

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

TO: COLNE & DISTRICT COMMITTEE

DATE: 06TH MARCH 2025

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE ON 06 MARCH 2025

Application Ref: 24/0839/HHO

Proposal: Full: Erection of a two-storey side extension.

At Stone House, Dean Street, Trawden, Lancashire

On behalf of: Mr Robert Hartley

Date Registered: 09.12.2024

Expiry Date: 03.02.2025

Case Officer: Athira Pushpagaran

This application has been called to committee by the Chair.

Site Description and Proposal

The application site is a modern semidetached dwelling situated in a predominantly residential neighbourhood within the settlement boundary of Trawden and within the Trawden Forest conservation Area. The application site is located at the corner of Dean Street and Skipton Road (B6250), with the main access from Dean Street. The other dwellings on this street to its North follow a rough stepped arrangement with no defined building line towards Skipton Road. The application site is also set higher than Skipton Road with a retaining wall and fence above it towards its boundary facing Skipton Road.

The proposed development is the erection of a two-storey side extension to accommodate a garage and a first-floor bedroom. The construction has begun for the ground floor at the time of the site visit.

Relevant Planning History

21/0780/HHO Full: Erection of single storey side extension to form garage.

Consultee Response

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development is unlikely to have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site subject to the following comments being noted and conditions being applied to any formal planning approval.

Recent site planning history

21/0257/HHO - Erection of two storey side extension. Application withdrawn.

Proposal

The proposed development is for the erection of a two storey side extension, which would increase the number of bedrooms from three to four. A single integral garage is also proposed.

Car & cycle parking

Three off-road car parking spaces should be provided for a dwelling with four and above bedrooms in line with recommendations in the borough council's Parking Standards. The proposed garage is considered adequately sized internally to provide one car parking space, secure cycle storage for two cycles and an electric vehicle charging point. Two further car parking spaces can be provided on the existing hardstanding. The highway authority therefore considers that an adequate level of off-road car parking can be provided.

To protect the off-road parking provision the use of the garage for the parking of motor vehicles should also be controlled by condition.

Construction phase

Due to the site's location at the entrance to Dean Street, which provides the only vehicular access to a number of other residential properties plus Trawden Forest Primary School, the highway authority recommends that a condition is applied restricting the times of deliveries by large construction vehicles to ensure that there is no conflict with traffic, both vehicular and pedestrian, at peak times.

Conditions

1. Deliveries to the approved development shall only be accepted between the hours of 9.00am and 2.30pm Monday to Friday during school term times, to avoid peak traffic on the surrounding highway network. Reason: In the interest of highway safety.
2. The garage shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority. Reason: To protect off-street parking provision in the future.

Further comments:

Whilst I don't believe it would be practical, or even possible, for a vehicle to park across the front of the garage, the two spaces in front of Corner House and the one in the garage would provide three parking spaces for Stone House. In that respect the development would comply with PBC parking standards. This layout would also allow three vehicles to enter and leave independently and would increase the manoeuvring area for both properties.

I suggest the following, or similarly worded, condition is applied to any planning approval in addition to the two conditions I recommended in my response dated 10 December.

Condition

Prior to first occupation of the approved development the parking and manoeuvring areas shown on the approved plans shall be constructed and thereafter always remain available for the parking of vehicles associated with the dwelling and shall be kept free from obstructions in perpetuity. Reason: In the interest of highway safety to ensure that satisfactory levels of parking and manoeuvring are provided within the site.

Parish/Town Council

The Parish Council has serious concerns over the number of off-road parking spaces given the application to increase the size of house from 3 to 4 bedrooms. The Highways Authority confirms that the Borough Council's Parking Standards require 3 parking spaces for 4 bedrooms. The Neighbourhood Plan proposes 4 spaces for 4 bedrooms. The Highways Authority Report states that the hard standing can accommodate 2 vehicles in addition to the (partially built, planning approved) garage and does not object on that basis. This is not correct. The site plan shows the boundary of the property stretching straight back along the front of the adjoining semi to the

boundary with the next property, No. 2 Dean Street. This area consists of hard standing with a raised pathway leading to the doors of each of the two semi-detached properties. What is not shown on the plan or described in the supporting statements, but what can be seen on site and from above (Google Earth view attached), is that there is an access for the adjoining property across this hard standing. They have a garage and a parking space behind their house which can only be accessed across the area of hard standing. Given that access requirement, and the need to manoeuvre any vehicle entering or leaving the new garage (which is at right angles to the road) and exiting onto the road forwards, there is in reality only parking space for one car for the applicant property in addition to the new garage. This does not comply with the Borough Parking Standard nor with the Neighbourhood Plan. Dean Street is currently very well-used by cars and pedestrians. There is planning permission for further development on Dean Street which will increase traffic further. In particular, Trawden Forest Primary School is at the top of the street and attracts considerable vehicle movement and parking, making it virtually impassible at peak times. Increasing the house size, and therefore increasing on-street parking demand, particularly at or near the junction, is a matter of grave concern to the Parish Council. The materials for this garage appear in keeping with the construction of the existing house. The condition of garage use as garage only and time limits on construction access should be maintained as recommended by the Highway Authority. Although the proposed windows are to match the property, windows and doors should be wooden, as per the Conservation Area status

Environment Agency

No response

Public Response

The nearest neighbours have been notified by letter, with no response.

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.

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.

Para 139 of the framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

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

The Conservation Area Design and Development Guidance SPD sets out that new development should use good quality and predominantly natural building materials, be well detailed, and respect local architectural detailing and styles. It provides specific guidance on development relating to agricultural building and their sensitive adaptation to other uses.

Trawden Forest Neighbourhood Plan Policy 1 of the Neighbourhood Plan seeks to support development within the settlement boundary. Policy 4 of the Neighbourhood Plan encourages developers to reflect the parking guidelines set out at Appendix 4 of the Neighbourhood Plan. This suggests that to be counted as a parking space a garage must be a minimum of 3.0m wide by 7.0m long (internal dimensions).

Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Trawden. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Materials

The proposed development is a two-storey side extension to the side extending 3.28m from the side extension of the dwelling. The proposed extension is to the gable end of the dwelling towards the corner of the street. The existing dwelling has a stepped front elevation with the kitchen set back from the rest of the building by 0.5m. The proposed extension would be to the side of the kitchen and would be in line with the rest of the building and set ahead of the kitchen by 0.5m. The proposed extension would be less than half of the frontage of the house and would follow the roofline of the main part of the dwelling.

The conservation area SPD advises that extensions should be subservient to the original building; side extensions should usually be well set back from the front of the building and should normally reflect the roof form of the main building. Similarly, the Design principles SPD advises two storey side extensions to be set back from the front wall of the house with a corresponding lowering of the roof line. Alternatively, if the ground floor is not set back, the first floor should be set back by 2m with a corresponding lowering of the roof line. The above requirement may be relaxed if, because of a staggered or irregular arrangement of the dwellings in the street, the construction of the extension would not create an actual or potential terracing effect. A relaxation may also be made if the existing character of the area is primarily terraced. In this case the proposed side extension is positioned towards the corner of the street with no established building lines along either of the street frontages. There is a staggered arrangement of dwellings along Skipton Road and the proposed development would not result in any actual or potential terracing effect and therefore the relaxation can be applied.

Albeit being in a conservation area, the existing dwelling is a modern building featuring a slate-tiled pitched roof, natural stone walls with stone quoins, UPVC windows, and timber doors. The proposed extension would have slate tiled pitched roof with natural stone walls with stone quoins and UPVC windows and timber doors to match the existing building. Concerns were raised that the

proposal would result in the building having 5 sets of quoins to the elevation towards Skipton Road. However, the quoins if matched to the existing quoins on the dwelling would not appear highly prominent and blends in with the neighbouring dwellings that features a stepped frontage with quoined edges. Taking this into account along with the fact that the application site is a modern dwelling situated across from industrial and commercial buildings, the proposed design would not result in any unacceptable impact on the character of the existing dwelling and its surroundings. It would have a neutral impact on the significance of the conservation area.

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, Conservation Area Design and Development Guidance SPD and the Adopted Pendle Design principles SPD. The development would have a neutral impact on the significance of the conservation area and thus would not require an assessment as per paragraph 208 of the NPPF.

Residential Amenity

The proposed side extension would have a door to the front and a garage door to the rear and a window each to the front and rear on the first floor. The gable would have no openings. The front window looks across Skipton Road to the open yard of the commercial unit and the rear window faces the blank gable of 2 Dean Street. The proposed extension would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent property.

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

Highways

Concerns were raised by the parish council regarding the parking provision. A parking plan was submitted by the applicant following this showing three additional parking spaces excluding the new garage. The proposed parking is found acceptable and would ensure the borough's maximum parking standard of 3 spaces in total for 4 bedrooms. This also accords with the minimum of 3 spaces for 4-bedroom semidetached dwellings as per the Trawden Forest neighbourhood plan.

The proposed development therefore raises no issues of highway safety.

LCC highways has requested a condition to control the hours of delivery however, considering this is a small-scale householder development it would be unreasonable to attach such a condition in case of approval.

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:
 - BH10 Rev 01 Proposed Parking (received 03.02.25)
 - Location Plan (received 06.12.24)
 - BH04 Existing and Proposed Site Plan (received 06.12.24)
 - Proposed Floor Plans (received 01.12.24)
 - Proposed Elevations ((received 01.12.24)

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

3. All the external materials to be used in the elevations and roof 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. Prior to first occupation of the approved development the parking and manoeuvring areas shown on the approved plans shall be constructed and thereafter always remain available for the parking of vehicles associated with the dwelling and shall be kept free from obstructions in perpetuity.

Reason: In the interest of highway safety to ensure that satisfactory levels of parking and manoeuvring are provided within the site.

Application Ref: 24/0839/HHO

Proposal: Full: Erection of a two-storey side extension.

At Stone House, Dean Street, Trawden, Lancashire

On behalf of: Mr Robert Hartley

REPORT TO COLNE AND DISTRICT COMMITTEE ON 06 MARCH 2025

Application Ref: 24/0863/FUL

Proposal: Full: Erection of an agricultural storage building.

At High Clough Farm Skipton Old Road Colne

On behalf of: Mr. S Calvert

Date Registered: 12.12.2024

Expiry Date: 06.02.2025

Case Officer: Negin Sadeghi

This application has been called in by a Councillor.

Site Description and Proposal

The site is located approximately 5km northwest of Colne, along Skipton Old Road, and is accessed via a farm track around 160m east of the main road. It sits immediately south of High Clough Farm within a rural setting, bordered by farm infrastructure to the north and open countryside to the south, east, and west. The site's central National Grid Reference is SD 9252 4232.

High Clough Farm is part of a small hamlet of houses, with a neighbouring property operating a light commercial van sales business that overlooks the proposed barn. The proposal seeks permission for the erection of an agricultural storage building.

Relevant Planning History

13/00/0291P- 01.06.2000: DC: REF: Convert attached barn to form two dwellings

13/02/0084P- 14.02.2002: DC: APPCON: Extend dwelling into adjoining barn

13/05/0190P- 17.03.2005: DC: APPCON: Full: Change of use from garage to dwelling.

13/05/0191P- 17.03.2005: DC: APPCON: Full: Convert and alter attached barn to form two dwellings

13/05/0192P- 17.03.2005: DC: APPCON: Full: Convert and alter detached barn to form one dwelling

13/05/0726P- 19.09.2005: DC: REF: Full: Single storey domestic extension to west elevation of barn to form kitchen.

13/06/0077P- 29.03.2006: DC: APPCON: Full: Convert, alter and extend barn to form one dwelling (re-submission)

13/06/0543P- 09.08.2006: DC: REF: Full: Conversion of garage to dwelling including erection of two storey extension (Amended scheme).

13/07/0930P- 21.12.2007: DC: REF: Full: Erect storage building with stable and tack room attached.

13/08/0157P- 12.03.2008: DC: APCON: Full: Full: Erection of building containing 3 loose boxes and implement store (Re-Submission).

24/0650/AGR: 26.09.2024: DC: INV: Prior Approval Notification (Agricultural Building): Erection of an agricultural storage building.

PLE/23/0867- 14.07.2023; EN: CLOSED: Enforcement Enquiry

Consultee Response

Lancashire fire:

The proposed Planning Application has been noted and the Fire Authority gives its advice in respect of access for fire appliances and water supplies for firefighting purposes to the site.

The following recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application. The conditions may affect the elevation of the building and access to them. These recommendations must be included if this application passes to another party prior to Building Regulation submission.

ACCESS - DOCUMENT B, PART B5 It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.

B5 WATER PROVISION

It should be ensured that the proposal is provided with suitable provision of Fire Fighting water. Any provisions should comply with National Guidance, details of which can be found: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

The Local Authority Building Control / Approved Inspector and Fire Service should be consulted at the earliest opportunity where more specific advice can be offered. If you would like to discuss this or any other matter of fire safety, please call me on 1282429452

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the highway authority does not raise an objection in principle regarding the proposed development at the above location. This appears to be a re-submission of a previous, invalid application ref 24/0650/AGR. The applicant has not completed Section 12 of the application form to state whether the proposal is within 20m of a watercourse, nor how surface water from the building and hardstanding will be disposed of. Further information should be provided as, if planning approval is granted, this may require an informative note regarding connection to a watercourse consent.

Environment Agency

We have concerns about nuisance being caused, because of working unsuitable hours, we would therefore recommend that the informative below is used: To ensure that construction work is carried out at reasonable times. All construction work will be carried out within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours will result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter. Reason: For the amenity of the neighbouring residents

Parish/Town Council: No reply.

PBC Engendering: No reply.

United Utilities: No reply.

PBC Public right: No reply.

Public Response

The nearest neighbours have been notified by letter, no responses received.

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.

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.

Para 139 of the framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

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. '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 a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- 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) 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, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

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.

Colne Neighbourhood Development Plan - Policy CNDP14 – Rural Identity and Character

Officer Comments

The location of proposal is in the green corner which from north faces the local access and from west is covered by rows of trees. from south and east is facing the green farm. The green field is located about 1m lower than the local road and to the north of that road, there is parking of commercial van sales business. The proposed agricultural building would be used as storage and workshop and would be in size of 18m*12m on a permeable gravel access track around it with width of 5-6m. The height would be 5.7m.

Design and material

The design of the proposed building is simple with roller shutter doors, walls of natural random stones in lower part and metal profile cladding above it and a metal profile roof. The design and appearance are acceptable in this location and the proposal complies with Local Plan Policy ENV2, the Design Principles SPD, and CNDP14.

Residential Amenity

The site is an open green field and has no adjacent neighbour. To the north there is a parking of commercial van sales business. In conclusion, the proposed development would not result in any overbearing impact or unacceptable loss of privacy or light to any neighbours. Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy and the Adopted Pendle Design Principles SPD.

Highways

The development raises no issues of highway safety.

Drainage

The principle of the drainage arrangements to the site should be submitted. The applicant has not prepared drainage calculations which discharge at greenfield run off rate.

Ecological Evaluation and Recommendations:

- The site has no statutory or non-statutory designations, and no Section 41 habitats or species were identified.
- **Badgers:** No further surveys are required.

- **Bats:** No action needed, but lighting on the western boundary should be low-intensity and directed away from the woods to minimize disturbance.
- **Great Crested Newts:** The nearby pond is considered unsuitable for the species. No mitigation or further surveys are required.

Biodiversity Net Gain

The report outlines a proposal to address habitat loss and achieve net biodiversity gain through on-site and off-site habitat creation and enhancement.

On-site Habitat Enhancement:

60m² of poor condition modified grassland will be enhanced to moderate condition neutral grassland, generating 0.04 habitat units.

Modified grassland will be removed, prepared, and sown with a diverse seed mix to reach target conditions.

Five native trees will be planted in the south of the site, contributing 0.07 habitat units.

Off-site Habitat Enhancement:

130m² of poor condition grassland, located 70m south of the site, will be enhanced to moderate condition, providing 0.08 habitat units.

Enhancement follows the same procedure as on-site improvements.

Other Grassland Management:

Both on-site and off-site grasslands will be managed to maintain moderate condition, controlling bracken, scrub, and invasive species through manual methods and selective herbicide treatments.

Linear Habitat Creation:

A non-native, ornamental hedgerow will be created to screen the development from the road, generating 0.03 linear habitat units.

Overall, the proposal aims for a net biodiversity gain through these enhancements and management actions.

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 favor 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:

A1.7 12Dec 2024; A1.5-Rev1; A1.4; A1.2

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

3. The external materials of the development shall be in accordance with the submitted plans and application forms and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: In the interest of visual amenity.

4. Details of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works involved in the erection of the external walls of the building and the drainage shall be installed in accordance with the approved details prior to the first use of the building.

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

5. No ground clearance, demolition, or construction work shall commence until protective fencing of 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. 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.

6. 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.

Biodiversity Net Gain Condition

7. 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

Application Ref: 24/0863/FUL

Proposal: Full: Erection of an agricultural storage building.

At High Clough Farm Skipton Old Road Colne

On behalf of: Mr. S Calvert

REPORT TO COLNE AND DISTRICT COMMITTEE ON 06 MARCH 2025

Application Ref: 24/0878/ADV

Proposal: Advertisement Consent: Display of internally illuminated 12m totem sign.

At Unit 2 Silk Way Business Park Whitewalls Drive

On behalf of: Mr K Ali

Date Registered: 20.12.2024

Expiry Date: 14.02.2025

Case Officer: Negin Sadeghi

This application has been called in by a Councillor.

Site Description and Proposal

The proposed totem sign is part of the recently developed EG On the Move services, located on the south side of the M65 motorway in Colne. The site includes a petrol filling station, an associated shop, a drive-thru coffee shop, and electric vehicle charging points, all of which are now operational under the wider planning permission granted for the development.

The service area is situated on the edge of Colne, surrounded by development on three sides. To the south, the site is bordered by general commercial premises and a waterworks. To the east, across Whitewalls Drive, there is a small residential area off Greenfield Drive. To the northeast, beyond the Colne roundabout, lies the Boundary Mills Retail Centre and a detached hot food takeaway. A large freestanding totem sign is already positioned at the site's entrance.

The proposal seeks Advertisement Consent for the display of an internally illuminated 12m-high totem sign at Colne Services, Whitewalls Drive. The signage has been strategically positioned to ensure visibility for drivers approaching from key directions, including the M65 and A6068, to effectively indicate the location of the services.

Relevant Planning History

24/0430/ADV - Advertisement Consent: Display of 4 no. illuminated fascia signs, 9m Pylon Sign, "Drive Thru" directional sign, Height Restrictor, Digital Menu Board, "Order Here" Canopy, Triple Digital Menu Screen, Drive thru "No Entry" and "Thank You" sign, Mini Monolith directional sign, 2 no. "DRIVE THRU" text, "STARBUCKS" lettering, 2 no. Siren Logos, "STARBUCKS" wordmark and non-illuminated banner frame. Approved with the totem sign adjacent to the M65 omitted from the approval at committee.

24/0331/ADV - Advertisement Consent: Display of 14 no. illuminated and 6 no. non illuminated signs to a new Petrol Forecourt Station. Approved

Consultee Response

Highways

The submitted documents and plans have been reviewed, and the following comments are made. History 24/0430/ADV - Advertisement Consent: Display of 4 no. illuminated fascia signs, 9m Pylon Sign, "Drive Thru" directional sign, Height Restrictor, Digital Menu Board, "Order Here" Canopy,

Triple Digital Menu Screen, Drive thru "No Entry" and "Thank You" sign, Mini Monolith directional sign, 2 no. "DRIVE THRU" text, "STARBUCKS" lettering, 2 no. Siren Logos, "STARBUCKS" wordmark and non-illuminated banner frame. Approved with the totem sign adjacent to the M65 omitted from the approval at committee. 24/0331/ADV - Advertisement Consent: Display of 14 no. illuminated and 6 no. nonilluminated signs to a new Petrol Forecourt Station. Approved Proposal The totem sign is proposed to be located adjacent to the M65 in a location closer to the roundabout than the previously submitted position, which was subsequently removed from the approval reference 24/0430.ADV. The Planning Statement states, 'The proposed sign is located within the existing trees on this boundary of the site which would be unaffected by the installation of the signage'. We would seek clarification upon this statement as it appears conflicting that the sign would be sited behind a section of trees which would obstruct the view of the sign from drivers. We would also seek to clarify that access to the sign for erection and future maintenance would be undertaken from within the site and would not be from the adjacent highway the M65 or the roundabout, as we would not authorize this for highway safety reasons due to the high conflict and vehicle speeds. Conclusion Lancashire County Council acting as the Highway Authority would seek further information of the proposal as detailed above.

Parish/Town Council:

CTC Comment: Colne Town Council objects to this application as this is simply one sign too many in a concentrated area outside of the settlement boundary. This is contrary to CNDP14 of the Colne Neighbourhood Development Plan and is excessive light pollution when the development is adjacent to a Nature Reserve.

Environment Agency:

No response

Public Response

The nearest neighbours were notified, and no responses were received.

Relevant Planning Policy

The **Pendle Local Plan Part 1: Core Strategy** includes the following relevant policies:

- **Policy SDP1:** Reflects the presumption in favour of sustainable development contained in the NPPF.
- **Policy ENV1:** Ensures a high design standard that preserves or enhances the character and appearance of the area. It also states that the impact on the natural environment, including biodiversity, should be minimized.
- **Policy ENV2:** Protects and enhances the heritage and character of the Borough while promoting high-quality design in new development. It requires that siting and design be in scale and harmony with the surroundings.

The **National Planning Policy Framework (NPPF)** outlines the purpose of the planning system as contributing to sustainable development, emphasizing economic, social, and environmental dimensions.

Paragraph 134 NPPF (2021): Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents. Significant weight should be given to: (a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents;

and/or (b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The **Design Principles Supplementary Planning Document (SPD)** sets out the criteria for external advertisements.

Colne Neighbourhood Plan to conserve valued landscape features and to ensure that the design and appearance of future development helps to maintain Colne's rural identity and character

Policy CNDP14 – Rural Identity and Character Within the countryside (the area outside the settlement boundary as defined on the Pendle Local Plan Policies Map), development should retain and enhance the rural identity and character of the neighbourhood area. As appropriate to their scale, nature and location, development proposals should be designed to respond positively to the following criteria:

(f) Roads, paths, other ground surfaces and hardstanding should use appropriate local materials and use colours that do not detract from the landscape; and

(g) All development should include measures that seek to minimise the impact of car parking, garaging, garden landscaping and associated urban and suburban features so that the development will not have a significant adverse impact on rural identity and character.

Officer Comments

Proposal Details

The proposed totem sign is a standard service sign commonly seen along highways and roundabouts in various cities. It would be positioned at the northwest corner of the service centre site, facing the southwestern side of the Colne roundabout. The sign would be installed within the existing tree line along this boundary.

The sign would have a height of 12 metres and a width of 3.16 metres, with text measuring 0.65 metres in height. It will display fuel and electric vehicle charging prices and will be constructed from steel, aluminium, and acrylic materials in various colours, as specified in the submitted plans. The sign would be internally illuminated at 300 cd/m² and will also identify the four on-site retail and takeaway facilities.

Design & Visual Amenity

Colne Town Council has objected to the proposal on grounds of:

- Visual Clutter & Excessive Signage
- Conflict with Policy CNDP14 of the Colne Neighbourhood Development Plan (which aims to protect visual amenity and prevent excessive advertising in sensitive areas)
- Light Pollution

The application site sits next to a range of commercial outlets on the min interchange into Colne. The existing landscaping will be replaced by a scheme approved at appeal, which includes the removal of trees around the roundabout, replaced with a hedge, grass, and sporadic tree planting. The Inspector accepted that the site would be opened up and that there would be a visual presence showing the site without the tree screening that is currently present. That was not left for future consideration but was specifically approved by the Inspector.

The objections of the town Council are noted. These are that there is one too many advertisements outside of the town centre and light pollution.

Advertisements can only be refused on grounds of safety and amenity.

The roundabout area already contains advertisements similar to the proposed sign. Given its placement in an industrial estate, the totem sign would not appear out of place in the context of the approved scheme. It would not look out of context, nor would it lead to any form of discernible proliferation of adverts. Like many similar developments across the country the advert would form part of a well-established pattern of such adverts commonly experienced. The area is a commercial one with a wide range of commercial developments around it in an urban setting along a money arterial route through the area.

The advert would lie between the M65 and the development. It is some distance from the wildlife area and has a range of commercial units lying in between. There is no evidence at all that light pollution would occur and in the location the proposal is in the intervening development would have a greater impact on light than the proposed totem.

The proposal complies with Policy ENV2 of the Pendle Local Plan Part 1, Paragraph 134 of the NPPF, Design Principles SPD, Policy CNDP14 of the Colne Neighbourhood Development Plan.

Highways

Lancashire County Council – Highways raised concerns regarding visibility, noting that the proposed sign could be affected by the new landscaping scheme. They sought clarification on safe access for installation and maintenance, specifically to confirm that servicing would not take place from the M65 or the roundabout. These are not relevant to the consideration of the impact of the development. However, maintenance would be from within the application site. The applicant has since confirmed that all maintenance will be conducted within the service area, ensuring no impact on highway safety. Given its location and proximity to the roundabout, the illuminated sign does not pose any safety risks for approaching drivers and I concur with the views on the highway's authority on that.

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: Approved

Subject to the following conditions:

1. The proposed development hereby permitted shall commence within three years from the date of this permission.

Reason: This condition is required under 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 shall be carried out in accordance with the following approved plans: **C-GS10511-01; 2/71; 29/71; 30/71; 31/71; 32/71; 33/71; 34/71; 35/71; 36/71; 37/71; 38/71 (19DEC 2024)**

Reason: To ensure clarity and proper planning, avoiding any deviation from the approved design.

3. No advertisement shall be displayed without the permission of the site owner or any other person with a legal interest in the land who is entitled to grant such permission.

Reason: This condition is imposed by the relevant regulations governing advertisement control.

4. No advertisement shall be positioned or displayed in a manner that:
 - a) Endangers individuals using the highway, railway, waterway, dock, harbour, or aerodrome (civil or military).
 - b) Obscures or hinders the interpretation of any traffic sign, railway signal, or navigational aid by water or air.
 - c) Interferes with the operation of any security or surveillance device or any equipment measuring vehicle speed.

Reason: This condition is imposed by the relevant regulations to ensure public safety and prevent obstructions.

5. Any advertisement displayed, as well as the site used for displaying advertisements, shall be maintained in a condition that preserves the visual amenity of the area.

Reason: This condition is imposed by the regulations to maintain the aesthetic quality of the surroundings.

6. Any structure or hoarding erected primarily for the purpose of displaying advertisements shall be maintained in a condition that does not pose a risk to public safety.

Reason: This condition is imposed by the regulations to ensure the safety of the public.

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

Reason: This condition is imposed by the regulations to prevent hazards and maintain the appearance of the site.

8. The level of illuminance shall not exceed the limits specified in paragraph two of Schedule 3, Part II of the Town and Country Planning (Control of Advertisements) Regulations 1992.

Reason: To prevent glare, dazzle, or distractions for passing motorists, ensuring road safety.

Application Ref: 24/0878/ADV

Proposal: Advertisement Consent: Display of internally illuminated 12m totem sign.

At Unit 2 Silk Way Business Park Whitewalls Drive

On behalf of: Mr K Ali

Date Registered: 20.12.2024

Expiry Date: 14.02.2025

Case Officer: Negin Sadeghi

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 31st January 2025