

## **Development Management Committee Update Report 18<sup>th</sup> November 2025**

### **25/0144/OUT – Fernbank Mill, Fernbank Road, Barnoldswick**

#### **Additional Public Comments**

- The build outs on Gisburn Road requested by LCC will have an impact on large HGV vehicles negotiating the turn to and from Fernbank Avenue. This may in turn have wider impacts on the road network.
- Concern regarding risk of sink holes.

#### **Additional Consultee Responses**

Lead Local Flood Authority (LLFA) – Maintains its objection due to inadequate surface water sustainable drainage strategy. The strategy fails to appropriately size the SuDS and provide appropriate minimum operational standards for peak flow control.

#### **Officer Comments**

Amended plans have been submitted which relocate plots 90-93 21m from the main rear elevations of 2-4 Great Croft Close and remove the east side facing windows of plots 1 and 3-6. This acceptably resolves the privacy issues that were raised by those plots.

A further ecology survey has been submitted including bat emergence surveys of the two small buildings to be demolished, no evidence of roosting bats was observed and a low level of commuting and foraging was recorded. With mitigation measures recommended by the report, including bat boxes in 20% of the proposed dwellings, the proposed development would not result in unacceptable impact on bats.

The watercourse that runs through the site has potential site value for breeding birds, herptiles, badgers, hedgehog and water vole, however, mitigation measures proposed by the report would result in the development having neutral or positive impacts on those species. The proposed development is acceptable in terms of its impacts on ecology.

The applicant disputes the necessity and relevance to the development of LCC Highways' requests for contributions to the bus services, build outs at the junction of Fernbank Avenue and Gisburn Road and improvements along the path between Butts Way and Federation Street. They have today provided a barrister's legal opinion that these requirements fail to meet the required tests of planning conditions and planning obligations and therefore they should not be required and imposing those conditions and contributions, or refusing that application on that basis, would result in risk of costs at appeal.

The Lead Local Flood Authority have responded to the latest consultation maintaining their objection to the development on the basis of the current details. It has also been identified that further consultation of the Environment Agency is required. It is therefore recommended that the determination of the application be deferred to allow for the LLFA objection to be resolved and consultation with the Environment Agency and further consideration of the legal position in relation to the contributions and off-site highway works conditions requested.