

Report Title	PLANNING APPLICATIONS
Meeting	COLNE AND DISTRICT COMMITTEE
Meeting Date	05TH FEBRUARY 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	VIVARY BRIDGE
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO COLNE & DISTRICT AREA COMMITTEE 05TH FEBRUARY 2026

Application Ref: 25/0829/FUL

Proposal: Full: Erection of 1 no. dwelling in existing garden area within the curtilage of the existing dwelling including new vehicular access.

At: Wynstone, Barrowford Road, Colne

On behalf of: Mr Frank Belshaw

Date Registered: 16/12/2025

Expiry Date: 10/02/2026

Case Officer: Laura Barnes

Site Description and Proposal

The application relates to a site within the residential curtilage of a detached residential property known as Wynstone, which is to the north of Barrowford Road, Colne.

The application site is within the settlement boundary. It is in a predominantly residential area which has a varied built form comprising a mixture of large, detached homes to the north of Barrowford Road and two-storey semi-detached houses to the south.

The applicant is seeking planning permission to erect a detached five-bed dwelling within the curtilage of Wynstone and the provision of off-road parking.

Relevant Planning History

13/93/0556P Outline: Erect one dwelling – appeal allowed

13/96/0288P Formation of replacement access – appeal dismissed

Consultee Response

Environmental Health Officer

Construction Method Statement requested & contaminated land informative.

Environment Officer (Trees)

I have no doubt that the intended new access will alter the appearance of the street scene due to the removal of large trees and the loss of the continuous wall, causing a loss of visual and structural continuity. Having said that, the trees intended for removal are of a low grade due to being suppressed and left unmanaged over the years. The ash tree that overhangs the road is in a state of decline due to advanced ash dieback, this tree should be removed regardless of the proposed development outcome.

Although the use of a cellular confinement system is referenced as to be used during the development phase, this detailed information should be included on the tree protection plan in a hatched form and labelled. This needs to be submitted prior to the determination of the application.

As well as condition for the mitigation of the trees and vegetation lost, please also condition the arboricultural method statement that will need to be completed as referenced in the applicants submitted arboricultural report.

LCC Highways

Having reviewed the documents submitted Lancashire County Council acting as the highway authority makes the following initial comments and requests further information including visibility splay drawings.

Site planning history

There have been no recent planning applications. However the following historic application is relevant:

13/96/0288P – formation of a replacement access. Refused and appeal dismissed. The application was refused on highway safety grounds due to 'dangerously substandard visibility to the west'. No detailed drawings of the location or layout of this access are available on the planning authority's planning website, nor details of the appeal. These have been requested from the local planning authority, if still available.

Proposal

The proposed development is for the erection of a detached, five bed dwelling with associated curtilage, off-road parking provision and the construction of a new vehicular access onto Barrowford Road.

The highway authority notes that an Existing Site Plan has not been submitted.

New site access

The development site is adjacent to Barrowford Road with no existing site access, either vehicular or pedestrian.

The applicant proposes to construct a new vehicular access onto Barrowford Road which will require alterations to the existing stone boundary wall. A separate pedestrian access is proposed within the new entrance to the side of the new access.

The formation of the new vehicle access from Barrowford Road to the development site would need to be carried out under a legal agreement (short form Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to, the construction of the access to an appropriate standard, radius kerbs, and buff coloured tactile paved dropped pedestrian crossings on both sides of the access.

Alternatively, as the access will only serve one dwelling a dropped vehicle crossing may be more appropriate. This would still need to be constructed through an agreement with the highway authority and to the authority's specification. Amended plans would also be required.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process and should not wait until condition discharge stage. Due to the high volume of agreement submissions currently being received by the county council this process can take at least six months to complete.

No works should be undertaken within, or which affect, the highway network maintained at public expense without the necessary agreement first being in place in order to prevent legal action from being taken against the developer.

Entrance Gates

Entrance gates are proposed to be installed across the new vehicle entrance. The Proposed Site Plan (Drawing 2025/FB/02) shows that these are set back at least 6.6m from the carriageway edge

of Barrowford Road. This set back distance will allow a vehicle to enter and leave the site without having to wait on the carriageway for the gates to be opened or closed and is therefore unlikely to cause an obstruction to other highway users.

Visibility splays

Barrowford Road is subject to a 30mph speed limit outside the site. For a road with a speed limit of 30mph a Stopping Sight Distance (SSD) of 43m would be required in both directions (Manual for Streets).

Traffic may be travelling below the maximum speed limit due to the carriageway traffic calming features, and a shorter SSD may be accepted. However this would need to be supported through data obtained by an automated seven day survey carried out within a neutral month with no national or major local events taking place and with prevailing weather conditions noted.

Visibility splays must be provided over land within the applicant's ownership and/or over the publicly maintained highway network. No part must be over third party land. The splays should be measured back 2.4m along the centre line of the access from the carriageway edge and to points 43m (based on 30mph speed limit) in both directions measured to the nearside carriageway edge. Nothing over 0.9m in height above the carriageway level must be within the visibility splays.

Car & cycle parking

Four adequately sized car parking spaces should be provided for a detached dwelling with five or more bedrooms in line with recommendations in the borough council's Parking Standards. In addition secure, covered storage for two cycles should be provided.

A double garage is proposed. However, this is sub-standard in size internally to provide any car parking, although can provide secure cycle storage. To count as car parking provision a double garage should have minimum internal dimensions of 6 x 6m. Although the borough council's Parking Standards recommend an increase to 6.5m x 7m to allow for cycle storage. There is insufficient width between the proposed house wall and the boundary to the neighbouring property to provide an adequately sized double garage. Two further parking spaces are shown on the Proposed Site Plan (Drawing 2025/FB/02) as well as the manoeuvring area. Both the parking and manoeuvring area are undersized. Vehicles parked in front of the garage would block access to the turning area and a vehicle parked in the turning area would prevent a vehicle from manoeuvring to or from the garage. A roller shutter style garage door is proposed to be installed and so there should be a minimum distance of 5.6m in front of it to allow a vehicle to park there. However, as already stated this would block the turning area which is narrow and needs to be widened. An amended parking layout is required to provide four adequately sized parking spaces plus an adequate manoeuvring/turning area which would not be obstructed by parked cars so that all vehicles can enter and leave the site in forward gear.

Construction phase

A Construction Method Statement will be required to demonstrate how the development can be constructed without having a detrimental impact on the surrounding highway network and its users. The document should include, but not be exclusive to, details of the phasing of the development, that is, whether the new access will be constructed first, or whether the existing access will be used and the new access constructed last. It should also include details of parking for site operatives and visitors.

Initial conclusion

Based on the information submitted to date the applicant has not demonstrated that a 'safe and suitable access to the site can be achieved for all users', which is contrary to paragraph 115 b) of the NPPF. In addition, without demonstrating that the necessary visibility splays can be achieved from the new access the highway authority considers that the proposed development would also have 'an unacceptable impact on highway safety', which would be contrary to paragraph 116.

Following the receipt of a suitably scaled drawing demonstrating that adequate visibility splays can be achieved over land within the applicant's ownership and/or the public highway network, together with an amended parking layout plan, the highway authority will provide further comments including any highway related conditions it considers necessary.

Further comments: 20/01/2026

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

United Utilities

It is the applicant's responsibility to investigate the existence of pipelines that might cross or impact the proposed site. The drainage hierarchy set out in the NPPF must be followed.

Colne Town Council

Comments awaited at the time of drafting the report – Meeting on 20th Jan

Public Response

Nearest neighbours have been notified by letter, without response.

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. Colne 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 or 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.

Colne Neighbourhood Plan

Policy CNDP3: Design Code – this policy sets out that a high standard of design is required for proposed developments

Policy CNDP6: Future Housing Growth – sets out where the neighbourhood plan has housing allocations across the town

Principle of Development

The principle of residential development on this site is acceptable, given that it is within the settlement boundary. The main considerations here are design and residential amenity.

Design

The proposed scheme comprise one detached dwelling, with a private garden area and allocated parking spaces. The proposed dwelling is set within a generously sized plot at a property known as Wynstone.

Internally, the accommodation is to comprise a kitchen, dining room, lounge, utility room, cloakroom and WC, in addition to a ground floor bedroom. To the first floor, there are to be four further bedrooms (two with ensuite facilities) and a family bathroom.

The roof ridge of the proposed dwelling is to measure 7.7m in height. The dwelling is to be two storey with a single storey garage attached which projects forwards from the front elevation. The dwelling is to be finished with natural stone walling with natural stone quoins, heads, mullions and cills. The roof is to be a Redland tile, whilst all windows and door frames are to be an oak finish UPVC.

This proposal is acceptable in scale, siting and design in accordance with Policy DM16 of the Local Plan Fourth Edition, Colne Neighbourhood Plan and the Design Principles SPD.

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.

To one side of the proposed dwelling, there is a coach house which has been converted into habitable accommodation. However, it was noted upon the site visit that all the windows which face towards the application site are obscurely glazed. As such, although the proposed dwellings is just 6m from the rear windows to the coach house, this would not result in an unacceptable neighbouring amenity issue. To the rear there are no properties within a 21m distance. To the other side is the host dwelling, Wynstone. The proposed dwelling would be set back considerably from the front elevation of Wynstone and there is a change in levels of around 2m between the properties. Given the set back, the change in levels and the separation distance of 7.5m, this would not result in an unacceptable impact upon either the existing residents at Wynstone or the future residents of the proposed dwelling.

In terms of the boundary wall to the front of the property, this is to be lowered from its existing position. Although this would change the character and appearance of this part of the street scene, it would still retain some of the original material and position of the wall. It is not a Listed structure nor does it fall within a Conservation Area. The proposed alteration to the wall would not result in an unacceptable visual impact.

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 and the Conle Neighbourhood Plan in this regard.

Highways and Access

The proposed development provides a sufficient number of parking spaces for the proposed dwelling whilst retaining acceptable levels of parking for the original dwelling. The proposals accord with Policy DM37 in this regard.

In terms of access and visibility, the applicant had been asked to prepare an amended drawing showing the visibility splays, which they have now done. The Highways Authority have been provided with the amended plans and their comments indicate they have no objection to the proposals, subject to conditions controlling the parking, construction phase, site access and visibility splay.

Trees & Landscaping

The applicant has submitted a 'Planning Design and Arboricultural Report' that covers all the relevant points in relation to the new access at the property. The report attempts to grade the trees on the site in accordance with the relevant BS 5837 'Trees in relation to design, demolition and construction – Recommendations'

As part of the development proposals, the intention is to remove 3 low grade trees, 1 Ash and 2 Sycamore, as well as 2 semi-mature Hollies. The arboricultural report also references the use of a 'cellular confinement system' that protects the roots of the trees to be retained from compaction in the areas of the new access through the existing wall.

Conclusion

I have no doubt that the intended new access will alter the appearance of the street scene due to the removal of large trees and the loss of the continuous wall, causing a loss of visual and structural continuity. Having said that, the trees intended for removal are of a low grade due to being suppressed and left unmanaged over the years. The ash tree that overhangs the road is in a state of decline due to advanced ash dieback, this tree should be removed regardless of the proposed development outcome.

Although the use of a cellular confinement system is referenced as to be used during the development phase, this detailed information should be included on the tree protection plan in a hatched form and labelled. This needs to be submitted prior to the determination of the application.

As well as condition for the mitigation of the trees and vegetation lost, please also condition the arboricultural method statement that will need to be completed as referenced in the applicants submitted arboricultural report.

Biodiversity Net Gain

The application is accompanied by a statement setting out that this is a self / custom build and for this reason is exempt from BNG requirements.

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: 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 (1:1250), Proposed Site Plan 2025/FB/02 Rev A, Proposed Floor Plan 2025/FB/03, Tree Protection Plan 2025/FB/05 Rev A

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

3. All materials to be used in the elevations and roof 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. 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. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Works shall include, but not be exclusive to, the construction of the access to an appropriate standard, radius kerbs, buff coloured, tactile paved dropped pedestrian crossings on both sides of the access. All the highway works shall thereafter be constructed and completed in accordance with the approved scheme prior to first occupation.

Reason: In the interest of highway safety.

6. 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

7. Prior to first occupation of the approved dwelling visibility splays measuring 2.4m back along the centre line of the access measured from the carriageway edge and extending 43m in both directions on the nearside carriageway edge shall be provided at the new access onto Barrowford Road as shown on the approved plans. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level which would obstruct the visibility splays. The visibility splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development.

Reason: In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

8. Notwithstanding the information submitted the approved development should not be brought into use unless and until a parking scheme for at least four adequately sized car parking spaces with associated manoeuvring area has been submitted to and approved in writing by the Local Planning Authority. The parking area(s) shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling and the manoeuvring area(s) maintained free from obstruction for the lifetime of the development.

Reason: In order to ensure satisfactory levels of off-street parking and manoeuvring are achieved within the site to prevent parking on the highway to the detriment of highway safety.

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 Tree Protection Plan 2025/FB/05 Rev A

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. Prior to first occupation of the approved development the parking and manoeuvring areas shown on the approved plans shall be provided and thereafter always remain available for the parking of vehicles associated with all dwellings on site 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.

13. Prior to first occupation of the approved development 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 supports sustainable forms of transport.

INFORMATIVE

1. 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.
2. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (short form Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard, radius kerbs, buff coloured, tactile paved dropped pedestrian crossings on both sides of the access. 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: 25/0829/FUL

Proposal: Full: Erection of 1 no. dwelling in existing garden area within the curtilage of the existing dwelling including new vehicular access.

At: Wynstone, Barrowford Road, Colne

On behalf of: Mr Frank Belshaw

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 12th January 2026