tandem with the installation and the operational requirement of any specified CCTV system. Likewise, new trees should not reduce directed light from lamps or provide climbing aids over boundaries or onto buildings. Species selection of trees and shrubs should take account of their future maintenance, with a maintenance plan implemented from the outset.

External Lighting Scheme: External lighting schemes should be sufficient to cater for lawful activities after dark and comply with BS 5489-1:2020. The lighting scheme should support both formal and informal surveillance by evenly distributing light i.e. not create dark shadows, provide good colour rendition, and not cause glare or light pollution. Each unit façade that contains a door or window should be illuminated using dedicated vandal resistant LED light fittings.

Waste / Recycling Areas: External waste and recycling bins should incorporate lockable lids and be secured in place to prevent them being stolen, especially those with wheels that can be used to transport stolen goods and act as informal climbing aids. Waste bin storage areas should be well lit, and any boundary treatments should allow natural surveillance into the area, to reduce the risk of them being targeted for burglary, damage, or nuisance. These areas should be covered by the CCTV system. In addition, to remove the risk of arson the waste bins should be stored away from flammable materials and the building.

Climbing Aids: External downpipes can be used as informal climbing aids to access low roofs and upper floor windows and should be contained within a wall cavity to reduce this risk. If this is not possible, they should be either square or rectangular in section, flush fitted against the wall or housed within secure 2.4m high anti-climb metal shrouding. Bends in pipes and horizontal runs should be minimized as they can also create climbing platforms. Accessible pipework should be of a fire-resistant material. In addition, careful consideration should be given to the location of waste and salt bins, handrails, low walls, or other external furniture, which may facilitate easy access to upper floors and roofs.

Walls and Roofs: Commercial and Industrial units in areas where activity at night and over the weekends is reduced, can become prone to criminal attack such as burglary and criminal damage etc through the walls and roofs. Therefore, the walls and roofs should be designed to withstand such attacks and materials resistant to manual attack or damage should be used to ensure the initial provision of security. However, where lightweight construction is being considered, for example the use of insulated sheet cladding, a reinforced lining such as welded steel mesh can enhance the security of the building fabric and should be considered to mitigate the risk to crime.

Intruder Alarm System: Early detection and warning of unauthorised entry into buildings is imperative i.e. before the building envelope is breached. All commercial buildings should have a bespoke wireless or hardwired and monitored Intruder Alarm system installed to EN50131 (Grade 1-4) and comply with the National Police Chiefs Council Policy 'Guidelines on Police Requirements and Response to Security Systems'. The alarm installation company should be certified by the National Security Inspectorate (NSI) or Security Systems Alarm Inspection Board (SSAIB), as both organisations promote high standards of service within the security community. A risk assessment should identify whether the design of the alarm system incorporates a combination of internal passive infrared detectors, magnetic door and window contacts, break glass acoustic or vibration detectors, wall or ceiling sensor cable and personal attack facilities.

Roller Shutters: Roller Shutters should be fitted to external doors and windows (including service/loading areas) and should be tested and certified to LPS 1175: Issue 7/8 security standards and linked to the intruder alarm system. Roller Shutters assist in frustrating and preventing easy access to premises by offenders and should be fully secured when the business is not in use. Commercial premises in Lancashire are at an increased risk of being targeted for burglary and damage offences where roller shutters are not fitted.

Windows: Ground floor and other easily accessible windows including vulnerable sky lights should meet the requirements of LPS 1175 Issue 7/8, 24:2016/2022 (or equivalent/higher security standard), incorporate laminated glazing certified to BS EN 356 2000 rating P1A, and be fitted with 'restrictors' to prevent 'sneak-in' type offences.

Doors: As a minimum, all external door sets and those high-risk internal doors e.g. storerooms housing valuable items, CCTV equipment or cash etc. should be certified to LPS 1175 issue 8, SR2: PAS 24/2016/2022; STS 201 or STS 202: Issue 3, BR2 or other equivalent/higher security standard. Glazing must include one pane of laminated glass that is securely fixed in accordance with the manufacturer's instructions and certified to BS EN 356 2000 rating P1A.

Emergency Exits: Emergency exit doors and stairwells can be vulnerable to intruder attack, anti-social behaviour, and criminal damage. Emergency door exit release devices, such as door panic latches and 'pad-bars' on doors that provide an important aid to egress in the event of an emergency have proven to be abused, rendering some buildings insecure for long periods of time. Therefore, these door sets should be free from external hardware, kept clear at all times and be illuminated to promote natural surveillance. Stairwells should ideally be restricted in accordance with local fire authority advice, well lit and covered by CCTV to maximise surveillance opportunities.

Video Surveillance / CCTV: To complement target hardening products and other security systems, commercial developments should include more formal surveillance, such as a monitored and recorded HD digital 1080p Video Surveillance System (as a minimum standard) installed to BS EN 62676 series guidance. CCTV cameras must be capable of capturing clear facial and full body images and must cover buildings, door sets, loading and storage areas, car parking areas, and vehicles entering or leaving the site or building. Any captured images must be clearly marked with the time, date, and camera location to aid detection should an offence occur. Digital Video Recorders should be of a high quality to ensure clear images are captured, easily retrieved, and reviewed. Cameras must not be located where they can be easily disabled or tampered with e.g. by cutting wires, attacking camera lenses etc. If they can, they must be housed within vandal resistant housing (which should not negatively affect the images) to reduce their risk to damage. In addition, cameras could include 'tamper detection' capabilities and/or mounted onto dedicated 'anti-climb 'poles' to reduce this risk; however, care must be taken to ensure they do not just capture the tops of heads where mounted in high positions. A growing trend shows that offenders are stealing, damaging, or deleting recorded images from on-site CCTV recording equipment to avoid identification. Therefore, any image storage equipment should be stored within a steel lockable cabinet certified to LPS 1175 SR1 or STS 202 BR1, in a secure and alarmed room and only accessed by authorised trained staff. In addition, it is advisable to store recorded camera images on a secure Cloud server. Recorded data should be stored for a 30-day period, before deletion and where not required for evidential purposes. Each camera must be checked on a regular basis to ensure they are always clean and in good working order. The CCTV system should be annually serviced, maintained, and reviewed, to ensure it remains 'fit for purpose'. Adequate clear signage should be erected across the site to inform users that a monitored and recorded CCTV system is in operation, to act as a deterrent and be in accordance with GDPR.

CCTV Display Monitors: CCTV Display Monitors should be mounted on view at main entrance points of accessible buildings so that all visitors can see themselves on screen and are aware they

are being monitored by CCTV, this is an excellent deterrent to crime and helps to modify offender behaviour.

Capable Guardians: Reception or Security Staff should act as capable guardians in commercial developments and be located within security hubs and/or main entrance foyers behind a lectern or reception desk. They should be able to remotely provide access to areas of the site from this point and maintain electronic and physical visitors book records for audit trail and safety and security purposes. Capable Guardians should conduct regular site security assessments both internally and externally to identify vulnerabilities and ensure positive management and maintenance which can help to deter crime.

Internal Reception / Service Areas: Any reception / service desk areas should be of a high and wide design with restricted access to reduce instances of visitors reaching over the counter to intimidate or assault staff or steal items. Service and payment areas should be covered by CCTV and staff should have access to a personal attack facility linked to the intruder alarm. Staff should have clear views of all public areas; however, where this is not feasible, the area must also be covered by CCTV, capable of being monitored by staff and not obscured by the room layout e.g., wall partitions etc. A physical barrier operable by staff or electronic fob or card should be located within any main reception areas to channel visitors to the correct places within the site and prevent unlawful access.

Access Control: Access control arrangements should be in place on 'private' entrance doors and on internal door sets to prevent unauthorised access into parts of the building deemed as private e.g. Offices, staff rooms, etc. The associated doors must incorporate an electronic access control system, with an electronic lock release or keypad 'Digi-locks' (pin codes should be changed on a regular basis). This is crucial in areas where high value items such as CCTV recording equipment, IT/computers and cash may be stored. This reduces the risk of opportunist crimes when the building is open and slows down offender movement within areas of the buildings when closed, so the opportunity for theft is reduced.

Property Marking: Internally, high value and easily removable property, such as computer, tablets, laptops, etc. should be property marked with permanent solutions e.g., permanent marker or DNA based products such as SmartWater/SelectaDNA etc. Signage and stickers can be utilised in conjunction on marked property, walls, notice boards and windows etc to advise of DNA property marking. This helps to deter against crime by reducing the payoff for offenders due to the risk of apprehension increasing. An inventory and/or photographs and serial numbers of valuable property should be taken and stored in a secure place.

Key Security: To minimise the type or quantity of goods that could be stolen, keys to doors, windows and vehicles should be kept within an insurance and security rated safe/key safe e.g., LPS 1175 Issue 7/8 which has been robustly fixed to the fabric of the building, in accordance with the manufacturer's instructions, within an alarmed room or stored in a secure off-site location.

Cash: Cash should be 'banked' on a regular basis and ideally not stored overnight on-site; however, if stored on-site for short periods, it should be kept within an insurance and security rated safe attached to the fabric of the building in an alarmed room. Ideally, cash should be collected by a cash handling company or by at least two trained members of staff (vary route, times, and days), using a dedicated cash carrying bag and personal attack alarm.

Construction Site Security: The site should be secured throughout the construction phase with security measures, including a; robust 2.4m high anti-climb weld mesh perimeter fence with matching lockable gates; a monitored alarm system (with a response provision) for site cabins where tools, materials and fuel could be stored; and a monitored and/or recorded HD digital colour CCTV system, accredited with either National Security inspectorate (NSI) or Security Systems &

Alarm inspection Board (SSAIB) approval. Any onsite CCTV recording equipment must be stored securely and located within an alarmed building/cabin. Full Construction Site Security advice can be found at; https://www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf

The above security comments and recommendations are made in order to keep people safe and feeling safe and to prevent crime and disorder in accordance with-

- Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and (b) the misuse of drugs, alcohol and other substances in its area and reoffending in its area.

Crime Prevention advice is given without the intention of creating a contract. Neither the Home Office nor the Police Service accepts legal responsibility for the advice given. Fire Safety advice, Occupiers Liability Act, Health & Safety Regulations and Safe Working Practices always take precedence over any Crime Prevention issue. Recommendations included in this report have been considered for a specific site and take into account information available to the Police. The Local Planning Authority should be consulted prior to making any changes to this site

PBC Public Rights of Way

I object to the proposed development. Public footpaths FP1314019, FP1314020 and FP1314021 lie behind the target area of the proposed shooting range. This is incompatible with the public rights of way, due to a risk of harm to footpath users, and a perceived risk of harm which would have the effect of obstructing the footpath. Some of the proposed flags and signs are shown as being sited directly on the footpath and these would clearly be intimidating to anyone thinking of exercising the right of way. The signs, if placed on or near the footpath would be unlawful under Highways Act legislation, even if planning permission had been granted.

I also object on the grounds that the proposed shooting range would increase the volume of vehicle movements up and down the access road to the site. Access is along a public bridleway which extends for over 2km from Padiham. This is a narrow single track access road with limited passing places, it is also extensively used by pedestrians, cyclists and horse riders. There is already a level of inconvenience when motorists need to pass each other and non-motorised traffic, but formation of a recreational facility at the end of such a long narrow road would naturally increase this level of inconvenience.

There is no information in the planning application about the potential impact of the noise generated by the firing range. Firearms would be being discharged within 60m of a public bridleway. There is no indication that this is a safe distance with respect to bridleway users with horses which could be “spooked” by the sudden sound of a gun being fired.

The grant of planning permission does not provide any lawful excuse to contravene the relevant sections of Highways Act 1980 such as the obstruction or disturbance to the surface of a public right of way. As such, there is no need for planning permission to include conditions to this effect, but it would be helpful to include a note in the “Informatives” section to remind the developer of the law. A suggested note is given below.

Suggested Note

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

LCC Public Rights of Way

Lancashire County Council Public Rights of Way Team supports Pendle's Countryside Access Officer's response and provides the following.

Comments/Objections

Footpath FP1202021, BW1209025, BW1209024, BW1314024, BW1314023, BW1314022 and footpath FP1314131 are recorded as running along Grove Lane, the access to the shooting club, as shown on the attached plan.

The Lancashire County Council Public Rights of Way team have no record of any public vehicular rights along Grove Lane. The applicant should be evident that they have private and extended private vehicular rights along this public path before driving on it for construction, deliveries or subsequent access. Without private and extended private vehicular rights or permission from the owner it is a criminal offence to drive a motor vehicle on the public path. To mitigate from increased vehicle movements and protect the safety of users accessing the rights of way a sequence of passing places, to a specification approved by The Rights of Way Team should be spaced between Padiham and Hunters Holme. If Grove Lane is not within the ownership of the applicant consent from the landowner/s where the passing places are required must be sought and a Public Path Order would be required for them to become maintainable at public expense.

Obstruction

The infringement or obstruction of the existing public rights would be a criminal offence, as such the right of way should always remain clear, not to be excavated nor used to park or store materials, vehicles or machinery.

Ground level/drainage

Any changes in ground level or installation of drainage should ensure that surface water is not discharged onto a public right of way either within the proposed development site or in close proximity – this is to ensure public rights of way are not exposed to potential flooding or future maintenance issues.

Landscaping

Any trees or bushes should be at least 3 metres away from a public right of way to prevent any health and safety issues and potential maintenance issues e.g. Overhanging branches or roots coming through the surface of the footpath concerned either within the proposed development or in close proximity.

Temporary closure

If works relating to the proposed development are likely to cause a health and safety risk to users of a public right of way a temporary closure order must be made and in effect prior to commencing those works. Applications should be made 8 weeks before commencement to avoid delay to the works. Further details on closure can be found at Request a temporary closure of a public right of way - Lancashire County Council

Diversion

If a diversion is needed or intended the applicant needs to ensure that the diversion is in place prior to any work commencing on a public right of way. Any disturbance of the existing route, without the appropriate confirmed Diversion Order would be liable to enforcement action taken against the developer.

Publicity of Application

All planning applications that affect a public right of way (footpath, bridleway or byway), must be publicised by site notice in at least one place on or near the land to which the application relates for not less than 21 days; and by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.

United Utilities

No response

PBC Engineering

No response

Public Response

The nearest neighbours have been notified by letter, a site notice have been displayed, with 16 responses received so far. Out of this 4 were objections and 12 were supports. These are summarised below:

Objections:

- Too close to the footpath and the shooters would be firing directly towards the path, which should be closed or diverted.
- Noise pollution
- Access through a private track. Stakeholders in the track include Burnley Borough Council, residents at Colliers Cottage, Joy Cottage, The Old Stables, Brookfoot Farm, High Whittaker Farm, Hollins Farm and the owner of farmland adjacent to Pendle Hall where the amenity track terminates. The Grove Lane track was adopted by Lancashire County Council as a public footpath, cycle path and bridlepath as part of the Millenium Forest project. The application does not have legitimate access rights over this private road for public /commercial/customer vehicles.
- The maintenance of the private road is the responsibility of the residents living along the route, and Lancashire County Council. It is a single track with no kerbs and no passing places after the Burnley Training Ground access except for field and property gateways. Part of the track runs on the River Calder Bank. There are concerns about the durability and safety of the track from vastly increased vehicular use arising from the proposed development.
- Pendle Borough Council has failed to consult all relevant properties under postcode BB12 9AF and other stakeholders who will be directly impacted by this application.
- The route in question is a bridleway, cycle path, and footpath, which is heavily used by pedestrians, dog walkers, families, cyclists, and equestrians enjoying the peaceful countryside and the area's birdlife and wildlife. The increase in traffic from vehicles related to a shooting range often travelling at inappropriate speeds will significantly raise the safety

risk to all users of the route and diminish their ability to safely enjoy the valuable community leisure resource that is Grove Lane.

- The noise and vibration generated by the shooting range will have a detrimental impact on local residents, as well as on horses (who are particularly sensitive to the popping noise from silenced firearms), farm animals, dog walkers, and wildlife such as deer, hares and birdlife prevalent in this agricultural area. This adverse environmental impact has not been sufficiently addressed by the applicant.
- The public notice for this application was only displayed for a short and limited period and has already been removed, effectively reducing the time available for the public to comment on the proposal
- Failure to Consult Lancashire Police Firearms Unit
- Operating without planning consent

Supports:

- Proposal includes visually impaired shooting and enhances opportunities available to visually impaired shooting community and contributes positively to the sport as a whole
- the location is suitable for various target shooting purposes
- It is a safe and secure location, with controlled, limited access, and its construction should cause no detriment to the surrounding community or environment
- valuable addition to the community, offering a safe and well-regulated environment for both children and adults to engage in shooting sports
- No noticeable significant increase in traffic along the private road, or any excessive noise from gunshots or other activities.
- This not only enhances safety but also supports professional standards in gamekeeping and countryside management
- As a local farmer, shooter, and livery yard owner, I strongly believe that shooting and equestrian activities have long coexisted in the British countryside. Many equestrian events, including some gymkhana competitions, incorporate shooting elements, demonstrating the compatibility of these activities
- Traffic movements will be minimal and predictable, with fewer vehicles compared to previous site use as an operating centre for HGVs
- The very large "Earth Bund", (already constructed but apparently to be further increased in size/height) sticks out like a sore thumb above the height of the adjacent hedgerow and, together with the targets in front of it, is visible from all the paths. Apparently (from the Signage Plan) the area is also to be surrounded on all sides by a large number of different Warning Signs and Red Flags. The whole appearance is and would be unsightly and out-of-keeping in the area and would detract from its open rural appearance
- This is also a particularly important and sensitive ornithological area. By virtue of its surrounding diverse features of river, low-lying and marshy fields, sandbanks, shingle beaches, field-pools, open country, trees and hedgerows, it is haven to an exceptional and wide variety of species, a number of which are uncommon, rare, or on the endangered species list. The disturbance and damage to all this important bird life which would be caused by repetitious and spasmodic shooting is likely to be significant and does not appear to have been considered or assessed.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

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

Policy SDP2 sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary (i.e. within the open countryside) will only be permitted for those exceptions identified in the Framework, or policies in a document that is part of the development plan for Pendle.

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

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

Policy ENV 5 identifies the need to minimise air, water, noise, odour and light pollution and to address the risks arising from contaminated land, unstable land and hazardous substances.

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 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 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Paragraph 198 states that 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 life⁷²;
- 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 Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design and protecting residential amenity.

Supplementary Planning Guidance: Development in the Open Countryside places great importance on proportion and setting and provides guidance on the materials which would be acceptable for agricultural buildings. Developments must not be detrimental to the landscape and the materials and design must reflect traditional farm buildings.

Officer Comments

The proposed development is situated within open countryside, and within green belt land. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Green belt

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Development in the Green Belt is inappropriate unless one of the exceptions identified in the NPPF applies. This includes engineering operations and material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) provided they preserve the openness of Green Belt and do not conflict with the purposes of including land within

it. The proposal is for the change of use of agricultural land into shooting club, which is an outdoor sport or recreational use, along with the formation of an earth bund which is an engineering operation. At its highest point the bund would be circa 10m high and it is grassed over. It is situated to the end of the plot and is set against the backdrop of the surrounding agricultural buildings to its rear and side. Given the site's sloping terrain, it would not obstruct views of the open countryside and blends in with its surroundings. Proposed parking would be located behind an existing agricultural building, minimizing its visibility. Additionally, safety flags and signs would be installed around the range, however their appearance and height can be controlled through conditions to ensure they do not impact the openness of the Green Belt.

In this case, the proposal would not have a detrimental impact on the spatial or visual openness of the Green Belt. The proposal would therefore be acceptable in accordance with paragraph 153 and 154 of the NPPF, and policies SDP1 of the Local Plan.

Visual Impact

The development includes a earth bund which is grassed over, a gravel track, and flags and signs around the range. The track and earth bund would be congruous to the agricultural and countryside surroundings and would not have an unacceptable impact on its character. The parking would be provided on existing hardstanding behind existing agricultural buildings and would not be visible prominently from public vantage points.

Overall, the proposed development would be acceptable in terms of design in accordance with policies ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy, Development in the Open Countryside SPG and the Adopted Pendle Design principles SPD.

Residential Amenity

The nearest residential neighbours are the Hayloft and Pendle Hall farm circa 130m away from the application site. In response to initial comments from the Council's Environmental Health Officer, a noise assessment has been submitted. This noise assessment details that the noise levels would exceed the acceptable levels and mentions possible mitigations. However, it lacks sufficient detail on the specific mitigation measures, their implementation, and how they would be maintained and managed during the operation of the proposed use, to make it acceptable. Following this, further negotiations were carried out and it has been agreed that the type of firearms to be used at the facility would be restricted to the 0.22calibre rimfire or below, which can be ensured by a condition. A condition can also be added to restrict the noise levels when measured at the boundaries of the site would not exceed 55db(A) to ensure that the development would not negatively impact the living conditions of neighbouring residential properties. The applicant has informed their intention to submit a further planning application to install an enclosures to the shooting positions, as a noise mitigation measure.

Therefore, the proposed development would be acceptable in terms of residential amenity in accordance to policy ENV1, ENV2 and ENV5 of the Adopted Pendle Local Plan Part 1: Core Strategy, paragraph 198 of the NPPF and the Adopted Pendle Design principles SPD.

Highways

The main access is through Grove Lane which is a single-track path with limited passing places through which a bridleway passes through. The LCC highways in their initial comments requested an operational statement to be submitted to fully assess the impact of the development on all users of Grove Lane. Following this an operation statement was submitted, based on which the highway authority considers that, with appropriate conditions applied to control and limit the site's

operation, it is unlikely to have a significant impact on highway safety or capacity in the immediate vicinity of the site.

The development raises no issues of highway safety subject to the proposed conditions added to any approval.

PROWs

The council's countryside access officer objects to the proposal since public footpaths FP1314019, FP1314020 and FP1314021 lie behind the target area of the proposed shooting range. This is incompatible with the public rights of way, due to a risk of harm to footpath users, and a perceived risk of harm which would have the effect of obstructing the footpath. The applicant is in discussions with the borough council's Countryside Access Officer regarding the proximity of the firing range and earth bund to Public Footpaths.

This is governed by separate legislation and therefore would be no need to duplicate it through a planning condition. An informative can be added to any approval to this effect to inform the applicant of this.

Coal Mining

The application is accompanied by a Coal Mining Risk Assessment, however this report appears to relate to a development proposal comprising the erection of an agricultural shed on a parcel of land to the north of the application site. Nevertheless, the proposed development will be situated entirely outside the DHRA. The Coal Authority's Planning & Development Team therefore does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and the Coal Remediation authority raises no objection and recommends the addition of an informative note. An informative to such effect can be added to any approval.

Biodiversity Net Gain

The application is accompanied by a main metric that details that the proposal would result in a net gain of 47.1% through onsite enhancements. This includes planting of native trees and a traditional fruit orchard. This satisfies the statutory 10% BNG requirement.

The applicant would have to enter into a s106 agreement in order to take care of the 30-year management and maintenance arrangements required for the proposed intervention. This would be subject to a condition as would other applications nationally.

Other Matters

Concerns have been raised that all neighbours that use the track has not been consulted by the Council regarding the planning application. However, the regulations necessitate consulting owners/occupiers of land adjoining the application site only and this has been carried out.

Concerns have been raised that the site notices were taken down prematurely, a second set of site notices have now been posted.

There are concerns about the possible use of lead-based ammunition, which could pose risks to human, bird, and animal life, as well as contaminate the ground, the nearby stream behind the Earth Bund, and the River Calder. Further comments are awaited from Environment health regarding this and would be followed in an update.

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:

- HAN/02 Dwg 00A Rev A - Location Plan (received 20.01.25)
- HAN/02 Dwg 02A Rev A - Proposed Site Plan (received 20.01.25)
- HAN/02 Dwg 03 – Existing and Proposed Elevations (received 20.01.25)

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

3. All the external materials to be used in exterior of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. Notwithstanding any indication on the approved plans and application form, a detailed scheme including the location, dimensions and appearance of the flags and signs to be installed around the shooting range shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. The development shall thereafter times be carried out in strict accordance with the approved details.

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

5. No firearms above the calibre of a 0.22 rimfire shall be used at the shooting range hereby approved, and the noise levels from the firearms measured at the boundary of the application site should not exceed 55db(A) at any time.

Reason: In the interest of residential amenity.

6. The use hereby approved at all times operate on a pre-booking basis only in accordance with the Operational Statement received on 12th February 2025 unless otherwise agreed in

writing by the Local Planning Authority. The operators of the site shall maintain an up-to-date register of the member bookings and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: In order to ensure proper control of the use of the site so that its operation does not generate traffic movements which have not been fully assessed.

7. The maximum number of people on site at any one time shall be 15 including members, instructors and staff.

Reason: In the interest of highway safety to limit the number of vehicle movements on Grove Lane.

8. Sessions shall be staggered with a cross over of a minimum of 15 minutes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site's operation does not generate traffic movements which would be detrimental to highway safety and capacity.

9. The car and motorcycle parking shown on the Proposed Site Plan (Drawing 02A) shall be made available at all times and remain free of obstructions for the lifetime of the development.

Reason: To ensure that adequate off-road parking is available to prevent parking on Grove Lane which would be detrimental to highway safety.

10. No part of the development commences 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 to enhance biodiversity on the site and that this can be monitored for a period no less than 30 years following completion of the development.

BNG Conditions

11. The development may not be begun unless—
 - a. a biodiversity gain plan has been submitted to the Planning Authority and
 - b. the Planning Authority has approved the planPhase 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

Informative Notes

1. The application site lies in an area defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such

hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place. If any suspected coal mining feature is encountered on site, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

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

Application Ref: 24/0857/FUL

Proposal: Full: Change of use of land to be used as a Shooting Club (Sui Generis) including formation of Earth Bund at end of existing track and the creation of car parking area on existing yard.

At Hunters Holme, Grove Lane, Higham, Lancashire

On behalf of: Mrs Adele Hanson

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 5TH MARCH 2025

Application Ref: 24/0888/VAR

Proposal: Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 20/0643/TDC.

At: Land to the south west of Goldshaw Court, Newchurch In Pendle

On behalf of: Mr S Barnes

Date Registered: 15.11.2024

Expiry Date: 09.01.2025

Case Officer: Neil Watson

Site Description and Proposal

The application site is located elevated above Spenbrook. Two dwellings have been erected with internal fitout still ongoing.

Relevant Planning History

20/0643/TDC Technical Details consent for the erection of 2 dwellings.

Consultee Response

Parish/Town Council: no response.

Highway LCC: Having

Public Response

The nearest neighbours have been notified by letter and 6 responses have been received. These raised the following issues:

- The houses have been built further back than shown and have larger parking area.
- The steps affect my privacy.
- The enforcement officer has said the houses are only 30cm further back from the road.
- People will use the steps and will be much more likely to see into private property.
- The steps should be moved to between the house and garage.
- The patio areas lead to a loss of privacy.
- The original plans had a hedge to the front which should be reinstated.
- External steel chimney not good design
- Houses lead to an increase in flooding. The plans show a doubling of the external impermeable area.
- Lack of internal car parking
- The patio area extends into the field.

- The proposed landscaping contradicts the ecology statement which says the plans provide an opportunity to enhance biodiversity.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

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

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

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

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.

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

Colne Neighbourhood Plan

Policy CNDP3 (Design in Colne and the Colne Design Code) sets out that high quality, beautiful and sustainable buildings and places will be supported. It also sets out that buildings should respond to the urban character area within which it is located.

Officer Comments

The application is to vary the approved scheme by incorporating an enlarged parking area to the front, a wall instead of a hedge to the front, a window to the side elevation, steps to the side, an enlarged patio area and external black flue pipes.

The steps down the side of the properties will allow residents to move up and down the external level. They are not areas where people will recreate not areas where they will congregate. The sides are steep sloping. The areas at each side will have grassed areas that will need to be maintained, and which are areas that residents will need to access to maintain their houses. The steps are not features that will lead to a loss of privacy to the occupants of the dwellings to either side.

The two new windows are horizontal units. One faces a garage and high-level windows to the house to the southwest and the other faces dwellings set back some 17m to the north east. The windows are at high level. They are significantly above the height of a person and will result in no

overlooking of the neighbouring properties due to their internal height. They do not result in any loss of privacy.

The patio areas have been extended from the smaller ones initially proposed. The dwellings to the northeast have shrubbery between the site and their gardens which largely provides a barrier between. The relationship with the dwelling to the southwest is no different to a normal relationship between properties with gardens extending to the rear. There is no natural or unacceptable relationship between the existing properties and the patios and no unacceptable loss of privacy. The impact the patio area increase has is that it creates a more stark view from southern vantage points. Although outside of the red edge for the application site the applicant has the ability to plant an indigenous hedge along the length of the rear land. It is not unlawful to plant on land in the control of the applicant but outside of the red edge. This has been incorporated into an amended plan.

The hedge to the front has been removed from the scheme and a stone wall been proposed instead. That continues the pattern of development along this section of Well Head Road and is an acceptable design solution.

The external black flues are to the sides of the properties and are not highly visible. They are not unacceptable or poor design in the setting or in the AONB.

The increase in impermeable area is marginal and will have no impact on the drainage of the adjoining properties. It is also a matter dealt with under the building regulations.

Conclusion

It is acknowledged that the development has been built in a different form than the approved scheme. However the changes proposed are all acceptable and there are no reasons to refuse permission.

Reason for Decision

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

RECOMMENDATION: Approve

CONDITIONS:

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

Reason: In order to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (As Amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: ADM/24/34/01, ADM/24/34/02, ADM/20/08/05, Location Plan.

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

3. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

4. The recommendations detailed in the Phase 1 Habitat Survey undertaken by Pennine Ecological dated July 2020 be carried out prior to any above ground works at the site. Any further necessary mitigation measures identified should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any further development. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To protect natural species and their habitats.

5. Prior to the first occupation of development a scheme for the construction of the site access shall be submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in accordance with the approved scheme prior to any dwelling being occupied.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 0.9m above the road level, within the visibility splays on Well Head Road. The visibility splays to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of each proposed access from the continuation of the nearer edge of the carriageway of Well Head Road to points measured 32m (northbound) and 39m (southbound) to the centre of the carriageway of Well Head Road, from the centre line of each access, and shall be constructed and maintained at verge level.

Reason: To ensure adequate visibility at each site access.

7. The garages hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the dwellings and shall not be used for any purpose that would preclude the ability of their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending or revoking and re-enacting that order.

Reason: To ensure that adequate parking provision is retained on site.

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

Reason: To encourage sustainable travel.

9. The car parking shown on the approved plans shall be constructed, laid out and surfaced in a bound porous material and made available prior to the first occupation of any house. The spaces shall thereafter at all times be retained for the parking of cars associated with the occupants of the dwelling.

Reason: In order to ensure the site is provided with adequate off street parking in the interests of highway safety.

- 10.** The windows in the ground floor side elevations and first floor side elevations of both dwellings hereby permitted shall at all times be glazed only with obscure glass of Level 4 or above. Any replacement glazing shall be of an equal degree of obscurity and the windows shall be hung in such a way as to prevent the effect of obscure glazing being negated by way of opening.

Reason: In order to protect and preserve the privacy and amenity of the occupiers of the adjoining dwelling.

- 11.** Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D and E of Part 1 and Classes A, B & C of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the significance of the heritage assets.

- 12.** In the first planting season after the date of this planning permission a hedge using indigenous species shall be planted along the whole boundary of the land immediately to the rear of the south west boundary of the curtilage as shown on plan ADM/20/06/05. The hedge shall be grown and maintained at a minimum height of 1.5m and shall be retained in perpetuity.

Reason: To integrate the development into the nationally important National Landscape.

Application Ref: 24/0888/VAR

Proposal: Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 20/0643/TDC.

At: Land to the south west of Goldshaw Court, Newchurch In Pendle

On behalf of: Mr S Barnes