

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

TO: COLNE & DISTRICT COMMITTEE

DATE: 7TH AUGUST 2025

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE 07 AUGUST 2025

Application Ref: 25/0062/OUT

Proposal: Full: Residential development of 4 no. dwellings with associated landscaping, parking and the demolition of 2 no. existing garages.

At: Land To The North Of 47, Townley Street, Colne

On behalf of: Mr Smith Benson

Date Registered: 03/06/2025

Expiry Date: 11/08/2025

Case Officer: Alex Cameron

This application has been brought before Committee due to the number of responses in objection.

Site Description and Proposal

The application site is a parcel of vacant, sloping land with two garages to the north end of the site. The site is surrounded by terraced housing of varying period.

The proposed development is the demolition of the garages and erection of a terrace of four two storey houses. The proposed houses would be finished in natural stone with natural slate roofs, uPVC windows and composite doors.

Relevant Planning History

None

Consultee Response

LCC Highways – The site is located on an area of land between Townley Street and the rear of properties on Dickinson Street. There is an overgrown, unnamed track leading along the rear of Dickinson Street between Chatham Street and Temple Street. According to the records held by the highway authority this is not highway maintained at public expense. As the site boundary extends to the centre of this track the applicant should take legal advice to ensure that other properties which back onto the site do not have vehicular access rights.

The applicant should also ensure that statutory utility companies are satisfied that none of their equipment or assets are being built over and that adequate access is maintained.

The borough council's Parking Standards are that two car parking spaces are provided for dwellings with two or three bedrooms which, for this development, would be eight. However, this is a maximum level, and the highway authority considers that the six spaces proposed are an adequate level as the site is located within acceptable walking distances of local amenities and facilities, including public transport, which can reduce the reliance on the use of private vehicles. The council's Parking Standards also state that secure, covered storage for two cycles should be provided for dwellings with two or more bedrooms. No cycle storage details have been submitted, but its provision can be controlled by condition. (Also see later comments under 'Refuse bins'.) There is an existing vehicular access to the two garages off Chatham Street. These garages will be demolished and six off-road car parking spaces constructed. As there are existing manoeuvres taking place to and from the garages no on-street parking provision is likely to be lost.

A properly constructed dropped vehicle crossing across the full width of the parking area accessed from Chatham Street will need to be provided. This will need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to, a dropped vehicle crossing constructed to an appropriate standard, extension of the kerb line across the parking bays to tie into the existing kerb lines, delineation of the extent of the highway network maintained at public expense, tie in details to the existing carriageway and the re-location of a highway gully. In addition, the front boundary along the development site on Townley Street will need to be properly tied into the rear of the footway and any damage caused to the footway must be repaired to the highway authority's specification and at the applicant's/developer's expense.

The track between the existing dwellings on Dickson Street and the development site is unmade which may make it difficult for residents to move their bins to and from the collection point on Chatham Street. Whilst this is a matter of personal choice for future residents an alternative storage point could be on the flagged areas at the front of the properties. Although this would be a longer distance to move bins it would be over sealed, hard surfaces. The location currently proposed for bin storage could be used for cycle storage.

As most of the site is previously undeveloped and within a residential area where there is an existing high demand for on-road parking, a construction method statement, including site plan, would need to be submitted to demonstrate that the development's construction would not have a detrimental impact on highway safety and capacity. This should include, but not be exclusive to, parking for operatives, unloading, loading and storage areas, wheel washing facilities, timing of deliveries etc. Deliveries by HGVs should only be accepted between the hours of 9.00am and 2.30pm, to avoid peak traffic, vehicular and pedestrian, on the surrounding highway network. In addition, there is a large tree in the verge on Townley Street near the junction with Chatham Street which is owned by the highway authority. Appropriate measures must be taken during any demolition and construction works within the site, especially any excavations, to protect the tree and its root system so that its future vitality is not compromised or threatened. Works should be in accordance with BS5837 – 2012.

Recommend conditions for construction management, off-site highway works, parking, cycle storage.

United Utilities – No comments, general advice in relation to building near UU assets and sustainable drainage.

Lancashire Fire and Rescue – Comments relating to Building Regulations.

Colne Town Council – The Town Council is in support of this development.

Public Response

Site notice posted and nearest neighbours notified by letter. Responses received objecting on the following grounds:

- Inadequate on-site car parking and increase in on-street car parking in the vicinity
- The proposed study rooms should be considered as bedrooms
- Highway safety impact
- A public right of way crosses the site
- Lack of cycle storage
- Noise and disruption from construction traffic

- Noise and disturbance from garden areas
- Inadequate separation distances resulting in loss of privacy, light and overbearing impacts
- Impact of boundary planting on light
- Loss of privacy from construction activity
- Loss of outlook
- Impact on property values
- Loss of green space which contributes to health and wellbeing
- Impact on adjacent tree
- Impact on biodiversity and ecology
- The proposed represents unsustainable overdevelopment
- Impact on the character of the area
- Inadequate housing mix
- Easements on the title deeds for this site have not been accounted for
- Construction traffic accessing the site over private land

Officer Comments

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

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

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

Policy ENV2 of the Pendle Local Plan Part 1 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy ENV7 does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere.

Policy ENV4 seeks the promotion of sustainable patterns of travel.

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

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

Policy LIV 1 sets out the minimum level of housing the Borough should achieve over the life of the Plan. It states that until such time as the Council adopts the Pendle Local Plan Part 2 (new Local Plan as it will now be) new housing development will be supported on sustainable sites outside but close to the settlement boundary which make a positive contribution to the five year supply of housing land.

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

Policy LIV 5 states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties. Provision should be made for open space or green infrastructure.

Replacement Pendle Local Plan

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

Colne Neighbourhood Development Plan

Policy CNDP3 (Design in Colne and the Colne Design Code) states that the design of high quality, beautiful and sustainable buildings and places will be supported. Development should be designed to incorporate the Design Code elements for the settlement area (SFA C). As appropriate to their scale, nature and locations developments should use traditional local materials, where appropriate recycled, that make a positive contribution to the character and quality of the area.

Policy CNDP6 (Future Housing Growth) States that new housing development will be supported within the settlement boundary.

Policy CNDP13 (Conserving and Enhancing Landscape Features) States that development should conserve and where practicable enhance the landscape in the area. It identifies significant viewpoints which proposals should respond to.

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

This site is undesignated and in a sustainable location within the settlement of Colne, in the M65 corridor within accessible walking distance of public transport and essential services and facilities. It is a sustainable site which would make a positive contribution to the five year supply of housing land in accordance with policy LIV1 and SDP2. Policy CNDP6 states that new housing

development is supported within settlement boundaries. The housing mix is acceptable taking into account the scale of the development.

Visual Amenity

The design and material of the proposed dwellings is would be sympathetic to their surroundings, reflecting the character of traditional terraced housing in the area.

The site would not adversely impact upon any significant viewpoints identified in the CNDP.

The scale and principle of the development is acceptable in terms of design and visual amenity.

Residential Amenity

There is a ground floor window in the side of the 47 Townley Street. The window serves a kitchen with separate dining area, the dining area is served by a separate window to the rear. Taking this into account the window does not constitute a principal window of a main habitable room and the proposed development would not result in an unacceptable loss of light or overbearing impact upon that dwelling.

Whilst the proposed dwellings would be have windows facing habitable room windows in the rear of Dickinson Street separated by 14m. Whilst this is less than the 21m distance recommended by the Design Principles SPD it is established by previous decisions of the Council and at appeal that lesser distances can be acceptable where they are characteristic of an area. The 14m distance is equal to the existing adjacent properties and other terraced streets in the area have equal or lesser interface distances. Taking this into account the development would not result in unacceptable loss of privacy to those or any other properties.

The proposed gardens would also be similar to the existing relationships in the street and would not result in unacceptable privacy impacts. Boundary fencing would not result in unacceptable loss of light, if hedges were to be planted and allowed to grow to an extent that they do have such impacts that could be controlled under high hedges legislation.

The 14m distance would also be acceptable to ensure that the proposed development would not result in unacceptable loss of light or overbearing impacts upon adjacent dwellings.

Concerns have been raised regarding loss of privacy during construction, this would be temporary and would not be unacceptable.

The proposed development would also provide an acceptable living environment for its residents.

The proposed development is acceptable in terms of residential amenity.

Trees

There is a mature cherry tree within the footway adjacent to the site, and its root protection area and canopy extend into the site. The tree has been assessed as low quality with signs of decay. The tree is within LCC's land and they have raised no objection to the development subject to measures to protect the roots.

Open Space

Due to the constrained nature of the site it is accepted that it would not be possible for open space provision to be made on-site, therefore a contribution to off-site provision will be necessary to meet the requirements of policy LIV5.

Ecology and Biodiversity

An ecological appraisal has been submitted and this acceptably demonstrated that the development would preserve or enhance the limited ecology of the site and not result in unacceptable impacts on protected species.

A biodiversity metric and report have been submitted, it is clear that a 10% uplift in biodiversity could not viably be achieved on-site, off site provision is therefore necessary, a planning obligation is required to secure this and monitoring costs for 30 years.

Highways

The proposed development would provide parking for 6 vehicles. The proposed dwellings have two upper floor rooms labelled as bedrooms and one as a study. LCC Highways have recommended that the studies are below the minimum dimension to be considered as bedrooms for the purposes of the parking standards. This has been disputed by public responses.

The parking standards set out in the Replacement Pendle Local Plan are expressed as maximums rather than minimums in this case the maximum would be 2 spaces per dwelling for two bedrooms or 3 spaces per dwelling for three bedrooms. The proposed provision would be below the maximum in either case.

The surrounding area is largely characterised by terraced housing without off-street car parking and the site is in an accessible location within walking distance of shops and public transport. Taking this into account, whether the proposed dwellings are considered to be two bedroom or three, the proposed development is acceptable in terms of off-street car parking provision and would not result in unacceptable parking or highway safety impacts.

Taking into account the accessibility of the location dedicated cycle storage is not necessary. The proposed bin storage areas to the rear are acceptable, this would be no different to existing bin storage and collection arrangements on Townley Street and Dickenson Street.

Concerns have been raised that a public right of way crosses the site. There is no formal public right of way crossing the site, there may be an informal desire line, if that were to be made a formal public right of way that would be controlled under the Highways Act and there would be scope for a diversion to be applied for using the gap between the development and 47 Townley Street.

The proposed development is acceptable in highway terms in accordance with policy ENV4.

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 4 dwellings, those

benefits would be minor. The development would not result in any unacceptable impacts, therefore the tilted balance weighs clearly in favour of the development and the proposed development is therefore acceptable.

Other matters

Concerns have been raised in relation to easements on the title deeds of the site, this is a civil law issue which is not material to the determination of the planning application.

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 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 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: P01, P02, P03, P04, LT341-TPP

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

3. Above ground works involved in the erection of the external walls of the development shall not commence unless and until samples of the external materials to be used in the construction of the roofs and walls of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved roof and wall materials and other proposed materials specified in the plans and forms.

Reason: in the interest of visual amenity.

4. Unless otherwise agreed in writing by the local planning authority the external window reveals shall be a minimum of 70mm.

Reason: in the interest of visual amenity.

5. Prior to the commencement of the development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in

accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority. All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced.

Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: In order to protect the health of the occupants of the new development and to prevent contamination of the controlled waters.

6. Prior to the commencement of the 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);
- (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) Unless otherwise agreed 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 Systems (March 2015) or any subsequent replacement national standards.

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.

7. Prior to the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

(i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

(ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

8. 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.

9. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

10. The approved development should not be brought into use unless and until the parking areas shown on the approved plans has been constructed, laid out, surfaced in bound porous materials and drained to an internal outfall. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site.

11. The development shall be carried out in strict accordance with the submitted Tree Protection Plan and no building materials, vehicles or machinery shall be stored within the defined root protection area of the tree.

Reason: In order to ensure that the development does not unacceptably impact upon the adjacent tree.

12. 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 the provision or enhancement of off-site open space and for 10% Biodiversity Net Gain and monitoring for a 30 year period.

Reason: To provide for the impact of the development on local secondary school provision and to support the implementation of the Travel Plan.

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:

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, a dropped vehicle crossing constructed to an appropriate standard, extension of the kerb line across the parking bays to tie into the existing kerb lines, delineation of the extent of the highway network maintained at

public expense, tie in details to the existing carriageway on Chatham Street and the re-location of a highway gully. In addition, tie in details of the front boundary to the rear of the footway on Townley Street and the reinstatement of any damage to an appropriate standard. 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.

Application Ref: 25/0062/OUT

Proposal: Full: Residential development of 4 no. dwellings with associated landscaping, parking and the demolition of 2 no. existing garages.

At: Land To The North Of 47, Townley Street, Colne

On behalf of: Mr Smith Benson

REPORT TO COLNE AND DISTRICT COMMITTEE ON 07 AUGUST 2025

Application Ref: 25/0233/FUL

Proposal: Full: Part demolition and part rebuild to former workshop.

At: 8 Cumberland Street, Colne

On behalf of: Mr Adil Rais

Date Registered: 17/04/2025

Expiry Date: 12/06/2025

Case Officer: Alex Cameron

This application was deferred for further clarification.

Site Description and Proposal

The application site is a former industrial building which has been largely demolished / collapsed. The site is surrounded by dwellings and the southern wall of the former building abuts 6 Cumberland Street.

This application is for the demolition of remaining parts of the former building and erection of a new building for light industrial use (Use Class E(g)(iii)).

The proposed building would match the dimensions of the previously existing building, the layout would include a ground floor workshop and a small office above and the building would be finished in a mixture of brick and render with a slate roof.

Relevant Planning History

None.

Consultee Response

LCC Highways – No objection. The highway authority would not expect to see any car servicing, repairs or MOT operations being carried out as these do not fall within Class E.

PBC Environmental Health – Please attach a condition for extraction system details should the building be used for paint spraying.

Colne Town Council - The Town Council has no objection to the demolition and rebuild however would ask that any materials used be in keeping with the surrounding area and compliant with the Design Code for Colne. It would also ask for the applicant to employ noise reduction measures when the work is taking place to avoid unnecessary disturbance to local residents.

Public Response

Site and press notices posted and nearest neighbours notified – Responses received objecting on the following grounds:

- Additional traffic impacts

- Impacts on parking
- Risk to children from nearby school
- Highway safety risk of road camber
- Noise and disturbance
- Odour impacts
- Loss of privacy
- Light pollution
- Waste
- Impact on the stability of the extension of the abutting property
- The proposal should be on an industrial estate not a residential area
- Impact on property values

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) 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) identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

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

Policy SDP2 (Spatial Development Principles) States that proposals to develop outside of a defined settlement boundary 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 SDP4 (Employment Distribution) states that the provision of employment land should follow the settlement hierarchy set out in Policy SDP2.

Policy WRK2 (Employment Land Supply) states that support will be given to new employment development that helps to reinforce Barnoldswick's position as the focus for employment provision in the north of the borough and enhance the functionality of the area's existing specialism in advance manufacturing.

Colne Neighbourhood Development Plan

Policy CNDP3 (Design in Colne and the Colne Design Code) states that the design of high quality, beautiful and sustainable buildings and places will be supported. Development should be designed to incorporate the Design Code elements for the settlement area. As appropriate to their scale, nature and locations developments should use traditional local materials, where appropriate recycled, that make a positive contribution to the character and quality of the area.

Principle of the development

The site is a sustainable location for the proposed use within close proximity of the town centre and public transport.

This application is made on the basis of a Class E light industrial use. Class E potentially includes both light industrial uses, which would be acceptable in principle in this location, and town centre uses such as retail, which would not be acceptable without sequential justification. Therefore, it is necessary to restrict the use by condition to Class E(g)(iii) (light industrial) use only.

The Committee requested further assessment of whether the previous use remains extant or has been lost by abandonment.

This application is not for a lawful development certificate (LDC) and therefore it is not within the remit of this application to make a formal determination on what the previous lawful use was and whether that use is extant, however, the potential fallback position is a material consideration.

The test of whether a lawful use has been lost by abandonment has been established by the courts to involve four factors:

- The period of non-use;
- The physical condition of the building;
- Whether there has been any other use; and
- The owner's intentions.

The four factors are not individually determinative, the assessment must take into account all four factors. However, it should be noted that the case law relating to abandonment generally relates to buildings that have not been used for decades, rather than just a matter of years. The building has not been in use for approximately three years. It is not unusual for buildings to be unused to such a period of time.

Whilst the building is partially demolished without a roof, it has only been in that condition for a matter of months. Following its purchase by the applicant it was partially demolished with the intention to rebuild to make the building sound.

It is clear from that and this application that the intention of the owner was to rebuild and use the building when it was partially demolished.

There is no evidence of any intervening use that could have replaced the previous lawful use.

Taking the above factors into account it cannot be concluded that the lawful use of the building has been lost through abandonment.

Turning to what that lawful use is, the building was used for car body repairs, that is a use that could either fall within Use Class E(g)(iii) (light industrial) (previously B1) or B2 (general industrial) if it operated in a way that resulted in harm to the amenity of surrounding residents by way of noise or odour. Typically, the nature of car body repairs would result in impacts that would make it a B2 use.

However, as stated above, this application is not a LDC and therefore it is not within the remit of this application to make a formal determination of what the lawful use of the building is or to require evidence to demonstrate that. It appears that the lawful use will be either be Class E (without restrictions within that class) or B2.

The application has been made for the building to be Class E, taking into account the above, it is reasonable to control that use by condition to Light Industrial / Research and Development uses within Class E only to protect the vitality and viability of the town centre.

Committee queried further restricting the use, requiring operational details of the use proposed. The applicant's intention is to let the building and therefore the operational details are not know. Furthermore, a Class E light industrial and research and development uses are by their definition uses that would not adversely impact on residential amenity by way of noise or odour and as such it would not be reasonable to further restrict the use. Such a condition could be appealed and would potentially leave the Council as significant risk of costs.

It should be noted that the applicant would also have the ability to apply for a LDC to demonstrate the lawful use and this would be likely to either demonstrate that the lawful use is B2, which would potentially result in harm to the amenity of the area, or Class E, which would be unrestricted within that class and allow for retail uses etc.

The proposed Class E use with a condition to restrict it to Light Industrial / Research and Development uses is a significant betterment over either circumstance and an option only available to the Council because the application has been made on the basis that it has.

The proposed development is acceptable in accordance with policies SDP2, SDP4 and WRK2.

Visual Amenity

The proposed building would be of similar form to the previously existing building with a revised window and door layout and a slate roof replacing the previous asbestos sheet roof. The proposed building would overall improve the appearance of the site and would be acceptable in terms of visual amenity in accordance with Policy ENV2 and CNDP3.

Residential Amenity

The proposed building would abut the side wall of No.6 Cumberland Street, and concerns have been raised regarding noise and odour impacts.

Class E(g)(ii) and (iii) specifically relate only to industrial uses which can be carried out in a residential area without detriment to its amenity, therefore, fundamentally the use is one that will not result in unacceptable impacts from noise and/or odour. If the building were to be used for a use with those impacts it would represent a material change of use that would require planning permission.

However, it is reasonable and necessary to attach a condition to limit hours of use of the building to those specified of 8am to 5pm weekdays, 10am to 2pm Saturdays and no working on Sundays

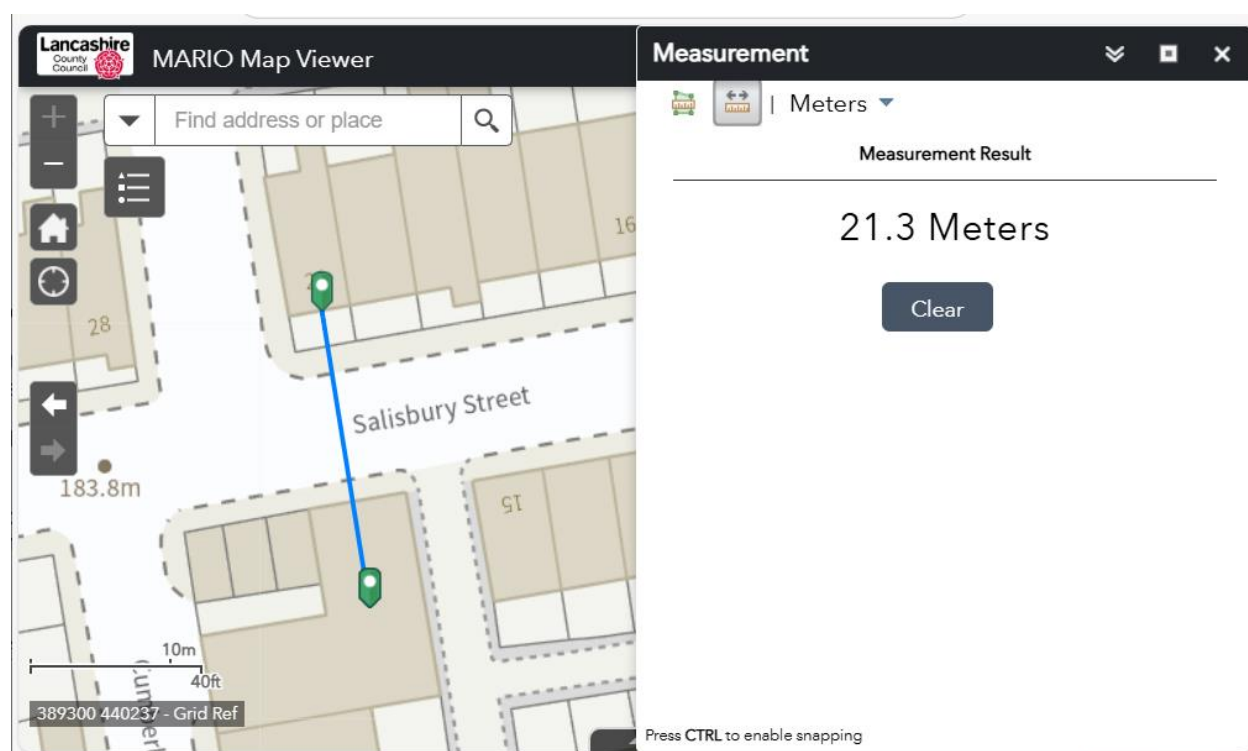
and bank holidays to ensure that the use or ancillary activities do not occur at hours when the adjoining and adjacent properties would be particularly sensitive to noise impacts.

The building would project 5m from the rear elevation of No.6 Cumberland Street, which has habitable room windows. Whilst the building would breach a line of 45 degrees to a habitable room window in relation to the guidance of the Design Principles SPD, this would replicate previously existing relationship with the building and, taking that into account, is acceptable.

Environmental Health have requested a condition to require suitable extraction should the building be used for paint spraying. However, were the building to be used as such it would constitute a material change of use to B2 and therefore would require planning permission. Therefore, such a condition is unnecessary.

The proposed building would have a first floor windows facing Salisbury St to the north and a ground floor window facing the rear lane of Salisbury St to the east.

The first floor window would be 21m from facing habitable room windows. The ground floor window would face towards the rear yards of houses on Salisbury Street, taking into account that this would be across a lane and the yards have limited existing privacy from the lane, this would not result in any unacceptable loss of privacy.



The building would have limited openings and there is no reason to consider that it would result in light pollution nuisance.

Subject to the above restriction on opening hours the proposed development is acceptable in terms of residential amenity.

Highways

Whilst the site would not have off-street parking, the site is in a sustainable location adjacent to the town centre and public transport and a public carpark nearby.

The vehicular access door to the site is proposed in the same position as the previous building and the proposed use would not result in any materially different highways impacts.

LCC Highways have noted that they would not expect there to be vehicle repairs, serving or MOT operations. Whilst MOTs and other vehicle repair and serving uses that would be of detriment to residential amenity would result in a material change of use to B2, it is possible for some vehicle repair and servicing uses to be carried out in a way that does not result in detriment and therefore would fall within Class E. However, taking into account that this would be the case for the previous use of the site the proposed use would not result in any unacceptable additional highway impacts.

Whilst the street is relatively steep, this is not uncommon in Colne and it is a previously existing highway access arrangement and the development would not result in any unacceptable additional risks to highway safety.

The proposed development is acceptable in highway terms.

Drainage

Whilst it is likely that the building will have the same drainage arrangements as the previous building no details of this have been specified on the plans and therefore it is necessary to require details of drainage to be submitted by condition.

Other issues

Concerns have been raised in relation to loss of value of properties in the area, this is not a material consideration that can be taking into account in a planning application.

Concerns have been raised regarding the stability of an extension which abutted the building. This is not material to the determination of the planning application and is a matter between the property owners.

Reason for Decision

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

RECOMMENDATION: Approve

Subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Plan, Proposed Roof Plan, Proposed Plans and Elevations.

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

3. All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission 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. The use of the building hereby approved shall be limited to Class E(g)(ii) and (iii) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and office use ancillary to those uses, the building shall not be used for any other use falling with Class E.

Reason: In order to protect the vitality and viability of Colne town centre.

5. The use of the building hereby approved shall not operate outside of the hours of 8am to 5pm weekdays, 10am to 2pm Saturdays and shall not operate on Sundays or bank holidays.

Reason: In the interest of residential amenity.

6. Prior to the commencement of the development details of the proposed foul and surface water drainage arrangement shall have been submitted to and approved in writing by the Local Planning Authority. The drainage shall have been completed and by operational prior to the commencement of the use of the building and maintained in accordance with the approved details thereafter.

Reason: In order to address risks of flooding and pollution.

Notes:

All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

Application Ref: 25/0233/FUL

Proposal: Full: Part demolition and part rebuild to former workshop.

At: 8 Cumberland Street, Colne

On behalf of: Mr Adil Rais

REPORT TO COLNE AND DISTRICT AREA COMMITTEE ON 7th AUGUST 2025

Application Ref: 25/0338/FUL

Proposal: Full: Siting of an additional 5 no. static park homes.

At Prospect Farm Caravan Site, Lenches Road, Colne

On behalf of: Mr P Culligan

Date Registered: 25.06.2025

Expiry Date: 20.08.2025

Case Officer: Athira Pushpagaran

This application has been brought to committee at the request of a councillor.

Site Description and Proposal

The application site is an established Caravan Park on Lenches Road, Colne containing 38 static caravans. The site is situated outside the defined settlement boundary, and within the open countryside. The main access is through the internal access road from Lenches Road.

The proposed development is the siting of an additional 5 no. static park homes to the south and three to the east.

Relevant Planning History

24/0310/CND Approval of Details Reserved by Condition: Discharge Condition 3 (Landscaping Scheme), Condition 4 (Foul and Surface Water Drainage Scheme), Condition 5 (Protective Fencing), Condition 6 (External Lighting) and Condition 7 (Wheel washing facilities) of Planning Permission 22/0486/FUL. Discharged. 2024

24/0187/CND Approval of Details Reserved by Condition: Condition 3 (Landscaping Scheme), Condition 6 (External Lighting) and Condition 8 (Electric Vehicle Charging Point) of Planning Permission 23/0676/FUL. Discharged. 2024

23/0675/CND Approval of Details Reserved by Condition: Discharge Conditions 6 (Surface Water and Foul Water Drainage Scheme), Condition 7 (Management and Maintenance Plan) and Condition 8 (Landscaping Scheme) of Planning Permission 23/0177/FUL. 2024

23/0676/FUL Full: Siting of an additional 6 static park homes, four in retrospect. Approved with Conditions. 2024

23/0177/FUL Full: Siting of 6 static park homes. Approved with Conditions. 2023

22/0486/FUL Full: Reconfiguration and removal of holiday restrictions to allow residential occupation. Approved with Conditions. 2023.

13/12/0154C1 Approval of Details Reserved by Condition: Discharge Conditions 5, 8, 10, 11 and 12 of Planning Permission 13/12/0154P. Condition discharge split decision. 2014

13/12/0154P Full: Major: Alteration & reconfiguration of existing caravan park to provide 15 mobile homes & 11 holiday lets (26 units in total) with tarmacked access road, recycling point and siting of two storage containers 2m x 6m. Approved with Conditions. 2012

Consultee Response

Highways

The National Planning Policy Framework (NPPF) 2024 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.

Recent site planning history

23/0676/FUL - Siting of an additional 6 static park homes, four in retrospect. Approved with conditions.

23/0177/FUL - Siting of 6 static park homes. Approved with conditions.

22/0486/FUL - Reconfiguration and removal of holiday restrictions to allow residential occupation. Approved with conditions.

Proposal

The proposed development is for the siting of an additional five x two bed static park homes with associated parking within an established static homes site.

Sustainability

There is a concern that the location of the site does not support sustainable travel with the nearest bus stops, food shop and primary school being located on West Street and Colne Town Centre which are between 800-1000km. All routes have a steep gradient which is likely to be a barrier to walking and cycling. Therefore, the development would be reliant on the private car which is contrary to the guidance in the NPPF.

Car parking

Taking the above comments regarding location and gradients into consideration maximum parking standards should be applied to the site. That is, two adequately sized parking car 2 parking spaces should be provided for each residential unit. The two in-line spaces should be a minimum length of 11m x minimum width of 3.2m. The other parking areas for two vehicles should be a minimum of 5m long x 5m wide. A minimum manoeuvring distance of 6m should also be provided from the rear of the parking spaces.

To support sustainable travel each unit should be provided with an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available. This can be controlled by condition.

If the local planning authority is minded to approve this application the following conditions should be applied to any formal planning approval granted.

Conditions

1. Prior to first occupation of any approved static home two car parking spaces shall be provided and retained for the lifetime of the development. Reason: To ensure that an adequate level of off-road parking is provided.

2. Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available. Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

Further comments:

The parking spaces are acceptable. The only thing is that the manoeuvring distance is less than 6m from a couple of the parking areas. Whilst we'd prefer to have 6m, vehicles can still enter and leave the site in forward gear. Any additional internal reversing or multiple manoeuvres may be an inconvenience to residents but would not be a highway safety issue given the remoteness from the public highway. The parking condition remains unchanged.

The EVCP information is acceptable, and the proposed condition can be amended as follows:

Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with the approved documents. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available. Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

Parish/Town Council

The Town Council objects to this development as additional plots will lead to overdevelopment of the site.

Lancashire Fire & Rescue Services

No objection. Makes recommendations to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application.

United Utilities

No objection subject to comments noted and condition attached to any approval.

Environment Officer Trees/Landscape

No objection. The siting of the newly proposed static caravans does not require trees to be removed to facilitate this. The tree report submitted is fully detailed and in accordance with National and Pendle Council Policy whereby the trees are grading using BS 5837. There are proposals to remove 2 Ash trees that are referenced within the report which is down to the disease Ash Dieback and is to be carried out regardless of the planning application.

PBC Environmental health

No response

Public Response

The nearest neighbours have been notified by letter, with 18 objections received so far raising the following issues:

- there is already a nearly 3-fold increase in the number of units on the site, from 2002 through gradual increments
- the site is also within the 500mtr protected boundary of a pond and breeding grounds of great crested newts plus there is a nearby protected badger sett native trees & shrubs have already been removed and causing damage to the environment and wildlife
- previously unmetalled tracks have been tarmacked over and the units are laid in serried ranks, rather than nestling in the landscape
- very bright security lights glaring at night disturb the wildlife & has certainly altered the outlook from the town centre ridge & all in the South Valley
- highway safety issues due to increase in traffic and poor access
- would exacerbate the increased risk of flooding due to the hard landscaping
- will encroach into garden area of neighbouring unit
- the underground pipes for foul sewage is insufficient to accommodate the already existing homes, the proposal further exacerbating the environmental issues
- health and safety issues from gabion wall in one part of the site already buckling
- unsafe construction and excavation practices on site by contractors
- conditions from previous applications discharged but not implemented
- impact residential amenity and privacy of neighbouring units. Significantly high fencing will need to be installed to protect privacy. This will detract from the character and charm of what is, at present, a very attractive site
- unsustainable location
- site is already oversubscribed with few of the original planning conditions ever being met as it is
- despite being advertised as dog friendly, no place for dog walking within site
- 3 homes are going to be sited into the hillside with the removal of trees, trees that have been planted over the last 3 years to compensate for previous tree removal,
- incorrect claims in the planning statement about various things
- the electricity isn't adequate for the number of homes already on site let alone adding more
- development undergoing already before planning permission
- past 3+ years been like living on a building site
- Some residents at the end of the site where the tarmac turns to gravel have issues of mobility and have been left house bound by the inability to walk on the uneven camber. This is a policy EN4 issue that discriminates the disabled to move about freely
- there isn't any management to seek help with for issues on site
- The need for EV charges in each lodge won't help as there isn't enough volts in the system to power a car again this was a condition put in place by the council for each lodge to receive along with sufficient parking for each lodge
- Public transports links 15 mins away not really walkable to through uneven and heavily parked footpaths by the 55+ inhabitants of the park.

- The Grade 2 listed bridge over Colne water will no doubt be put under additional strain from the increased car traffic
- The ecology report describes grass and woodland as sealed surface and is erroneous
- The new units are visible from longer views due to them being set higher on land reclaimed by backfilling.
- There is overspill of parking of non-domestic vehicles from the park causing visibility issues on Lenches road.
- Development have already caused damage to the land and fencing below the adjoining farm and pushing boulders and rubbish into the property below
- development will delay the surfacing of the roads as he's stated he is not going to do it until the works are completed

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 SDP3 (Housing Distribution) sets out the location of new housing in the Borough in conjunction with SDP2 and LIV1.

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

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

Policy ENV4 (Promoting Sustainable Travel) seeks to promote sustainable travel as well as development impacts and accessibility and travel plans for major developments to mitigate any negative impacts.

Policy LIV1 (Housing Provision and Delivery) sets out the requirement for housing to be delivered over the plan period. This policy allows for non-allocated sites within the Settlement Boundary as well as sustainable sites outside but close to a Settlement Boundary.

Policy LIV3 (Housing Needs) encourages the support and provision of a range of residential accommodation.

Policy LIV5 (Designing Better Places to Live) requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and be built at a density appropriate to its location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

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.

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 Plan, in particular Policy Colne CNDP3 that lays down the Design Code to support quality of design and materials and CNDP14 that states that within the countryside, development should retain and enhance the rural identity and character of the neighbourhood area.

Officer Comments

The proposed development is in an existing established caravan park situated outside the settlement boundary of Colne. The Local Plan and the Colne Neighbourhood Development Plan supports new housing growth within the settlement boundary. Although the proposed development would result in six additional dwellings outside the settlement boundary, Policy LIV1 does make provision for sustainable sites outside the settlement boundary. The proposal is for additional units on an existing caravan site. It is considered a sustainable location. There is no policy objection to the principle of development. As such, the proposed development is acceptable, subject to design & amenity policies.

The principal material considerations for the application are as follows:

Design and Materials

The proposed development is the siting of five 2-bedroom static caravans. The caravans would be finished in EN 1647 Cladding to match the existing caravans on site. The proposed caravans would measure 12mx 4.3m, 3m height to eaves and 4m to the ridge. Two of the proposed caravans are towards the southern boundary and the other three towards the western side of the site. Trees on the site boundary provide a limited form of screening from outside the site. The proposal site is an existing caravan site, and the additional dwellings would match the existing static caravans.

Overall, in terms of design the units will be clad in materials which are muted in colour, matching the caravans existing on the site.

There has been concerns raised regarding the new units set on higher levels starting to be visible from longer views. A suitable landscaping condition is necessary to further restrict views into the site.

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, CNDP 14, and the Adopted Pendle Design principles SPD.

Residential Amenity

The closest dwellings to the proposed units (other than other caravans on the site) are 15m to the east, on the opposite side of Lenches Road. The eastern boundary of the site contains tall, established planting and as such views from dwellings to caravans are restricted. As such, the proposed development would not result in an unacceptable neighbouring amenity issue. Public footpath FP 1304189 exists to the west of the site. The proposed development does not affect it and views of the site from the footpath are obscured by existing boundary planting.

The separation between proposed units is consistent with the typical separation between other units within the park and would not raise any greater impact on privacy.

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

Highways

Submitted amended site plans with parking spaces and electric charging points were assessed as acceptable by LCC Highways. LCC does not object to the proposal subject to suggested conditions on parking spaces and electric charging points applied to any approval.

The development raises no issues of highway safety and accords with Saved Policy 31 Parking Standards of the Replacement Local Plan.

Drainage

Issues have been raised regarding the foul water sewage system on site being inadequate and of surface water run off to neighbouring properties downhill. United Utilities have requested a condition for a sustainable surface water drainage scheme and a foul water drainage scheme to be attached to any approval. Such a condition can be added in case of approval.

Trees

Concerns have been raised regarding clearance of trees on this site historically and present. The proposed scheme and the accompanied arboricultural impact assessment was inspected by the council's tree officer and found acceptable. The proposal would not impact the TPO trees towards the boundaries of the site. The scheme is acceptable in this regard.

Biodiversity Net Gain

The proposal is accompanied by a biodiversity main metric. This indicates that the proposal would result in a net change of -8.8% of BNG. Our initial assessment flags up potential unrecorded Open Mosaic Habitats and Missing Habitat reference numbers in the metric. It also indicates that there are too many net losses of Low distinctiveness area habitats, and too few gains at higher distinctiveness categories to offset these losses. These would need to be addressed in an updated metric along with an uplift of 10% demonstrated at the condition discharge stage. The Applicant proposes to achieve the uplift by on site improvements.

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

Over Development

Comments have been submitted indicating that this would be overdevelopment of the site. The site has ample space to accommodate the units and as discussed above there are no inherent constraints to its development. This application clearly would not result in over development of the site.

Other Issues

Objectors raise a number of points, most of which are not planning considerations including in relation to matters of site maintenance and electricity sufficiency on site. Concerns have been raised regarding the ecological impact, however the site does not fall under any ecological designations to request an ecology report.

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. 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:

- GA3368-PSP-001B Proposed Site Plan
- GA3368-PSS-001A Proposed Site Sections
- GA3368-LP-001 Location Plan
- GA3368-PPE-001 Proposed Plans & Elevations

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 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);
- (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 Systems (March 2015) or any subsequent replacement national standards. 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. The development hereby approved shall be carried out in strict accordance with the Tree Protective Plan titled AIA BS5837 2012 Appendix 4 Tree protection Plan prepared by Arbconsultants Ltd and there shall be no variation without the prior written approval of the Local Planning Authority. The protective fencing shall thereafter be maintained during the period of construction.

Reason: To prevent trees from being damaged during building works.

6. Prior to first occupation of any approved static home two car parking spaces shall be provided and retained for the lifetime of the development.

Reason: To ensure that an adequate level of off-road parking is provided.

7. Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with the approved documents. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

8. Prior to the commencement of development, a detailed landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
- a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed boundary treatments with supporting elevations and construction details;
 - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety within the first planting season following the commencement of the use of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings

9. Prior to the installation of any external lighting details including type, size, location, intensity and direction of the proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter at all times be maintained and operated in strict accordance with the approved details.

Reason: To ensure that light pollution does not occur.

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

Reason: To ensure that the proposed development makes provision to enhance biodiversity on the site and that this can be monitored for a period no less than 30 years following completion of the development

BNG 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

Informatives

All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

Application Ref: 25/0338/FUL

Proposal: Full: Siting of an additional 5 no. static park homes.

At Prospect Farm Caravan Site, Lenches Road, Colne

On behalf of: Mr P Culligan

REPORT TO COLNE AND DISTRICT COMMITTEE ON 07TH AUGUST 2025

Application Ref: 25/0372/PIP

Proposal: Permission in Principle: Erection of 9 no. dwellings.

At: Land To The South Of The Junction With Keighley Road, School Lane, Laneshaw Bridge

On behalf of: Mr JW Driver

Date Registered: 3/6/2025

Expiry Date: 8/7/2025

Case Officer: Neil Watson

Site Description and Proposal

The application site sits adjoining but outside of the settlement boundary for Laneshaw Bridge. It is predominantly contained within the green belt, with a small section on the north east side lying in the settlement boundary outside of the green belt.

The land slopes down away from the A6068. Houses and their gardens lie to the north and east of the site. A hedge runs down the western side with a thicker belt of trees situated on land in the ownership of the applicant but outside of the application site to the south.

The application is made for consideration of whether the principle of development is acceptable. The application seeks up to 9 dwellings for the land.

The Trawden Conservation Area is found to the south of the site running on the adjoining side of the public highway.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways; Permission in Principle The scope of Permission in Principle is limited to location, land use and amount of development. In highway terms consideration needs to be given to whether this site is acceptable with specific regard to the effect of its location on highway safety and the ability to provide a safe and suitable access. Based on the submitted Location Plan the site borders the publicly maintained highway network at two points – Keighley Road and School Lane. Access from Keighley Road would not be considered as there are significant differences in levels between the highway and the site, the retaining wall is owned by the county council and an access would be within the zig zags of the signalised pedestrian crossing. Given the above, a safe and adequately designed access could not be constructed and would be contrary to paragraphs 115 and 116 of the NPPF. Therefore, the highway authority would object to any access proposed here, including any pedestrian access. Technical details stage If Permission in Principle is granted there are a number of matters that would need addressing at the technical details stage. These include, but are not exclusive to, the following.

Environment Agency: We have no objection to the development as proposed but we do wish to make the following comments:- Environmental permit - advice to applicant The Environmental

Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culverted main river
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

Lancashire Fire and Rescue: Refer to compliance with the building regulations.

Environment Officer: There are TPO'd trees nearby and an Arboricultural Impact Assessment would be required.

Public Response

Many objections have been received based on the following:

- There will be significant noise during demolition and construction.
- The development will significantly disrupt the wildlife along the walking route to Ball Grove and the birdlife there
- The primary school is full
- There are too many applications in the village already
- There will be no green belt left if it is eroded as it is being
- Access to the site looks to be a nightmare
- Traffic is already bad
- Problems with junctions at Carrier Row and Keighly Road amongst others.
- Issues will occur with construction traffic
- Environmental damage will occur
- Issues with flooding
- Impact on the character and appearance of the area
- The consultation period is too short and should be 21 days
- There will be an increase in noise and pollution
- There may be loss of privacy
- The development would contravene the NPPF particularly around access.
- The development is not needed.
- The loss of a potential beautiful dwelling and English Heritage needs informing
- Harm to listed buildings contrary to Section 66(1) of the Listed Buildings Act
- Pollution from drainage
- There are no local amenities
- Royale Bridge is a grade 2 listed building
- No provision of affordable houses
- The development may be cookie cutter units
- Run off may go into the river below.
- It would lead to urban sprawl
- Loss of light to existing properties
- The footpath between Wycoller and Ball Grove provides for a wildlife corridor
- The fields are used by owls and deer and the river by herons and kingfishers
- Light pollution will be caused
- Several properties on Carriers Row have suffered from flooding

- 10 school lane is in the site boundary
- The development would impact on protected species (bats)
- The development site is partly on land not owned by the applicant
- There are undocumented local drains
- It will encroach onto the ancient woodland
- The settlement has limited facilities

Relevant Planning Policy

The determination of a Permission in Principle needs is required to be considered set against the development plan.

Development Plan

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.

Policy LIV1 indicates that until a part 2 Local Plan is adopted sustainable sites adjacent to a settlement that make a positive contribution to the supply of housing land will be supported.

National Planning Policy Framework (“NPPF”)

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas ⁶), unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area ⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date ⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance ⁷ provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed ;
- c. The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework] [57](#) ; and
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.

156. Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review [58](#) , or on sites in the Green Belt subject to a planning application [59](#) , the following contributions (‘Golden Rules’) should be made:

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
- b. necessary improvements to local or national infrastructure; and
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

157. Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50% [60](#) . In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.

158. A development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.

The Glossary to the NPPF defines grey belt as:

For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

Officer Comments

Principle of Development

The application is made to establish the principle of development on the site. Issues such as traffic impact, loss of privacy, flooding etc are not matters relating to the principle of the development and would be for the technical details part of the process should Permission in Principle be granted.

Comments have been made by Lancashire County Council which indicate that there would be objections to the potential highways access. The access arrangements for the site are not however matters that are for consideration under this submission. Any subsequent technical details consent would need to address how the site would be safely accessed.

The application seeks Permission in Principle for the erection of up to 9 dwellings on a site of less than 1 hectare.. The key considerations at this stage are:

- Suitability of the Site for Residential Development:
- Appropriateness of Residential Use in principle in this location
- Whether the development is acceptable in the green belt as a matter of principle.

Pendle currently does not have a 5-year housing land supply, as noted in the most recent housing land supply assessment.

Development Plan

The site is situated predominantly outside of the settlement boundary for Lanesshaw Bridge. Part of the eastern section does however sit within the settlement boundary. In principle it therefore complies with the thrust of policy LIV1.

Policy LIV 1 indicates that sustainable sites outside of the settlement can come forward for housing where they positively contribute to the supply of housing. The PIP does not deal with all aspects of what would normally be considered for an application such as design and access arrangements. These matters therefore cannot be considered at this in principle stage. The site lies next to a main road with a bus route immediately adjacent. There are also a range of services in the village. In principle therefore the development is in a sustainable location for the purposes of LIV1.

The assessment of housing land supply for Pendle and whether it has a five year housing land supply is set against the new national housing targets which for Pendle is 334 units per annum. At present Pendle cannot demonstrate a five year supply of housing land. The PIP should therefore be assessed against paragraph 11 of the Framework that indicates permission should be granted for developments unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This is referred to by the courts as the tilted balance.

There are exceptions to the application of the tilted balance where the application of policies that protect areas of assets of particular importance would provide a strong reason for refusing. These policies are specified in the Framework and include green belt and designated heritage assets.

Landscape Impact

The site sits below the height of the A6068. It sits with housing on the north and east sides with a belt of trees to the south. The land can be seen from approaches from the east along the A6068. Whilst open and visible the land is not overtly prominent and with some landscaping a suitable scheme may be possible to devise. That would be a matter for the technical details stage but there is no overall landscape impact that would justify refusing the principle of development.

Heritage Assets

The site is not in a conservation area but sits close to the Trawden Forest Conservation Area to the south. It lies beyond a mature belt of trees.

There is a listed bridge to the east extent of the land and a listed building beyond that is further east. The impact on the heritage assets could be a justification to refuse were there to be a clear and demonstrable detrimental impact on them that could not be dealt with at the technical details stage. The relationship with the site to the conservation area and listed buildings is not one that could clearly and demonstrably justify a refusal as it is likely that a scheme could be devised that

does not harm them. That should properly be tested at the technical details stage via a heritage impact assessment.

The impact on heritage assets does not provide a strong reason for refusing the PIP and does not disengage the tilted balance.

Impact on the Green Belt

The site is located within the Green Belt. The NPPF presumes against inappropriate development in the Green Belt unless very special circumstances exist.

The NPPF is clear that inappropriate development is inherently harmful to the Green Belt and should not be approved unless very special circumstances exist to outweigh this harm. The first issue is to establish whether any of the exceptions in the Framework apply to this development which is for new housing.

Para 154 sets out exceptions that are not harmful to green belt land. None of these are applicable to housing as applied to this scheme.

Other than paragraph 155, there are no other potential categories as set out in the Framework under which the development may be considered as not being inappropriate.

Paragraph 155 sets out other circumstances where development in the green belt may not be inappropriate development.

Grey Belt Land

The revised NPPF defines 'grey belt land' as Green Belt land comprising previously developed land or land that does not strongly contribute to Green Belt purposes (a), (b), or (d), as set out in paragraph 143 of the Framework.

Paragraph 155 allows for potential development on grey belt land, provided it meets criteria such as not undermining remaining Green Belt purposes, demonstrating unmet need, being sustainably located, and adhering to the 'golden rules.' The applicant asserts this site's grey belt status to justify its development.

Pendle has not undertaken a grey belt assessment but is commissioning work on this currently. There is however a green belt study that has been adopted by the Council that looks into the characteristics of parcels of the green belt. The study is part of the documents at examination and there have been no objections to the method of assessing land parcels within it. The study can therefore help to assess whether the land is or is not grey belt. The role the site plays in terms of criteria a, b or d needs to be considered.

The glossary makes it clear that grey belt land does not include land in the green belt that strongly contributes to any one of the criteria a, b or c.

Criteria a, b and d are:

- (a) to check the unrestricted sprawl of large built-up areas
- (b) to prevent neighbouring towns merging into one another;
- (d) to preserve the setting and special character of historic towns;

The Pendle Green Blet Assessment ("the GBA") identifies the land as part of Parcel PO41. That Parcel consist of the whole of the green blet to the south of the A6068. The

Criteria (a) to check the unrestricted sprawl of large built-up areas

The GBA assesses the whole of the parcel of land as moderately contributing to purpose a. The site is a small part of the overall parcel and is at the eastern end of it. In itself it has a less than moderate role in checking unrestricted sprawl of built up areas.

Criteria (b) to prevent neighbouring towns merging into one another;

Parcel PO41 as a whole plays a major part in preventing Laneshaw Bridge and Colne merging. As a whole it strongly contributes to criteria b.

The applicant however does not relate to the whole of parcel PO41. It relates to the section that ius the furthest away from Colne. Were the site in itself to be assessed in isolation it would not strongly contribute to criteria b being at the other end to the settlement of Laneshaw Bridge away from the settlement of Colne.

Criteria (d) to preserve the setting and special character of historic towns;

The Green Belt assessment correctly indicates that the site plays no role in preserving the historic features or settings of Colne.

Overall Impact on the Green Belt

A development of this scale in the location would not fundamentally undermine the purposes of the remaining green belt. The scale of the site in relation to the remaining green belt is small and developing this parcel on its own would have only a minor impact on the role of the whole of the green belt.

Whether there is A demonstrable Unmet need

The lack of a five year supply of housing in itself demonstrates that there is unmet need. It is noted that comments from the public indicate that there is no local need. The assessment of need however is based around national planning policy. Paragraph 61 of the Framework requires Councils to carry out needs assessments based on the Standard Methodology ("SM"). The five year supply figure is in turn based on the SM needs figure and the supply of land is below 3 years. By definition therefore there is a demonstrable need for the development in the Borough.

Whether the Site is in a Sustainable Location with Particular Reference to paragraphs 110 and 115 of the Framework

Paragraph 110 of the Farmwork sates that the planning system should manage patterns of growth to maximise the choice of transport opportunities. It does differentiate though between urban and rural areas with an expectation that the opportunities will vary between them.

Paragraph 115 does not readily fit into the PIP process. It advises that safe and suitable access arrangements need to be made and refers to standards of design. It also discusses mitigation of transport impacts. Such matters are excluded form the PIP process as they come at the technical details stage. They cannot therefore be assessed and would not form a legitimate reason to refuse the PIP.

In terms of alternative transport arrangements Laneshaw Bridge is a lower tier settlement in a semi-rural area. As set out in para 110 it would not be expected to have the same range of transport opportunities as an urban centre. The site does have a bus stop immediately adjoining it and that would provide an appropriate alternative method of transport for the semi-rural location.

The Golden Rules

These are defined in paras 156 and 157 of the Framework.

Para 156 relates to major development. That is defined as 10 houses or more and hence para 156 is not engaged.

Para 157 is another policy that does not fit into the PIP process as there are no details of the amount of affordable housing that can be considered at this stage. It would be one of the matters the applicant would need to address at the technical details stage.

Other Considerations

The objection raised by the neighbouring occupier highlights several concerns, including the site's physical detachment from the settlement, its limited contribution to housing supply, potential loss of views, impact on the character of the area, and the risk of setting a precedent for future Green Belt development.

- Detachment from the Settlement: While the site's detachment from the settlement is noted, its proximity to existing residential development and suitability for a modest dwelling mean that it would not harm the character of the area or create undue visual separation.
- Contribution to Housing Supply: The concern about the limited contribution to housing supply is outweighed by the urgent need for additional housing in Pendle, particularly in light of the current shortfall in the 5-year housing land supply.
- Character of the Area: A housing scheme of the right design would fit into the character of the area.

In conclusion, while the concerns raised by the neighbour are noted, they do not outweigh the benefits of the proposal in terms of addressing the housing shortfall and its compatibility with the surrounding area.

Comments have been made regarding the consultation period. The consultation period for PIPs is shorter than for normal planning applications. It is set out in statute at 14 days.

Comments have been made about loss of value of houses and loss of personal views. These are not material planning considerations. That also applies to comments about the applicant having other properties in the area.

Whether or not the development is needed is not a material consideration.

Ownership certificates. It is a legal requirement for ownership certificates to accompany application for planning permission under Section 65 of the Town & Country Planning Act 1990. Applications for Permission in Principle are however different. There is no requirement to have a certificate of ownership. Publicity is for the Local planning Authority to undertake. That has happened by informing all statutory bodies, by a site notice being displayed and by writing to all known neighbours. However technical details consent do require a certificate of ownership to accompany the submission.

Conclusion and Planning Balance

The application for Permission in Principle for the erection nine dwellings. The development would be on grey belt land and would make a positive contribution to the housing land supply in the Borough. The application engages the tilted balance as it would not harm the protected areas or assets to an extent that would provide a strong reason for refusal. As such the adverse impacts would need to significantly and demonstrably outweigh the benefits.

Matters such as highways, drainage etc are matters not for consideration at this stage. There are no substantive planning grounds that would lead to the conclusion that there would be adverse impacts and as such the application is recommended for approval.

Recommendation: Approve the Permission in Principle

INFORMATIVE

As part of a Technical Details application, the following information should be provided:

- Site access plan
- Visibility splays plan
- Car parking and cycle storage provisions plan
- Refuse storage plan
- Drainage strategy
- A Construction Management Plan,
- Arboricultural assessment
- Transport assessment
- Drainage assessment
- Heritage impact assessment
- Landscape assessment
- Design assessment
- BNG assessment

Application Ref: 25/0372/PIP

Proposal: Permission in Principle: Erection of 9 no. dwellings.

At: Land To The South Of The Junction With Keighley Road, School Lane, Laneshaw Bridge

On behalf of: Mr JW Driver

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 03rd July 2025