

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

TO: COLNE & DISTRICT COMMITTEE

DATE: 08TH MAY 2025

Report Author: Neil Watson
Tel. No: 01282 661706
E-mail: neil.watson@pendle.gov.uk

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE & DISTRICT COMMITTEE ON 08TH OF MAY 2025

Application Ref: 25/0009/ADV

Proposal: Advertisement Consent: Display of 2 no. non-illuminated fascia signs and 4 no. sticker vinyl and 1 no. fascia vinyl to side elevation.

At 1 Arcadia, Market Street, Colne

On behalf of: Mr Reece Farrar

Date Registered: 12.02.2025

Expiry Date: 09.04.2025

Case Officer: Athira Pushpagaran

This application has been called to committee by the Chair.

Site Description and Proposal

The application site is a shop along Market Street in the town centre of Colne, within the defined settlement of Colne. It is also situated within the Albert Road Conservation Area. The main access is from market street. It is one of the two shops that flanks the entrance to the Colne Arcade.

The proposed development is the display of non-illuminated signs to the existing shop front. This would include a 2.5m x 0.91m fascia sign to the front elevation, 3 no. s of 1.1mx0.55m vinyls applied to the insert of the windows to the side, and three LCD screens displayed internally at the windows.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

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 documents 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 the following, or similarly worded, condition being applied to any formal planning approval granted.

Condition

Any digital advertisement shall be designed so that:

- For screens under 10m² between sunset and sunrise the intensity of the illumination of the display screen shall not exceed 600cd/m² and between sunrise and sunset the intensity of the illumination of the display screen shall not exceed 5000 cd/m²;

- The display screen shall be fitted with a light intensity monitoring sensor to ensure the illumination intensity is dimmable to take account of ambient light conditions and to comply with the maximum recommended lighting intensity. The advertisement will go to a blank (dark) screen in the event of a malfunction;
- The advertisement provides static images only for the lifetime of the development. The display screen shall not display any moving or apparently moving images, strobe or flashing light effects;
- The proposed change in image method for the advertisement uses a fade/dissolve process and shall not give the appearance of movement for the lifetime of the development. Any sequential change between advertisements will take place over a period no greater than one second;
- The advertisements displayed shall not change more frequently than once every 10 seconds. No interactive messages or messaging sequences are to be displayed. There shall be no fine grain material such as email address or telephone numbers.
- The illuminance levels shall be checked once every six months and adjusted if necessary to ensure that the lighting intensity remains within the permitted levels as prescribed above;
- The advertisement does not contain any images which may be interpreted as road signs or emit sound, smoke or odours.

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

Parish/Town Council

Town Councillors feel these designs are not appropriate for the Albert Road Conservation Area. They feel that these designs do not respect the structure of the façade of the Market Arcade. All town councillors disliked the vinyl on the stallriser. They also felt that the depth of the over window advertisement on the front façade would unbalance the double fronted façade of the Market Arcade, as it is of double depth, taking up its section of the entablature that currently runs across the building's full width. Town councillors believe that the shop signage should be confined to the top window sections of the shop, both at the front and down the sides.

PBC Environmental health

No response

Public Response

The nearest neighbours have been notified by letter, a site & press notice have been displayed, 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.

Colne Neighbourhood Plan, in particular Policy Policy CNDP2 that relates to shopfronts and CNDP3 that lays down the Design Code to support quality of design and materials.

Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Colne. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are design and impact on the Conservation Area, amenity, and highway safety as detailed below:

Design and Impact on Conservation Area

The initial design submitted included vinyl stickers to the stall risers. These were subsequently removed from the proposal and currently the proposal include a 2.5m x 0.91m fascia sign to the front elevation, 3 no. s of 1.1mx0.55m vinyls applied to the insert of the windows to the side, and three LCD screens displayed internally at the windows.

The site is located within the Albert Road conservation Area. The conservation Area Design and Development Guidance SPD states that signs should relate well to the building on which they are displayed and to the surrounding area.

The site is located in the Colne Neighbourhood Plan area within the Settlement Focus Area SFA B (redeveloped town centre) identified in the Design Code. The design code states that exterior advertisement and signage need to be proportionate in scale and visually harmonious along the street within the historic and redeveloped high street and town centre.

Policy CNDP3 of the Colne Neighbourhood Development Plan states that wherever practicable, signage should be, painted timber and where projecting signs are used these should be positioned in line with the fascia board and top hung.

The proposed front fascia sign would cover the fascia board and extend over the top light of the shop window. This would align with the extent of the metal grill on which 'ARCADE' is spelled out in metallic letters above the arcade entrance. There is a continuous narrow fascia running across the application site extending over the entrance to the arcade. The shop on the other side of the arcade entrance also has a similar fascia board, separated from it by a console supported by a pilaster.

The two shopfronts on either side of the arcade entrance are not entirely symmetrical. The application site has an angled element to its shop front that connects the frontage and side elevation, while the other shop has a straight frontage separated from the arcade entrance by a pilaster.

The shop immediately adjoining the application site to the east has a fascia board that is more than 1.2m in height which was previously granted consent. Moreover, most shopfronts on the street have fascia signs of similar sizes to the proposed one including shops across the street where fascia signs extend over the top lights of shop windows.

While the proposed fascia sign would extend over the top lights, on balance, it would not result in unacceptable harm to the character of the shopfront or the conservation area. The scale and positioning of the sign would not overpower the existing architectural elements of the building and reflect the proportions of other shopfronts within the immediate streetscape. Given its relationship with the existing shopfront and the wider street scene, the proposal would integrate well with the established pattern of signage in the area. It would complement the overall rhythm of shopfront designs along Market Street, ensuring visual continuity and maintaining the character of the Conservation Area.

Three vinyl stickers are also to be applied to the top lights on the side elevation inside the arcade. These would not be highly visible from the front and would be to the interior of the arcade. These would be acceptable.

The proposal would also include three LCD screens placed internally at the windows. A condition can be added to control the appearance of the display to ensure they would not have any impact on visual amenity.

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 215 of the NPPF.

Amenity

There are no ground floor residential properties in the vicinity of the site and the site would not result in any unacceptable impact on the residential amenity of any first-floor flats on surrounding buildings. A condition can be added to control the advertisements on the LCD screens to ensure they would not have any impact on amenity of highway users and pedestrians.

The proposed development would be acceptable in terms of impact on 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 subject to a condition controlling the digital advertisement being applied to any formal planning approval granted. Such a condition can be added to an 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 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. Notwithstanding the provision of Part 3 (Regulation 14) of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 this consent shall expire five years from the date of this consent.

Reason: Condition imposed by the Regulations.

2. The advertisements hereby permitted shall be displayed in accordance with the following approved plans:

- 01 Location Plan (received on 18.02.25)
- 03B Proposed Elevations (received on 13.03.25)

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

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

Reason: Condition imposed by the Regulations.

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

Reason: Condition imposed by the Regulations.

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

Reason: Condition imposed by the Regulations.

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

Reason: Condition imposed by the Regulations.

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

Reason: Condition imposed by the Regulations.

8. Any digital advertisement shall be designed so that:
- For screens under 10m² between sunset and sunrise the intensity of the illumination of the display screen shall not exceed 600cd/m² and between sunrise and sunset the intensity of the illumination of the display screen shall not exceed 5000 cd/m²;
 - The display screen shall be fitted with a light intensity monitoring sensor to ensure the illumination intensity is dimmable to take account of ambient light conditions and to comply with the maximum recommended lighting intensity. The advertisement will go to a blank (dark) screen in the event of a malfunction;
 - The advertisement provides static images only for the lifetime of the development. The display screen shall not display any moving or apparently moving images, strobe or flashing light effects;
 - The proposed change in image method for the advertisement uses a fade/dissolve process and shall not give the appearance of movement for the lifetime of the development. Any sequential change between advertisements will take place over a period no greater than one second;
 - The advertisements displayed shall not change more frequently than once every 10 seconds. No interactive messages or messaging sequences are to be displayed. There shall be no fine grain material such as email address or telephone numbers.
 - The illuminance levels shall be checked once every six months and adjusted if necessary to ensure that the lighting intensity remains within the permitted levels as prescribed above;
 - The advertisement does not contain any images which may be interpreted as road signs or emit sound, smoke or odours.

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

Application Ref: 25/0009/ADV

Proposal: Advertisement Consent: Display of 2 no. non-illuminated fascia signs and 4 no. sticker vinyl and 1 no. fascia vinyl to side elevation.

At 1 Arcadia, Market Street, Colne

On behalf of: Mr Reece Farrar

REPORT TO COLNE AND DISTRICT COMMITTEE ON 08 MAY 2025

Application Ref: 25/0035/OUT

Proposal: Outline (Major): Erection of 18 no. dwellings (Access only).

At: Land To The West Of Sheridan Road, Sheridan Road, Colne

On behalf of: Richard Roberts (SPV 1) Ltd

Date Registered: 21/01/2025

Expiry Date: 09/04/2025

Case Officer: Alex Cameron

This application was deferred from the previous meeting for a site visit.

Site Description and Proposal

The application site is a field located adjacent to the settlement boundary of Laneshawbridge between Sheridan Road and Alma Avenue. There are residential properties to the south, east and west and open land to the north, there is an existing access to the site to the west off Alma Avenue and a public right of way running up the western side of the land.

This is an outline application for access only for the erection of 18 dwellings.

Relevant Planning History

None

Consultee Response

LCC Highways – No objection in principle subject to mitigating measures being secured regarding the proposed development and therefore concludes that there are no highway grounds to support an objection as set out by the NPPF.

The access as proposed from Sheridan Road would provide a new turning head which would allow vehicles accessing existing dwellings on Sheridan Road to turn and exit in forward gear which would be an improvement on the existing arrangement.

Off-site highway measures can be taken to mitigate the increase in traffic on this section of Sheridan Road. This would include the widening of the carriageway to 5.5m from its junction with Vernon Road to the site access, the removal of two highway trees, with replacement planting being provided within the site, the removal of the grass verge and marginal widening of the footway along the southern side. The footway would need to be reconstructed to the highway authority's specification, including dropped tactile paved pedestrian crossings at the top of Vernon Road to aid pedestrian movements. A street lighting assessment would be required on Sheridan Road and at the junction of Vernon Road/Keighley Road.

If planning approval is granted the highway authority would seek improvements to the two bus stops on Keighley Road closest to the Vernon Road junction.

Request that all construction traffic use Alma Road and not Sheridan Road and would seek to have this controlled by condition if planning approval is granted. Alternatively, the off-site carriageway widening works on Sheridan Road can be completed prior to commencement to ensure that access for construction vehicles is provided.

Off-site highway works drawings have been submitted, whilst these are broadly acceptable the highway authority would require a detailed design, including a road safety audit to ensure that the proposed improvements are acceptable in road safety terms. Conditions are requested for this.

Request conditions for construction management plan, construction traffic access, off-site highway works, estate road management and maintenance, road engineering details, parking, cycle storage.

LCC Schools Planning – An education contribution is not required.

Lead Local Flood Authority – No objection subject to conditions for surface water drainage strategy, construction drainage management, surface water drainage management and maintenance, validation of surface water drainage.

United Utilities – No objection in principle to the drainage strategy, some changes are required to the detailed drainage design at the reserved matters / conditions discharge stage, recommend conditions for the detailed drainage scheme and management and maintenance.

PBC Environmental Health – Please attach a construction method statement condition and contamination note.

Lancashire Fire and Rescue – Comments related to Building Regulations.

Laneshaw Bridge Parish Council - The area surrounding Sheridan Road is already under pressure in terms of local services, including school places, healthcare facilities, and road capacity. Policy SDP6 requires that adequate infrastructure is in place to support new developments. The application fails to demonstrate how these additional demands will be met.

The proposed access arrangements raise significant concerns about traffic congestion and pedestrian safety. Policy ENV4 highlights the importance of safe, accessible, and well-connected developments. The additional vehicle movements generated by the development could exacerbate existing congestion issues on Sheridan Road and impact road safety for residents and pedestrians. Parking along Sheridan Road is already exceeding the capacity of the street. There is no potential for increasing parking. In the recent poor weather, a Lancashire County Council Gritting vehicle was stuck for a number of hours due to the constrained space for vehicular movements along Sheridan Road.

For these reasons the Parish Council does not support the application and recommendations the application is refused.

Public Response

Press and site notices posted and neighbours notified – Responses received objecting on the following grounds:

- Sheridan Road / Vernon Road is unsuitable for access
- Alma Road is unsuitable for construction traffic access

- The development would lead to parking, access and highway and pedestrian safety issues
- The developemnt would lead to access issues for emergency and waste collection vehicles
- Pedestrian safety risk for elderly residents and children
- Deterioration of the road surfaces
- Impact on the formal and informal public right of way
- Impact of protected trees
- Drainage and flood risk
- Impact on infrastructure and services
- Impact on wildlife
- Loss of recreational value
- Loss of privacy
- Brownfield sites should be developed instead

Officer Comments

This application is outline for access only and therefore only the access and principle of the development are considered at this stage.

Policy

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

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

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network, particularly in terms of safety. Where residual cumulative impacts cannot be mitigated, permission should be refused. Proposals should follow the settlement hierarchy approach in Policy SDP2 and minimise the need to travel by ensuring that they are developed in appropriate locations close to existing or proposed services.

Policy ENV5 (Pollution and Unstable Land) seeks to minimise air, water, noise, odour and light pollution.

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

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

Policy LIV1 (Housing Provision and Delivery) states that until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land will be supported.

Policy LIV4 (Affordable Housing) required that developments of 5 or more dwellings provide 20% affordable housing.

Replacement Pendle Local Plan

Policy 31 (Parking) which is a saved Policy within the Replacement Pendle Local Plan requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

National Planning Policy Framework

Following changes to the method for calculating housing supply introduced by the revised National Planning Policy Framework published in December 2024 the Council has sufficient housing supply for 2.8 years. As this is below the 5 year supply requirement the Council is in a position of undersupply and the Council's housing policies are out of date. Paragraph 11 of the Framework requires that in this circumstance that applications for housing development are approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, this is referred to as the 'tilted balance'.

Principle of the Development

The proposed dwelling is located in a sustainable location with nearby access to services facilities and public transport and therefore is acceptable in principle in accordance with policy LIV1.

Affordable Housing

Policy LIV4 requires the provision of 20% affordable housing in Rural Pendle, this would be rounded down to three affordable dwellings for this development, three on-site affordable dwellings are proposed in accordance with this requirement.

Visual Amenity

This is an outline application for access only, in principle the development of this site for housing would appear as a natural infill between Alma Road and Sheridan Road, whilst it would develop an area of green field where there currently is no development, which would by definition result in some minor visual harm to the immediate setting, the development would appear as a natural part of the existing settlement and would not appear incongruous or result in harm to the wider landscape.

Heritage Impact

The proposed development may partially be visible from within Trawden Forest Conservation Area across the valley, however, as detailed above it would be seen in the context of the existing settlement and would not adversely affect the setting of the Conservation Area, the site is also sufficiently physically separated and screened from the Listed Almshouses, gate and Lidgett and Bents Conservation Area to the west to ensure that it would not affect the setting of those heritage assets.

Residential Amenity

In principle there is sufficient separation from adjacent dwellings to ensure adequate levels of privacy and that there would be no unacceptable overbearing of other residential amenity impacts from the development subject to a condition for construction management.

Highways and Access

The development is proposed to be accessed from Sheridan Road, numerous concerns have been raised regarding the use of that access due to the width of that access and existing issues with car parking.

However, the west end of Sheridan Road is currently a dead end with no provision for turning of vehicles. There are currently likely to be regular instances of vehicles needing to reverse back to Vernon Road to exit.

The proposed development would add a turning head to the west end of Sheridan Road, which would be of benefit to highway safety by addressing that issue.

It could be ensured at the reserved matters stage that the site has an adequate level of car parking to ensure that it does not result in additional on-street car parking.

Whilst the development would result in some additional traffic using Sheridan Road the impact could be offset by off-site highway works to widen the carriageway and footway by removing the grass verge on the southern side of the road from Vernon Road to the site access.

LCC Highways have advised that unless the widening works to Sheridan Road are carried out before the commencement of construction, construction traffic should use the Alma Road access. This can be controlled by condition.

The use of Alma Road as the sole access to the development has been discussed with the applicant and LCC Highways but it is considered that it would require significant engineering works to provide acceptable gradients and would impact upon the proposed drainage of the site and, as detailed above, the Sheridan Road access is acceptable and would be of overall benefit to highway safety and capacity of Sheridan Road.

It could be ensured at the reserved matters stage that pedestrian access through the site is maintained.

The development is acceptable in acceptable with policy ENV4.

Drainage

It has been acceptably demonstrated that the site can be adequately drained in a way that would not result in an increase in off-site flooding or unacceptable risk of on-site flooding in accordance with policy ENV7.

Trees

There is a group of protected trees adjacent to the west of the site including a good quality Sycamore Tree adjacent to the south western corner of the site, there are other unprotected trees of various size, species within adjacent gardens adjacent to the site.

Within the site there are four small low quality Goat Willow trees (category C and U) in the south west corner adjacent to the Alma Road access.

It could be ensured at the reserved matters stage that the layout of the developemnt does not unacceptably impact on the surrounding trees.

The off-site highway works would involve the removal of two highway trees on Sheridan Road, there is no objection to the loss of the trees subject to acceptable replacement at a ratio of 2 for 1 within the site.

If construction traffic access is taken from Alma Road this would be likely to require removal of a category C Goat Willow, which is acceptable subject to replacement in the landscaping scheme.

The root protection area of a protected category A Sycamore to the north west of the access partially extends across the Alma Road access, however, the crown of the tree is physically separated enough from the access to ensure that it would not be likely to be directly impacted by construction traffic and a condition for suitable surfacing to spread the load to protect the roots would ensure that the tree is not harmed by construction traffic.

The proposed developemnt would therefore be acceptable in terms of its impact on trees.

Ecology

An ecology survey has been submitted with the application.

The land is identified ad modified grassland of low distinctiveness.

No ground nesting birds were observed, the trees and dry stone walls could however be used by nesting birds.

No bat habitats have been identified however it is likely the boundaries of the site and adjacent gardens are used for commuting and foraging.

Three ponds within 270m of the site were identified as being potentially suitable for Great Crested Newts. Two have been investigated and no evidence of Great Crested Newts found, access to investigate the third, a small pond in a private garden 270m away from the site was refused. Taking into account the distance from the site and that Great Crested Newts have not been identified anywhere within Pendle previously, it is highly unlikely that they would be present and that this developemnt would result in harm to Great Crested Newts.

No evidence of badgers was found. There is potential for hedgehogs and brown hares to occur within the site.

With a condition to ensure suitable mitigation and enhancement measures as recommended by the report the proposed developemnt would not result in an unacceptable impact upon protected species.

Biodiversity Net Gain (BNG)

An assessment of the impact on biodiversity has established that the development would result in a 53% loss in habitat on-site. It is not feasible for a 10% uplift to be delivered on-site and therefore off-site habitat provision will be necessary. This can be ensured by the standard BNG condition and a condition for a Section 106 agreement for monitoring.

Planning Balance

The Council is in a position of housing undersupply and therefore the tilted balance applies to the consideration of this application, the benefits of the development and level of undersupply must be balanced against the adverse impacts of the development and the application approved unless the adverse impacts significantly and demonstrably outweigh the benefits.

The development would provide economic and social benefits from contribution to the economy from the construction of housing, the provision of new housing and would contribute towards addressing the 2.2 year deficit in the borough's 5 year housing supply, it would also provide an affordable dwelling. Taking into account the scale of the development at 18 dwellings, those benefits would be modest. The development would not result in any unacceptable impacts, therefore the tilted balance weighs significantly in favour of the development. The proposed development is therefore acceptable.

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 access is acceptable and the development is acceptable in principle. 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. An application for approval of the reserved matters (namely the appearance, layout, scale and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, layout, scale and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 0500

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

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 15.03 l/s;
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

5. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority. The detailed surface water sustainable drainage strategy shall be based upon the indicative surface water sustainable drainage strategy (November 2024 / 22455-DS-003

Revision 2 / Andrew Moseley Associates) submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep
 Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates and groundwater levels in accordance with BRE 365.

d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

6. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority. The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance. The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase.

7. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements. Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained.

8. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent

person, has been submitted to and approved in writing by the Local Planning Authority. The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems.

9. The development shall not commence unless and until a Construction Method Statement has been submitted to and approved in writing by the Local planning Authority. The Method statement must cover the topics detailed below:

- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from clearance and construction works
- Details of working hours
- Timing of deliveries
- Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
- Construction site noise and vibration
- Control of burning onsite

The development shall be carried out only in strict accordance with the approved Construction Method Statement.

Reason: In the interest of residential amenity and highway safety.

10. Prior to the commencement of the development a scheme for the construction traffic access shall have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include, but not exclusively:

Should access be taken from Sheridan Road - off-site carriageway widening works on Sheridan Road.

Should construction traffic access be taken from Alma Road - measures to protect the adjacent trees to be retained.

The scheme, including any off-site highway works, shall have been completed in accordance with the approved details prior to the commencement of any other development on site and maintained for the full period of construction. There shall be no construction traffic access to or from the site other than from the approved access.

Reason: In the interest of highway safety and to ensure that trees are not harmed by construction traffic.

11. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation has been submitted to, and approved in writing by, the Local Planning Authority. The works shall be completed prior to first occupation of any dwelling. Works shall include, but not be exclusive to:

- The construction to an appropriate standard of a temporary site access from Alma Road and its re-instatement following the completion of the development;
- The construction of the permanent site access from Sheridan Road to an appropriate standard including 5.5m wide carriageway and 2m wide footways;
- The construction of off-site highway mitigation measures including:
 - o widening of the Sheridan Road (between Vernon Road and the site access/western extremity) spur carriageway to 5.5m;
 - o removal of the grass verge and two highway trees along the southern side of Sheridan Road from its junction with Vernon Road to the site access with replacement planting internal to the site (ratio 2 replacement trees for each 1 lost);
 - o widening of the footway along the southern side of Sheridan Road from its junction with Vernon Road to site access;
 - o provision of buff coloured, tactile paved dropped pedestrian crossings on Vernon Road;
 - o a street lighting assessment on Sheridan Road and Vernon Road at its junction with Keighley Road;
 - o raised bus border kerbs at two bus stops on Keighley Road nearest to Vernon Road junction;
 - o the construction of a central carriageway pedestrian refuge in Keighley Road.

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.

12. Within 3 months of commencement details of the proposed arrangements for future management and maintenance of the estate road within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into with the Highway Authority or a private management and maintenance company has been established.

Reason: To ensure that the infrastructure is maintained in the future

13. Within 3 months of commencement full engineering, drainage, street lighting and constructional details to adoptable standards (Lancashire County Council's specification) of the internal estate roads have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the infrastructure is constructed to a suitable standard.

14. The internal estate roads shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the infrastructure is completed in a timely manner.

15. Prior to the occupation of each dwelling the driveways and parking areas shall be constructed in a bound porous material and made available for use and maintained for that purpose for as long as the development is occupied.

Reason: To ensure adequate parking provision is provided.

16. Prior to first occupation each dwelling shall have a secure cycle store for at a ratio of one cycle space per bedroom.

Reason: To support sustainable travel.

17. The development shall be carried out in strict accordance with the mitigation recommendations of the submitted Preliminary Ecological Appraisal. Prior to the occupation of the first dwelling an ecological mitigation scheme, including a timetable for implementation, shall have been submitted to and approved in writing by the Local Planning Authority, the scheme shall thereafter be implemented in accordance with the approved timetable and maintained thereafter.

Reason: To ensure that the development preserves and enhances the ecology of the site.

18. Unless otherwise approved in writing by the Local Planning Authority no ground clearance, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 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 service runs, the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

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

Reason: To ensure that the trees are suitably protected throughout the construction process.

19. Three of the dwellings hereby approved shall be affordable housing. The affordable housing to be provided shall meet the definition of affordable housing in Annex 2 of The National Planning Policy Framework or any future guidance that replaces it. No dwelling hereby approved shall be occupied unless and until an affordable housing scheme has been submitted to and approved in writing by the Local Planning Authority. The affordable housing scheme shall include:

- i) the type, tenure and location on the site of the affordable housing provision to be made;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: in order for the development to contribute to the supply of affordable housing in accordance with the identified need.

20. No part of the development shall commence unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The obligation shall provide for 10% Biodiversity Net Gain and monitoring for a 30 year period.

Reason: To ensure the provision of 10% biodiversity net gain for a 30 year period.

Biodiversity Net Gain Condition:

1. The development may not be begun unless—

- (i) a biodiversity gain plan has been submitted to the planning authority and
- (ii) the planning authority has approved the plan

Phase plan

(b) the first and each subsequent phase of development may not be begun unless—

- (i) a biodiversity gain plan for that phase has been submitted to the planning authority and
- (ii) the planning authority has approved that plan

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

Notes:

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

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of a temporary access from Alma Road to an appropriate standard, construction of the permanent site access from Sheridan Road and off-site highway mitigation works. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number. 2.

The setting of Public Footpath FP1304109 Colne may be affected by the proposed development. The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of the development. The grant of planning permission does not entitle a developer to obstruct a right of

way. Any proposals for the temporary diversion or closure of the above footpath should be made to Lancashire County Council's Public Rights of Way team before any development works begin. They can be contacted by email at PROW@lancashire.gov.uk – the location, district and planning application number should be included in any correspondence.

Application Ref: 25/0035/OUT

Proposal: Outline (Major): Erection of 18 no. dwellings (Access only).

At: Land To The West Of Sheridan Road, Sheridan Road, Colne

On behalf of: Richard Roberts (SPV 1) Ltd

REPORT TO COLNE AND DISTRICT COMMITTEE ON 08 MAY 2025

Application Ref: 25/0079/VAR

Proposal: Variation of Condition: Vary Condition 1 (Plans) of 23/0724/REM (Appeal Ref: APP/E2340/W/24/3337361).

At: Windacre Farm, Skipton Old Road, Colne

On behalf of: Mr I Smith

Date Registered: 05/02/2025

Expiry Date: 08/04/2025

Case Officer: Alex Cameron

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

Site Description and Proposal

The application site a mobile home sited within the open countryside adjacent to Windacre Farm. Planning permission has been granted for a detached two storey four bedroom dwelling with attached garage on the site.

This application is for the variation of condition 1 (plan numbers) to substitute the approved plans for amended plans.

The proposed amendment is for first floor extension over the attached garage and porch alterations to replace the garage door with a window and internal layout changes including changing the garage to a living room.

Relevant Planning History

21/0679/CEU - Certificate of Lawfulness (S. 191 existing use) Siting and residential use of the land for the occupation of a mobile home. Approved

22/0664/OUT - Erection of a dwellinghouse on site of existing static caravan (all matters reserved). Approved

23/0724/REM - Reserved Matters: Erection of a dwellinghouse on site of existing static caravan (access, appearance, landscaping layout and scale) of Outline Planning Permission 22/0664/OUT. Appeal allowed

Consultee Response

LCC Highways – The amended planning scheme submitted would not increase the number of previously approved bedrooms, remaining at four. A first floor extension would be constructed over the previously approved attached garage. The garage would be converted into a habitable room. As the highway authority previously considered that the internal size of the garage was sub-standard and therefore did not form part of the on-site parking provision, its conversion to a habitable room would not lead to the loss of any parking. Three parking spaces can still be accommodated within the curtilage and the layout should allow vehicles to enter and leave in forward gear. However the parking and manoeuvring area should be controlled by condition, as stated in the appeal decision, to protect its provision. Due to the loss of the garage an electric

vehicle charging point should be provided so that the development supports sustainable forms of transport. This shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential Buildings, which states that charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicles.

Laneshaw Bridge Parish Council – No response.

Public Response

Nearest neighbour notified - No response.

Officer Comments

Design

The design of the proposed amended dwelling is acceptable.

Concerns over the scale of the building in relation to the existing mobile home and its impact upon the character and visual amenity of the area resulted in the reserved matters application being refused, this application would increase the scale of the proposed dwelling by adding first floor extensions to the front and side.

However, the appeal was allowed by the Inspector finding that the dwelling would be in keeping with the surrounding built form, rather than specifically considering it against the size of the mobile home it was proposed to replace, and therefore would not result in unacceptable harm.

Whilst the proposed amendments would increase the scale of the proposed dwelling from that approved by extending at first floor over the garage and porch, it would remain in keeping with the scale of other dwellings in the immediate vicinity. The proposed amendments would not result in unacceptable harm to the character and visual amenity of the area.

Amenity

The proposed dwelling is a sufficient distance from other dwellings to ensure that the proposed amendments would not result in any unacceptable loss of privacy, light or overbearing impacts.

Highways

The proposed managements would not increase the sites parking requirements and although the attached garage would be removed there would be sufficient external parking space within the site.

Furthermore, there are not conditions restricting the use of the garage and therefore such a change could be made without the requirement for permission following the erection of the dwelling in any case. As such it would not be reasonable to attach a condition for electric vehicle charging as requested by LCC Highways.

The proposed variation is acceptable in terms of parking and highway safety.

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 variation is acceptable in all relevant regards. 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 development hereby permitted shall be carried out in accordance with the following approved plans : Location Plan Drawing No. IS.261023.13, Site Plans and Sections Drawing No. IS-11-10-23-A3 and Building Details Drawing No. IS-11-10-23-B2.

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

2. Above ground works involved in the construction of the external walls of the development shall not commence unless and until samples of the external materials of the roof and walls have been submitted to an approved in writing by the local planning authority. The development shall thereafter be carried out in strict accordance with the approved samples.

Reason: In the interest of visual amenity.

3. Prior to first occupation of the approved dwelling the car parking and manoeuvring areas shall be constructed , laid out and surfaced in bound materials in accordance with the approved plans. The parking areas shall thereafter always remain free from obstruction and available for parking and manoeuvring purposes.

Reason: In the interest of highway safety.

Application Ref: 25/0079/VAR

Proposal: Variation of Condition: Vary Condition 1 (Plans) of 23/0724/REM (Appeal Ref: APP/E2340/W/24/3337361).

At: Windacre Farm, Skipton Old Road, Colne

On behalf of: Mr I Smith

REPORT TO COLNE & DISTRICT COMMITTEE ON 08TH OF MAY 2025

Application Ref: 25/0093/FUL

Proposal: Full: Erection of a replacement garage.

At New Nichol House Farm, Colne Road, Trawden, Lancashire

On behalf of: Mr. Shaun Bullock

Date Registered: 12.02.2025

Expiry Date: 08.04.2025

Case Officer: Negin Sadeghi

This application has been called in to committee by the Chairperson.

Site Description and Proposal

The site is situated within the Trawden Forest Conservation Area, near several listed buildings. It comprises a two-storey detached house with a dark pitched roof, natural stone walls, and white UPVC doors and windows. The property is located at the end of Colne Road, on relatively level ground, although there are significant drops beyond the eastern and southern boundaries that lead to a woodland area.

To the northeast of the house is a tarmac-paved bay, which serves as parking and open storage. This area is separated from lower-lying land by a 1m boundary wall. The site contains a timber garage, a small store, and a green metal shipping container used as a shed.

The proposal is for the demolition of the existing timber garage and the erection of a larger, single-storey replacement garage, which would be used primarily as a storage facility. The new building will be oriented southwest, facing towards adjacent heritage assets.

Relevant Planning History

13/01/0650P; DC: APPCON: Certificate of lawfulness to erect conservatory to rear

13/02/0107P; DC: APPCON: Erect attached domestic garage, storage area and utility

13/02/0631P; DC: APPCON: First floor extension over existing single storey (lounge) extension

13/13/0148P; DC: APPCON: Full: Conversion of garage and outbuilding to separate dwelling house and erection of single storey extension to North.

PLE/82/0001; EN: CLOSED: Enforcement Enquiry

Consultee Response

Highways:

Having reviewed the submitted documents, Lancashire County Council, acting as the local

highway authority, does not raise any objections regarding the proposed development.

Parish/Town Council:

The Parish Council seeks clarification regarding the need for the garage to be significantly larger than the existing one. They note that its appearance is more akin to an industrial building rather than a domestic structure, as shown in the submitted plans. The Council would also like to see an analysis from Growth Lancashire, given the close proximity to listed buildings.

United Utilities: No response received.

Environmental Health: No response received.

PBC Engineering: No response received.

PBC Public Rights of Way: No response received.

Growth Lancashire:

The proposal site is to the rear of Nichol House Farm, Colne Road. It is on a small triangular portion of land covered in hardstanding and containing several modern storage units, which are mostly of timber construction (painted green) with an additional metal container unit. It lies to the east of a bend in an un-named access road that passes through the Nichol House farmstead complex before turning north to join Goose Green Lane.

Designations

The proposal site is located within the north-west section of Trawden Forest Conservation Area which covers a large part of the local landscape. It is also located within close proximity to several Grade II listed buildings, most notably Nichol House Farmhouse, Cottage (Number 28) And Barn: <https://historicengland.org.uk/listing/the-list/list-entry/1361764> Dent Cottage Yeoman Hey, Dent Cottage <https://historicengland.org.uk/listing/the-list/list-entry/1073322> Hill Top, 5 and 6, Colne Road <https://historicengland.org.uk/listing/the-list/list-entry/1073324> Dent Howe Farmhouse <https://historicengland.org.uk/listing/the-list/list-entry/1073323>

Legislation

The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPAs should, in coming to decisions, consider the principal Act, which states the following: Listed buildings- Section 66 (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Conservation areas – Section 72(1) In undertaking its role as a planning authority the Council, in respect to any buildings or land in conservation areas, should pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In relation to conservation areas decision makers should consider the impacts on the character and appearance of a conservation area separately, and development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

Planning Guidance and Policy

NPPF P210 of the NPPF states in determining planning applications LPAs should take account of a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and c. The desirability of new development making a positive contribution to local character and

distinctiveness. P212 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance. Local Plan Core Strategy 2011-2030 Policy ENV 1 Protecting and Enhancing Our Natural and Historic Environments Guidance Trawden Forest Conservation Area Document, dated 2005. Trawden Forest Neighbourhood Plan (2018-2030) – Policy 6 – Heritage Assets

Assessment

The proposal

The proposal seeks consent to demolish the current timber garage building to the rear (east end of the site) and construct a slightly larger metal clad garage which will be mainly used as an equipment store. The plan and elevation drawings provided with the proposal show that the new garage will exceed the existing garage's footprint (being 1m wider and longer), and will be single storey, painted green. The Heritage Statement notes that the existing garage is in a poor condition and is approximately 20 years old. I have reviewed the submission documents, which include the existing and proposed plans and elevations and a Heritage Statement. The key heritage issues for the LPA to consider are:

1. Whether the proposal preserves the special interest of the nearby listed buildings through development in their setting.
2. Whether the proposal preserves or enhances the character or appearance of the Trawden Forest Conservation Area.

Impact to the Setting of the Listed Buildings and the Character and Appearance of the Conservation Area The issue from a heritage viewpoint is whether the proposal would harm the contribution made by the setting to the significance of the nearby Grade II listed buildings, which are of high significance and the character or appearance of the Trawden Forest Conservation Area. The Trawden Forest Conservation Area was designated in 2006. The character and appearance of the Conservation Area is defined by the special interest relating to the medieval, post medieval and modern periods that are all strongly expressed in its landscape; and the number and quality of historic remains and buildings that gives the Forest area its special historic interest.

These evidence Trawden Forests links to agriculture, handloom weaving and the later development of textile mills during the 19th Century. Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surrounding's in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Whilst setting is often expressed by reference to visual considerations, it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated. On viewing the proposal site, it is clear that the proposal site is visually connected to Nichol House Farmhouse, whereas the visual connection to the other nearby listed buildings is limited or has no visual connection.

The proposal site contains a mix of outbuildings and along with the hard standing, in my view makes a neutral/no contribution to the setting of the nearby listed buildings and to the character and appearance of the conservation area. The proposal includes the demolition of the existing garage, to which I do not object as it provides no intrinsic value to the contribution made by the setting to the significance of the nearby listed buildings, or the conservation area as a modern structure and as such, I do not object to its removal. In respect of the replacement building, the Heritage Statement argues that "the increase in the size of the building is minor and the use of juniper green metal cladding, which will provide the building with a modern agricultural aesthetic, seems to be appropriate against a verdant backdrop." and that there is "screening provided by the

woodland". Although the new garage will be of larger proportions than the current structure, in my view the increase in size is marginal and I consider this will have little to no impact on the surrounding setting. However, in regard to the material finish, which is to be juniper green metal cladding, whilst the green colour will mean it blends into the background and with the accompanying storage buildings, I do think that the metal finish will provide a more modern and slightly industrial appearance; a contrast to the traditional materials of the historic farmstead, the nearby buildings and those within the conservation area. That said, owing to the scale and location of the proposed building, as well as the encompassing storage buildings and containers, although I think a replacement timber building would be a preferred option I think any harm to the heritage assets will be very limited/negligible.

Conclusion / recommendation

As I am required to do so, I have given S66(1) and S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 considerable weight in my comments. Overall, whilst a replacement timber building would be a preferred option, I consider that the proposal meets the statutory test to 'preserve' as any harm to the significance of the listed building and to the character and appearance of the Trawden Forest Conservation Area will be very limited/negligible. Therefore, no balancing exercise is required as per NPPF P.215. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

Public Response

The nearest neighbours have been notified, and site and press notices have been displayed. One response has been received in support of the application.

The respondent fully supports the application, noting that the new garage will enhance the appearance of the area, improve security, and have no adverse impact on neighbouring properties.

Relevant Planning Policy

Pendle Local Plan:

- Policy SDP1: Supports sustainable development.
- Policy ENV1: Ensures that new developments preserve or enhance the character and appearance of the area.
- Policy ENV2: Requires high standards of design and harmony with the surroundings.
-

National Planning Policy Framework:

- Design Principles SPD: Applies to extensions and sets out the requirements for good design.

Trawden Forest Neighbourhood Plan:

- Policy 1: Supports development within the settlement boundary.
- Policy 6: Development should enhance the setting of heritage assets.
- Policy 7: Identifies the importance of open space around the site, which is part of the settlement's special character.

Officer Comments

The application site forms part of a small commercial yard lying just outside of the settlement of Trawden. The proposal is to replace an existing wooden building with a larger metal clad building.

The site lies within a conservation area. It also faces a listed building immediately on the west side of the site. The impact on the heritage assets is an essential part of the consideration of the application including reference to Section 66 of the Listed Buildings Cat 1990 which gives statutory force to assessing impacts in the setting of listed buildings.

Landscape Impact

The existing building is set above a retaining wall beyond which there are trees and shrubs. The proposed unit is marginally larger than the existing unit. It would not have a discernably greater impact on the landscape than the existing building and the landscape impact would be acceptable.

Design and Heritage Impact

This area of Trawden, known as 'Hill Top,' is elevated and features a sharp drop to the east. The site is near converted agricultural buildings and residential dwellings, with woodland providing a seasonal backdrop.

The existing garage is approximately 20 years old and in poor condition. The proposed replacement is marginally larger (+1m width, +1m depth, +0.5m height) and would use durable juniper green steel sheets instead of timber. Its design aligns with agricultural aesthetics and blends into the landscape.

The comments included above from Growth Lancashire provide a comprehensive analysis of the existing situation, the impacts on the designated assets and the harm that the proposal would cause to the designated assets.

The assessment details the existing form of development and how that interacts with the designated assets and then deals with the impacts the proposed schemes will have. That mainly revolves around the slight increase in scale but more fundamentally the use of modern materials.

The conclusions reached are that there would be benefits from using wood as the cladding but that the location and context of the building to the rear of the commercial yard with what is surrounding means that the impacts on the designated assets is minimal. That conclusion and reasoning is sound.

The scheme as proposed would not harm the setting of either heritage asset.

Amenity Impact

There are no privacy or overbearing concerns, and the development would not affect neighbouring properties.

Highways

The proposal does not alter existing access arrangements and does not raise any issues of increased use of the site.

Other Issues

Comments have been made as to whether there is a need for the larger structure. That is not a material issue in this case which is to replace an existing industrial building with a building comparable in scale.

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 development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: Required 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: 001 A and - 002.

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

3. The external materials of the proposed garage shall be juniper green steel sheeting, as specified in the application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is in keeping with the character of the conservation area and the setting of nearby listed buildings.

Application Ref: 25/0093/FUL

Proposal: Full: Erection of a replacement garage.

At New Nichol House Farm, Colne Road, Trawden, Lancashire

On behalf of: Mr. Shaun Bullock

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 31st March 2025