

<b>Report Title</b>	<b>PLANNING APPLICATIONS</b>
<b>Meeting</b>	<b>WEST CRAVEN COMMITTEE</b>
<b>Meeting Date</b>	<b>6TH JANUARY 2026</b>
<b>Report Author</b>	<b>NEIL WATSON</b>
<b>Directorate</b>	<b>PLACE</b>
<b>Lead Executive Member(s)</b>	<b>COUNCILLOR L. WHIPP</b>
<b>Wards Affected</b>	<b>EARBY &amp; COATES, BARNOLDSWICK</b>
<b>Public. Part Exempt, or Fully Exempt</b>	<b>PUBLIC</b>
<b>Appendices (if any)</b>	<b>NONE</b>

## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

# REPORT TO WEST CRAVEN COMMITTEE ON 6TH JANUARY 2026

**Application Ref:** 25/0748/FUL

**Proposal:** Full: Formation of an agricultural track.

**At** Thornton Hall Farm, Skipton Road, Barnoldswick

**On behalf of:** Mr Chris Harrison

**Date Registered:** 26.11.2025

**Expiry Date:** 21.01.2026

**Case Officer:** Athira Pushpagaran

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

## **Site Description and Proposal**

The application site forms part of a farm used for farming and as an open farm visitors centre located in open countryside on the edge of Thornton in Craven. The premises has an existing access road from Church Road. PROWs FP1305039 and FP1305044 pass cutting across the track.

The proposed development is the formation of an access track from Skipton Road/Colne & Broughton Road (A56). This has already been constructed at the time of the site visit. It slopes down from the edge of the car park to Skipton Road through a field, with the access near a bend in the road. Skipton Road/Colne & Broughton Road (A56) is a strategic link between Lancashire and Yorkshire carrying high levels of daily traffic, including HGVs to and from the West Craven Business Park to the south in Earby. The road is subject to a National Speed limit outside the existing field access.

## **Relevant Planning History**

25/0059/FUL Full: Erection of 3 no. polytunnels and the siting of 2 no. shipping containers for mixed use as a Halloween Venue, visitor farm and educational and agricultural use. Approved with Conditions. 2025

24/0775/FUL- Full: Erection of a mixed-use barn for entertainment purposes. Pending consideration.

24/0611/FUL - Full: Erection of an agricultural storage, lambing and workshop building. Approved with conditions. 2024

17/0382/FUL- Full: Erection of a multi-purpose agricultural storage, lambing and workshop building. Approved with conditions. 2017

13/15/0398P - Full: Extension to existing car park to form 225 spaces overall. Approved. 2015.

13/14/0003P - Erection of detached single storey building to accommodate biomass boiler and farm store. (part retrospective). Approved. 2014.

13/13/0577P - Erection of an orangery extension to provide additional dining room accommodation for cafe. Approved. 2014.

13/13/0554P - External alterations to existing farm visitor centre including the cladding of walls in natural stone, the roof in natural blue slate and insertion of a section of curtain walled glazing. Approved. 2014.

13/13/0228P - Erection of a first-floor balcony and insertion of a glazed roof to front of farm visitors' centre. Approved. 2013.

13/12/0102P - Full: Change of use of land and buildings from agricultural use to mixed agricultural use and recreational use as a farm visitor centre with play barn, cafe, car park, D2 assembly and leisure use and quad biking (Retrospective). Approved. 2012.

13/08/0600C1 - Approval of Details Reserved by Condition: Discharge Condition 3 (landscaping) of Planning Permission 13/08/0600P. Condition discharged. 2012.

13/11/0535P - Full: Change of use of land from agriculture to use as an outdoor play area (D2 leisure use) and erection of play equipment with access from Church Road. (Retrospective). Approved. 2011.

13/08/0600P - Full: Erect visitor's centre. Approved. 2009.

13/02/0414P - Erection of open farm visitor centre on front elevation of existing farm building. Approved. 2002.

## **Consultee Response**

### **Highways**

#### Summary

The highway authority considers that insufficient information and evidence has been submitted to enable the authority to fully assess the impact of the development, as outlined in the submitted documents, on the surrounding highway network in terms of highway safety and capacity. The highway authority therefore objects to the development as submitted and considers that it would have an unacceptable impact on highway safety and would be contrary to paragraphs 115 b), 116 and 117 d) of the NPPF.

#### Site planning history

The site has had numerous planning applications, including several retrospective ones. Details of all applications are outlined in Section 4 of the submitted Planning Statement. It should be noted that application 24/0775/FUL for the erection of a mixed-use barn for entertainment purposes has not yet been determined, nor has the additional information which the highway authority requested been provided.

#### Development

The highway authority has been consulted on the retrospective formation of an agricultural track (local planning authority's consultation letter dated 28 November 2025). However, the description of the development on the submitted application form is for 'the creation of a farm track to be used for agricultural purposes and for emergency use in connection with the tourism use taking place at the farm'. The following extracts are also taken from the submitted Planning Statement which support this intended additional use:

1.3 The farm track for which permission is sought retrospectively serves two functions it provides improved access for agricultural purposes connecting the farmstead and land on the west side of Skipton Road (A56) with the land on the eastern side and it provides an emergency access when large events are held at the farm such as at Halloween and Bonfire Weekend.

2.1 The main enterprise operated from Thornton Hall Farm is a well-established rural visitor attraction, trading as Thornton Hall Country Park, it is one of the primary tourist attractions within the Borough of Pendle and while the applicants provide a diversified range of attractions, farming remains at the heart of the country park's offering and is one of its key attractions. There is also a wedding venue and camping available at the farm as well as a wide range of events and activities throughout the year.

2.2 ... The development for which permission is sought is located to the east of the car park and comprises an access track which connects the car park to Skipton Road (A56).

3.2 The development has involved the creation of a length of access track which runs from the edge of the farms visitor car park to Skipton Road (A56), it is approximately 325m in length and approximately 4m wide.

5.8 The site is in a rural location but on the edge of a village where there is some access to public transport in the village. The majority of visitors to the site will arrive by private car and when certain events are held such as at Halloween or Bonfire Weekend and very high numbers of visitors are present will high numbers of vehicles it is important to have an alternative access available in the case of an emergency and the track for which permission is sought is available for use on such an occasion serving a clear health and safety role at the site. At other times of the year, it provides an all-weather access for farm machinery between the two parts of the applicant's agricultural holding which are situated on either side of Skipton Road.

5.27 The proposed development is to improve an existing tourist facility by providing an additional access for use by visitors or the emergency services in the event of an emergency.

As it is clear the applicant intends to use the track other than for agricultural purposes the highway authority makes its comments on that basis.

#### Main site access

The main site access for both the farming and tourism/leisure activities is from Church Road (B6252) via a surfaced, single vehicle width lane. It also provides vehicular access to other residential properties on Summerfield not associated with the farm nor its activities. The first section of lane (approx 22m from the carriageway edge) is wide enough to allow two way traffic to pass within the entrance. There are no formal passing places between Church Road and the car park, with access points to other properties acting as informal passing places.

#### Agricultural track/access

The existing field access is onto Skipton Road/Colne & Broughton Road (A56), which is a strategic link between Lancashire and Yorkshire carrying high levels of daily traffic, including HGVs to and from the West Craven Business Park to the south in Earby. The road is subject to a National Speed limit outside the existing field access.

The applicant states that the track already constructed would be used as all-weather access for agricultural purposes between land in their ownership on both sides of the A56. The use of the existing field access onto the A56 by agricultural vehicles is likely to be infrequent and seasonal, eg for silaging, haymaking or moving livestock. As the driver of 3 an agricultural vehicle is sat higher than in a domestic vehicle they are likely to have a clearer view of vehicles approaching

from either direction. The use of the track for agricultural purposes only with no connection to the tourism/leisure activities on site does not raise any highway safety concerns.

The track is 5.5m wide as shown on the 1:20 scale Agricultural Track Cross Section on Drawing Har.696.3184-01 dated 26.11.25. The maximum width of a standard agricultural tractor is 2.55m or 3m when it has fully mounted equipment or interchanged towed equipment. A 5.5m wide track would allow two way traffic by most non-agricultural type vehicles.

As farming activities have decreased on site and the tourism activities increased (see 2.1 of the Planning Statement) movements by agricultural vehicles across the A56 may have also reduced. If that is the case then does the level of farming activity warrant the construction of the style and size of track which has been submitted?

#### Emergency access use

The agricultural track links to the existing car park at the farm and so there are no physical barriers to prevent all traffic using the track not just agricultural vehicles. Indeed, as already stated, the description proposal on the submitted application form and information within the Planning Statement clearly indicate the intention for the track to be used by all types of traffic on certain occasions.

Due to the intensification in use of the access both the access and visibility splays would need to be provided to Design Manual for Roads and Bridges (DMRB) standard.

For a road with a speed limit of 60mph a Stopping Sight Distance (or visibility splay) of 215m would need to be provided in both directions to the nearside edge of the A56 (DMRB). These would need to be over land within the applicant's ownership and/or the public highway network. It may be suitable to reduce the visibility splays for the vehicle speeds on the A56 at the site access. However, these would need to be supported by data obtained by an automated seven day survey to establish 85%ile average seven day speeds. The survey would need to be collected in a neutral month (outside any holiday periods and adverse weather events) with prevailing weather conditions noted. The access would need to be paved and drained and constructed under a legal agreement (Section 278) with Lancashire County Council.

The applicant does not own the field and hedge boundary to the south of the access and therefore cannot provide the visibility splay to the right when exiting as this would be over third party land and not within their control. The geometry of the road to the north with a right hand bend would prevent the provision of a 215m visibility splay to the left when exiting. The intensification in use of an access with sub-standard visibility splays, particularly by those unfamiliar with the road network, is a highway safety issue and contrary to paragraphs 115 b) and 116 of the NPPF.

Previous applications for tourism activities/public events, including retrospective applications, have not mentioned the need for an emergency access. The applicants have not provided details of why an emergency access is now required and being applied for. The highway authority expects that any public events/activities which attract larger numbers would have to be assessed on an event by event basis through the appropriate channels when these do not come within the site's operation licence. For example through the relevant ESAG group or by a Temporary Events Notice. Both these channels would require the Police to be consulted and any highway safety measures they recommend being complied with. These could include, but not be exclusive to, temporary traffic management on the surrounding highway network, which would also have to be agreed with the relevant highway authorities, that is Lancashire County Council and North Yorkshire Council.

Section 5.27 of the Planning Statement says that the additional access would be 'for use by visitors or the emergency services in the event of an emergency'. Access by any emergency

vehicles in the case of an emergency would likely be via the existing main access onto Church Road. Even if an emergency vehicle could use the access and track off the A56 (which has not been demonstrated), as this leads to the car park access to the wider site is likely to be obstructed by parked vehicles. Therefore, the use of the track by emergency vehicles would be contrary to paragraph 117 d) which states that applications for development should 'allow for the efficient ... access by ... emergency vehicles.'

No information has been submitted that alternative options have been considered for an amended or additional access for emergency purposes. For example widening the existing access lane from Church Road to allow two-way traffic. As the applicant owns the adjacent field to the access lane this would be possible.

### Conclusion

Lancashire County Council acting as the highway authority objects to the application and considers that the applicant has not submitted adequate information to demonstrate that the use of the track for anything other than infrequent agricultural purposes would not have an unacceptable impact on highway safety and would therefore be contrary to paragraph 116 of the NPPF, that the use of the track for anything other than agricultural purposes would not provide a 'safe and suitable access to the site ... for all users' (contrary to paragraph 115b) and that efficient access by emergency vehicles cannot be provided (contrary to paragraph 117 d). The authority therefore recommends refusal.

### **Parish/Town Council**

No response

### **PBC Environmental health**

No response

### **PBC Public Rights of Way**

No response

### **North Yorkshire Highways**

No response

### **Yorkshire Water**

No response

### **PBC Engineering**

No response

### **Thornton in Craven Parish**

No response

### **Public Response**

The nearest neighbours have been notified by letter, a site & press notice have been displayed, with no response.

## **Relevant Planning Policy**

### **Pendle Local Plan Fourth Edition (2021-2040)**

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SP13 (Transport and connectivity) New developments should, wherever possible, exploit opportunities for walking and cycling by connecting to existing pedestrian and cycle routes.

Policy DM10 (Landscape character) expects development proposals to respect and wherever possible enhance the landscape in which they are located.

Policy DM16 (Design & Place Making) seeks high quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants

Policy DM37 (Parking) standards are set out in Appendix 5 of the plan, adequate parking provision is required to serve all new development.

Policy DM45 (Tourist facilities and accommodation) makes provisions for proposals that support tourist facilities and accommodation.

### **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 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.

Para 116. 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.

Para 117. Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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

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

### **Officer Comments**

The proposed development relates to a farm used for farming and as an open farm visitors centre located in open countryside outside the settlement boundary. A previous planning application 13/12/0102P approved the change of use of land and buildings from agricultural use to mixed agricultural use and recreational use as a farm visitor centre with play barn, cafe, car park, D2 assembly and leisure use and quad biking at this property. Part of the access track is within the area approved for quad biking as per a condition on that decision. The rest of the track is on agricultural field.

There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

### **Design and Materials**

The proposed track would be on a slope that rises from Skipton Road to the site car park. Part of it would be parallel to the road with the rest perpendicularly raising up the hill's slope. It is 5.5m wide and constructed with limestone aggregate base layer and finished with dust limestone as per the section drawings submitted with the application. The access and the track is prominent from public vantage points on Skipton Road the public footpaths passing through the site. The track is agricultural in appearance and would not be completely incongruous within its open countryside location.

Overall, the proposed development would be acceptable in terms of design in accordance with policies DM10 and DM16 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and the Adopted Pendle Design principles SPD.

### **Residential Amenity**

The track is not next to any residential properties and would not have any impact on the residential amenity of any neighbouring properties.

Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with policy DM16 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), and the Adopted Pendle Design principles SPD.

## Highways

The development results in an access from Skipton Road/Colne & Broughton Road (A56), which is a strategic link between Lancashire and Yorkshire carrying high levels of daily traffic, including HGVs to and from the West Craven Business Park to the south in Earby. The road is subject to a National Speed limit outside the existing field access.

The agricultural track links to the existing car park at the farm and so there are no physical barriers to prevent all traffic using the track not just agricultural vehicles. Indeed, the description proposal on the submitted application form and information within the Planning Statement clearly indicate the intention for the track to be used by all types of traffic on certain occasions. LCC Highways have noted that due to the intensification in use of the access both the access and visibility splays would need to be provided to Design Manual for Roads and Bridges (DMRB) standard.

For a road with a speed limit of 60mph a Stopping Sight Distance (or visibility splays) of 215m would need to be provided in both directions to the nearside edge of the A56 (DMRB). These would need to be over land within the applicant's ownership and/or the public highway network. The Stopping Sight Distance requirement can only be reduced if it can be demonstrated that actual vehicles speed on the A56 is lower, as obtained by an automated seven-day survey to establish 85 percentile average seven-day speeds collected in a neutral month (outside any holiday periods and adverse weather events) with prevailing weather conditions noted. As it stands no such information has been submitted.

The applicant does not own the field and hedge boundary to the south of the access and therefore cannot provide the visibility splay to the right when exiting as this would be over third-party land and not within their control. The geometry of the road to the north with a right-hand bend would prevent the provision of a 215m visibility splay to the left when exiting. The intensification in use of an access with sub-standard visibility splays, particularly by those unfamiliar with the road network, is a highway safety issue and contrary to paragraphs 115 b) and 116 of the NPPF.

Access by any emergency vehicles in the case of an emergency would likely be via the existing main access onto Church Road. Even if an emergency vehicle could use the access and track off the A56 (which has not been demonstrated), as this leads to the car park access to the wider site is likely to be obstructed by parked vehicles. Therefore, the use of the track by emergency vehicles would be contrary to paragraph 117 d) which states that applications for development should 'allow for the efficient ... access by ... emergency vehicles.'

No information has been submitted that alternative options have been considered for an amended or additional access for emergency purposes. For example, widening the existing access lane from Church Road to allow two-way traffic.

In this case the proposed development would have an unacceptable impact on highway safety and would not provide a safe and suitable access to the site for all users and emergency vehicles and would therefore be contrary to paragraphs, 115, 116 and 117 of the NPPF.

## **RECOMMENDATION: Refuse**

Due to the following reason:

1. The development due to substandard visibility splays at the access and insufficient information submitted to demonstrate otherwise would result in a significant impact on highway safety on the road network leading to the site. It would not provide safe and suitable access to all users and would not provide efficient access by emergency vehicles. The development would thus be contrary to Policies DM16 and DM37 of the Adopted Pendle

Local Plan Fourth Edition (2021-2040) and paragraph 115,116 and 117 of the National Planning Policy Framework.

**Application Ref:** 25/0748/FUL

**Proposal:** Full: Formation of an agricultural track.

**At** Thornton Hall Farm, Skipton Road, Barnoldswick

**On behalf of:** Mr Chris Harrison

# REPORT TO WEST CRAVEN AREA COMMITTEE 6<sup>TH</sup> JANUARY 2026

**Application Ref:** 25/0762/FUL

**Proposal:** Technical Details Consent: Erection of 1 no. dwelling with integral garage, including altered vehicular access and the provision of 3 no. parking spaces of Permission in Principle 24/0373/PIP.

**At:** Land to the NE of Meadow Park Court, Barnoldswick

**On behalf of:** Mr Dean Simpson

**Date Registered:** 09/07/2024

**Expiry Date:** 02/01/2026

**Case Officer:** Laura Barnes

This application is before committee due to the level of public interest.

## **Site Description and Proposal**

The application site is located adjacent to a detached property known as Meadow Park, with access off Kelbrook Road. The application site is outside the settlement boundary for Barnoldswick. However, the principle of development has been established through a Permission in Principle application (24/0373/PIP).

This is an application for the erection of one detached two storey, four bedroom dwelling with an integral garage.

## **Relevant Planning History**

24/0373/PIP: Permission in Principle: Erection of 1 no. dwelling.  
Approved unconditionally

## **Consultee Response**

### **Environmental Health Officer**

Requested a condition for a Construction Method Statement, to control nuisance to neighbouring properties during the construction period. Contaminated land informative also recommended.

## **LCC Highways**

### ***Proposed development***

The proposed development is the second stage of the Permission in Principle planning process for the erection of a detached, two storey, four bed dwelling with associated car parking and an altered vehicular access.

### ***Site access***

Access to the site is proposed to be taken from Kelbrook Road via a privately maintained, single vehicle width lane. Under the Permission in Principle (PIP) application access was shown from Kelbrook Road via Marina Way (privately maintained) and then a single vehicle width lane

(privately maintained). As the applicant has changed since the original PIP application they should take legal advice to establish that they have vehicular access rights over the lane between Kelbrook Road and the site.

#### *Site access visibility*

An altered access to the site itself is proposed, which will also provide access to the off-road parking. The Proposed Site Plan (Drawing 05A) shows a 1.2m high dry stone wall proposed to be erected to the East of the access, set back 0.9m behind the existing grass verge. This setting back should allow inter-visibility from the site onto the lane particularly for vehicles approaching from Lower Park Farm.

A 1.2m high dry stone wall is also proposed along the boundary with the adjacent bungalow, Meadow Park. This should be reduced in height to 0.9m for the first 2m measured back from the site boundary into the site to improve visibility to and from the driveway

#### *Car & cycle parking*

Given the site's distance from local amenities and facilities, and the consequent reliance on the use of private motor vehicles, maximum parking standards should be applied to this site which, in this case, would be three parking spaces.

The proposed single garage is considered adequately sized internally to count as one car parking space. It can also provide secure storage for two cycles and an electric vehicle charging point to support sustainable forms of transport. A further two adequately sized car parking spaces can be accommodated on the driveway, whilst maintaining pedestrian access. The highway authority therefore considers that an adequate level of off-road car parking can be provided. However, to ensure that parking provision is protected a condition restricting the garage's use as car parking only should be applied to any planning permission granted.

The driveway should be surfaced in a bound porous material to prevent loose material from being carried onto the adjacent lane, where it could pose a hazard to other users.

#### *Refuse bin storage*

A small area at the side of the proposed dwelling is proposed for bin storage. Only two bins have been shown on the Proposed Site Layout (Drawing 05A). This area needs to be increased to allow storage for a minimum of four bins so that bins do not obstruct nor encroach within the parking/manoeuvring areas

#### *Construction phase*

As this is a greenfield site with narrow vehicular access from the public highway a Construction Method Statement including a site plan should be submitted to demonstrate that the development would not have an adverse impact on the surrounding access network, including access to other residential properties.

The following conditions should be applied to any formal planning approval granted

- Construction Method Statement
- No physical boundary greater than 0.9m in height
- Parking areas to be constructed prior to first occupation of the dwelling
- Garage to remain as parking space

#### United Utilities

No response received

#### Barnoldswick Town Council

No response received

#### Cadent Gas

No objection, informative required – low & medium pressure assets nearby

#### Environment Officer (Trees)

The applicant has submitted a detailed Arboricultural Impact Assessment (AIA) & Arboricultural Method Statement (AMS) that has correctly graded the trees, on the site adjacent, in accordance with the BS 5837. The design layout of the development is such that there is enough room for the trees to be protected during the development phase.

I have no objection to the proposals and the condition for the protection of the trees is suitable for approval.

Please can you condition that the tree protective fencing needs to be in place prior to any development activities on the site, and that it needs to be positioned in accordance with the 'Tree Protection Plan' included in the AIA & AMS.

#### Public Response

Nearest neighbours have been notified by letter, four responses have been received (two of which are from the same property, so are counted as one) raising objections as follows:

- Concern regarding an ancient tree on the boundary of the site
- Water from an estate which was built 2 years ago running across a driveway
- Difficulty getting into and out of a property
- Over development of the plot
- Overlooking issues
- Concern regarding TPO/No18/1997
- Biodiversity Net Gain plan is incorrect because deer and hares are present in the field and often on the land
- The development does not provide sufficient detail on site capacity, layout and environmental impact
- Loss of sunlight into habitable rooms

#### Officer Comments

##### **Policy**

##### Pendle Local Plan Fourth Edition

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SP02 (Spatial Strategy) sets out the settlement hierarchy for Pendle. Barnoldswick falls within the "Main Towns" which is highest on the hierarchy, being the focus of the largest amount of growth.

Policy SP04 (Housing requirement and delivery) sets the minimum annual requirement for the number of dwellings to be delivered in Pendle.

Policy SP08 (Towards Net Zero Carbon) encourages applicants to incorporate renewable and low carbon energy generation into development.

Policy SP09 (Water Management) considers water quality, supply infrastructure, wastewater, efficiency and flood risk. It requires that proposed development does not increase the risk of flooding elsewhere.

Policy DM01 (Climate change resilience) requires developers to create accessible development which consider pedestrian, cycling and public transport movement. Proposals should minimise the use of natural resources and help mitigate the effects of climate change.

Policy DM02(a) (Flood Risk) echoes the sequential test set out in national policy. The use of SUDs is should be prioritised and the use of permeable surfaces should be avoided wherever possible.

Policy DM02(b) (Surface Water & Foul Water Management) requires applications to be accompanied by a strategy for foul and surface water management and to follow the sustainable drainage hierarchy.

Policy DM04 (Biodiversity Net Gain) sets out that development is required to provide a measurable 10% enhancement above the baseline conditions. If this cannot be provided on site, it should be provided by way of an off-site contribution or biodiversity credits.

Policy DM07 (Trees & Hedgerows) sets out that where development could affect trees or woodland the applicant will be required to submit an Arboricultural Impact Assessment and Method Statement. Replacement planting should be provided at a ratio of two replacement trees for each tree that it lost.

Policy DM16 (Design & Place Making) seeks high quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants.

Policy DM18 (Heritage Assets) states that the Council will support proposals which conserve and enhance Pendle's historic environment. Where a proposal would result in harm of loss of significance to a heritage asset, this must be balanced against any public benefit associated with the scheme.

Policy DM21 (Design & Quality of Housing) requires residential development to make a positive contribution to the built and natural environment. It sets out that new homes should make efficient use of land.

Policy DM22 (Housing Mix) sets out requirements for the tenure of housing based upon bedroom numbers. It sets out that major developments will be encouraged to consider delivering some bungalows as part of their proposals.

Policy DM23 (Affordable Housing) sets the requirement for affordable housing across the various areas of Pendle.

Policy DM26 (Housing in the countryside) sets out that development outside the settlement boundary will be supported provided it is the conversion of a redundant building, an extension or alteration, a replacement building, dwellings of exceptional design or for an agricultural worker. Policy DM37 (Parking) standards are set out in Appendix 5 of the plan, adequate parking provision is required to serve all new 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.

## **Principle of Development**

The principle of residential development on this site was established as part of the permission in principle application 24/0373/PIP. It was concluded the proposed site would be in a sustainable location and the principle of housing acceptable, which accords with Policy LIV1 and the NPPF. Whilst this is not the current policy position based upon the Development Plan (Local Plan Fourth Edition), the principle has been established through the planning history. The current application deals with the technical details and the application will be considered against the policies relating to design & amenity in the Local Plan Fourth Edition.

## **Residential Amenity**

In accordance with the Design Principles SPD it is advised that a minimum separation distance of 12 metres should be maintained between a principal window in one property and a blank wall of another. In addition, a 21 metre separation distance should be retained between habitable room windows in properties that are directly facing each other.

The proposed dwelling is to be in excess of 21m from the neighbouring dwellings at Lower Park Farm. To the front of the proposed dwelling there is a distance of 23m between the property at 6 Birtwistle Court. It is acknowledged that there are habitable room windows to the rear of 6 Birtwistle Court which would be opposing the proposed development. However, given the separation distance, this would not result in any unacceptable neighbouring amenity issues. To the side boundary with Meadow Park there is a distance of 3m to the side wall of the garage at Meadow Park. However, in terms of the proposed windows, to the ground floor of the proposed dwelling there are to be three windows (two serving non habitable rooms – WC and utility), of these one is to serve a sitting room. However, the proposed plan indicates that there is to be a 1.8m high close boarded fence along this boundary. Provided that this is secured by planning condition, it would not result in any unacceptable impact upon neighbouring amenity. To the rear of the dwelling there are no residential dwellings within a 21m distance therefore there would be no unacceptable neighbouring amenity issue.

A construction method statement can be secured by planning condition, in order to control the construction phase of the proposed development.

Overall, the proposed development complies with Policy DM16 in this regard.

## **Design**

The proposed scheme comprise one detached dwelling, with a private garden area and allocated parking spaces, along with an integrated garage. The proposed dwelling is set within a generously sized plot.

Internally, the accommodation is to comprise a large open plan kitchen / dining / lounge area, with separate sitting and living rooms to the Ground Floor, in addition to an integrated garage, WC and utility room. To the First Floor, the proposed dwelling is to have four bedrooms (one with ensuite) and a family bathroom.

The roof ridge of the proposed dwelling is to measure 9.1m in height, which is not unusual for a two storey dwelling. It is noted that there is a change in ground levels between the finished floor level and the surrounding garden area. Some members of the public have raised an issue regarding over development of the plot. The proposed development is not out of keeping with other surrounding development in the area. The density of the proposed development is circa 20 dph (dwellings per hectare) whilst the existing development at Marina Drive is circa 22.7 dph and Birtwistle Court being 23.3 dph. As such, the proposed development is less dense than the existing developments in the surrounding area and is not out of keeping.

The dwelling is to be constructed of random reclaimed stone with stone quoins. The roof is to be covered in greys artificial stone, whilst the windows and doors are to be timber effect UPVC. This proposal is acceptable in scale, siting and design in accordance with Policy DM16 of the Local Plan Fourth Edition and the Design Principles SPD.

## **Highways and Access**

The Highways Authority note the change to the vehicular access and have commented as follows in this regard:

*Access to the site is proposed to be taken from Kelbrook Road via a privately maintained, single vehicle width lane. Under the Permission in Principle (PIP) application access was shown from Kelbrook Road via Marina Way (privately maintained) and then a single vehicle width lane (privately maintained). As the applicant has changed since the original PIP application they should take legal advice to establish that they have vehicular access rights over the lane between Kelbrook Road and the site.*

They note that a 1.2m high stone wall has been proposed along the site frontage, which should be reduced to 0.9m in the interests of visibility. This can be secured by planning condition. They also note that there should be space for four wheelie bins within the area marked on the plan for bin storage, again this can be secured by condition. The level of parking is adequate, in accordance with Policy DM37. However, a condition is required to ensure that the proposed garage is used for the parking of a vehicle.

## **Trees & Landscaping**

As part of this application an Arboricultural Impact Assessment has been provided. There is sufficient space within the site in order to protect the trees during the construction phase. The Council's Environment Officer (Trees) has requested that a condition is placed on any decision regarding the need for protective fencing around tree roots in accordance with the Arboricultural Impact Assessment and Method Statement.

Concerns have been raised by member of the public regarding the status of some of the trees on the boundary of the site, being ancient trees. The tree assessment contained in the applicant's submission has not made reference to any ancient / veteran trees. The Council's Environment Officer (Trees) has confirmed that they do not appear in the woodland Trust "Ancient Tree Inventory". They are content that if the proposals are carried out in accordance with the consultant's report and the correct tree protection fencing is put in place the trees should not suffer as a result. I have no reason to depart from this view.

A condition can be applied to this permission to ensure that the recommendations contained within the Phase 1 survey are adhered to.

With regard to landscaping, the applicant has submitted a indicating hard surfaces, areas of grass and some proposed trees. No detail of the species to be provided has been included. However, should the application be approved, a detailed landscaping condition could be attached to any decision notice.

Although the proposed development would result in the loss of a small area of modified grassland, this loss is to be mitigated with the planting of a native hedge and replacement trees. This forms part of the biodiversity net gain metric which will be discussed in a later section of the report. The species, number and age / standard can be established through the use of a suitably worded planning condition.

Subject to condition, a suitable landscaping scheme could be achieved on this site.

## **Drainage**

The applicant has not submitted a drainage strategy, although there is indication on the site plan that a drain is to be diverted in order to accommodate the proposed development. However, a full drainage strategy can be secured by planning condition.

## **Biodiversity Net Gain**

The application is accompanied by a small site metric, as is required for minor applications of this nature since 2<sup>nd</sup> April 2024. The metric sets out that some modified grassland would be lost as a result of the proposed development. The applicant intends to create replacement areas of modified grassland along with species rich native hedgerow and trees. The post-intervention area habitats would provide biodiversity units of 0.28bu whilst the hedgerow would provide 0.015bu. Overall, these proposals would result in a 10.3% increase in Biodiversity. As such, it more than meets the threshold for applications which are required to provide at least 10% biodiversity uplift.

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

Notwithstanding the information provided on BNG, some members of the public have raised concerns regarding the ecology which is on the site. The applicant has been given opportunity to address this. As such, committee are asked that delegated powers be granted to the Assistant Director for Planning, Building Control and Regulatory Services, in order to give the applicant a reasonable amount of time to provide a response on this issue.

## **Other Matters**

There have been some comments from members of the public about the ability of residents to pass along the driveway. The application has been assessed from a technical perspective and accords with policy in this regard. If there is an issue with the blocking of the access, this is not something that can be resolved through the planning application process.

An issue regarding drainage from an adjacent site has been raised. It is not for this planning application to deal with existing issues. As such, this is not determinative in the current application.

## **RECOMMENDATION: Delegate grant consent, subject to a satisfactory outcome regarding the ecological surveys**

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan received 24/11/2025, Proposed Floor Plan 1752\_02, Proposed Elevation Plans 1752\_03, Proposed Site Plan 1752\_05A, Existing and Proposed Site Sections 1752\_06.

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

3. Prior to the commencement of development samples of all the external facing materials, boundary treatment and all hard surfacing, including parking areas and paving of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter at all times be carried out in strict accordance with the approved materials and details.

**Reason:** To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. Prior to the commencement of development, a scheme of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

5. Notwithstanding any indication on the plans hereby approved, prior to first occupation of the approved development any physical boundary treatment erected adjacent to Meadow Park shall be no higher than 0.9m above the nearside carriageway level for the first 2m into the site and shall be retained as such for the lifetime of the development.

**Reason:** In the interest of highway safety to ensure adequate inter-visibility for the drivers of vehicles entering and leaving the site.

6. Prior to first occupation of the approved development the parking and manoeuvring areas shown on the approved plans shall be constructed, laid out and surfaced in bound porous materials and thereafter always remain available for the parking of vehicles associated with the dwelling and shall be kept free from obstructions in perpetuity.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garage shown on the approved plan shall be maintained as such and shall not be converted to or used for any purpose which would preclude its use for car parking, without the prior written approval of the Local Planning Authority.

**Reason:** To protect off-road parking provision in the future.

8. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Measures to control the emission of dust and dirt during construction
- vi) A scheme for recycling/disposing of waste resulting from demolition and construction works
- vii) Details of working hours

**Reason:** To minimise the impact and disruption to highway users and in the interest of residential amenity

9. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and 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 approved form within the first planting season following the substantial completion 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.

10. The development hereby approved shall be carried out in strict accordance with the arboricultural impact assessment, prepared by Tree Plan Arboricultural Consultants, dated 24 November 2025.

**Reason:** To protect the trees in the interest of the amenity of the area.

11. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837 : 2005 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. The fencing shall be located at least 1.00 metre beyond the protected area detailed in BS 5837. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

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

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 10% Biodiversity Net Gain and a contribution for monitoring of the Biodiversity Net Gain provision for a 30 year period.

**Reason:** To ensure the provision of biodiversity net gain.

13. Unless otherwise agreed in writing by the Local Planning Authority, the fence along the boundary with Meadow Park shall remain in place at a height no less than 1.8m for the lifetime of the development.

**Reason:** In order to protect neighbouring amenity.

14. Notwithstanding any indication on the plans hereby approved, bin storage for four wheelie bins shall be provided within the site and shall remain available for the storage of bins for the lifetime of the development.

**Reason:** In the interests of highway safety.

### **BNG Conditions**

1. The development may not be begun unless
  - a. a biodiversity gain plan has been submitted to the planning authority and
  - b. the planning authority has approved the 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.

### **INFORMATIVE**

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

### **LIST OF BACKGROUND PAPERS**

Planning Applications

**NPW/MP**

**Date:** 18<sup>th</sup> December 2025