

Report Title	PLANNING APPLICATIONS
Meeting	WEST CRAVEN COMMITTEE
Meeting Date	12TH MAY 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BARNOLDSWICK
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE ON 12TH MAY 2026

Application Ref: 24/0810/FUL

Proposal: Full: (Major): Erection of 28 no. dwellings with new access from Park Avenue along with associated infrastructure and landscaping.

At: Land To The West Of White Leys Close, Earby

On behalf of: Mr R Calderbank

Date Registered: 16/12/2024

Expiry Date: 03/04/2025

Case Officer: Alex Cameron

This application was deferred from Committee in November 2025.

Site Description and Proposal

The application site is agricultural land located in the parish of Salterforth on the south west corner of Earby and lies outside the settlement boundary in the open countryside. The site is a rectangular piece of land which measures 0.5ha and is bounded by housing on White Leys Close to the east, Earby Road to the south and open countryside to the north and west. Access to the site would be directly off Earby Road.

The application seeks planning permission for the erection of 28 dwellings.

Since the submission of the application the applicant has purchased the site with existing planning permission for a residential development to the south and it is now proposed for surface water to be discharged via that site to a watercourse to the south.

Relevant Planning History

18/0624/OUT - Outline: Major: Residential development (0.5ha) (Access Only) (Re-Submission) - Approved

21/0769/OUT - Outline: Major: Residential Development (Access only) – Approved

Consultee Response

LCC Lead Local Flood Authority – No objection subject to conditions for surface water drainage strategy, surface water construction drainage management plan, drainage management and maintenance and surface water drainage verification report.

LCC Highways – No objection to the amended plans subject to conditions for construction method statement, construction traffic access, visibility splays, off-site highway works, management and maintenance of estate road, footpath link management and maintenance, estate road completion, car parking, cycle storage and a contribution to the Colne-Skipton Greenway.

Yorkshire Water – Object. It is noted that surface water is proposed to discharge to the public combined sewer network. The public combined sewer network does not have capacity to accept any surface water from the site. Yorkshire Water promote the surface water disposal hierarchy. It is understood that the previous application 18/0624/OUT was to discharge surface water to watercourse. The developer is proposing to discharge surface water to public sewer however, sustainable development requires appropriate surface water disposal. Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical. It is understood that a culverted watercourse is located to the north of the site. This appears to be the obvious place for surface water disposal. The developer and LPA are strongly advised to seek comments on surface water disposal from other drainage bodies as further restrictions may be imposed.

Additional response 21st March 2025:

The drainage details submitted on drawing 22005/100/1 (revision F) dated 23/02/2025 prepared by REFA Consulting Engineers are unacceptable. The following points should be addressed: 1) It is understood that a surface water sewer/culvert exists within Earlesdon Avenue, this pipe discharges to watercourse. 2) Evidence should be submitted to show that discharge to the above culvert is not possible. 3) The developer should note that the advice given in the preplan prepared in 2022 carries no weight at this time.

Additional response 10th June 2025:

Objection still stands. No drainage details have been submitted showing the drainage strategy for the site. Any submitted drainage drawings should show foul and surface water drainage proposals both on and off site and include the eventual outfall of surface water.

Additional response 04th July 2025:

To clarify why we want further information as to why the culvert has been discounted because on Planning Application 18/0624/OUT (the site is included in the current application), a Drainage Strategy Report prepared by JOC Consultants Ltd (Report 17/035.01) dated 27/06/2018 was submitted and included a drainage survey which showed that the culvert located within Earlesdon Avenue connected to and had an eventual discharge to the watercourse located in the field at the rear of Craven View. The drainage report concluded that surface water from site would discharge to the watercourse utilising this culvert.

Additional response 15th September 2025:

The Drainage Strategy Southern Outfall 22005/150/1 dated 31/07/2025 prepared by REFA Consulting Engineers is acceptable. That is the drawing shows that curtilage surface water will discharge to a watercourse located to the south, across Earby Road. (Please note, the drawing has labelled the road as Park Avenue, however, our record shows it as Earby Road). Foul water from the development will discharge to 225mm diameter public combined water sewer located within Warwick Drive junction with Churchill Avenue.

In view of the above, if planning permission is to be granted, the following condition should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

Yorkshire Water has no objection subject to the condition:

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been

completed in accordance with details submitted to and approved by the Local Planning Authority. (To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network)

PBC Environmental Health – Please attached a construction management condition and contaminated land note.

PBC Environment Officer – The initial layout had some limitations that were causing concerns with regards to trees to be retained, T12 & T13 (as numbered in the AIA), The proposed plots were too close to these trees which were showing special measures for working within their Root Protection Areas. By moving the proposed plots slightly further away this is an improvement.

The size and potential spread of trees can be a concern when they're placed too close to properties. Issues like perceived root damage to foundations, branches reaching in close proximity to buildings, or the risk of falling debris during storms are common concerns in such situations. It's important to ensure the trees have enough space to grow to their full size without causing issues for the surrounding properties and residents alike.

There is a compromise here as, in general terms, the layout offers other available planting areas along the road frontage. Proposed new tree planting along Earby road will, over time, create a buffer zone and break up roof lines for road users.

Lancashire Fire and Rescue Service – Comments relating to Building Regulations.

Public Response

Press and site notices have been posted and nearest neighbours notified. Responses received objecting the proposed development on the following grounds:

- Impacts on the visual amenity and character of the area
- Loss of privacy to adjacent properties
- Overbearing impacts on adjacent properties
- Highway safety and capacity impact of additional traffic and site access
- The proposed footway on Earby Road would affect the deliverability of the extant approved development of 34 houses to the south.
- Increase in flood risk
- Inadequate affordable housing provision
- Impacts on protected trees
- Environmental and wildlife impacts
- The field is used by foraging bats
- Potential for contamination
- Noise pollution
- Light pollution
- Disruption of services
- The site is in Salterforth Parish which has met its housing target
- Inadequate services in the area to meet the needs of additional residents
- Brownfield land should be used first
- Impact on the potential future Earby bypass
- Impacts on views from adjacent dwellings

Officer Comments

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 SP02 (Spatial Strategy) States that outside a defined settlement development will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply. The Council can currently demonstrated a five year housing land supply.

Policy SP13 (Transport and Connectivity) States that new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion. Where an adverse impact is identified, applicants should prepare a Traffic Impact Assessment and ensure that adequate cost-effective mitigation measures can be put in place. Where there is an unacceptable impact on highway safety, or the residual cumulative impacts of the development are severe and cannot be adequately mitigated, planning permission is likely to be refused. New developments should, wherever possible, exploit opportunities for walking and cycling by connecting to existing pedestrian and cycle routes. Where appropriate new links should be provided to help increase connectivity and close gaps in the network.

Policy SP09 (Water Management) Development should be delivered in an environmentally sensitive way (Policy DM02(a)), which: (a) Limits flood risk through careful location, design and surface water management. (b) Does not increase flood risk elsewhere. (c) Seeks to locate or relocate critical infrastructure and highly vulnerable uses in areas that are not at significant risk of flooding. (d) Improves the flood resistance and resilience of premises in areas at significant risk of flooding. (e) Protects, maintains and secures flood management infrastructure.

Policy DM02a (Flood Risk) The policy seeks to manage and reduce the risk of flooding. It also seeks to ensure that new development is not vulnerable to the impacts of climate change.

Policy DM02b (Surface Water and Foul Water Management) Requires that where appropriate, applications should be supported by a strategy for foul and surface water management. Any discharge should employ the most sustainable drainage option in accordance with the drainage hierarchy, which should be demonstrated by the applicant.

Policy DM09 (Open Countryside) DM09 states that outside a defined settlement boundary development will only be permitted in certain circumstances

(a) Requires a countryside location for operational reasons – including, but not limited to, equestrian facilities (Policy DM46), Infrastructure (Policy SP13) and communications (Policy DM39).

(b) Supports sustainable economic growth and business diversification – including support for tourism facilities and accommodation that accord with Policy DM45.

- (c) Meets an essential local housing need, including self-build and custom housebuilding – and complies with the exceptions set out in Policy DM23 or Policy DM27
- (d) Secures the future of a designated or non-designated heritage asset that is substantially intact (Policy DM18).
- (e) Is a residential alteration, extension or conversion that is consistent with Policies DM24-DM26, where relevant.
- (f) Represents a design of exceptional quality that can be justified in a particular location.
- (g) Addresses a specific community or recreational need (see Policies DM31 and DM35).

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 DM23 (Affordable housing) sets a target of 5% affordable housing for greenfield developments of 10-49 dwellings in Earby.

Policy DM26 (Housing in the countryside) states that development of new housing outside of a defined settlement boundary will be supported in certain circumstances for the conversion of redundant buildings, replacement dwellings, dwellings of exceptional design and agricultural and forestry worker's dwellings.

Policy DM31 (Open space, sport and recreation) states that the additional pressures arising from new development and/or any identified deficiencies in open space provision should normally be mitigated through the on site provision of open space.

Policy DM32 (Walking and cycling) states that development proposals will be required to maintain and where possible improve the existing pedestrian and cycling environment.

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

Principle of the Development

Since the application was last at Committee the Local Plan Fourth Edition has been adopted. Planning applications must be determined on the basis of the current Development Plan when they are determined.

The Local Plan Fourth Edition allocates housing sites sufficient to provide for the Council's identified housing needs (Policy AL01) and Policies SP02 and DM09 restrict development outside of settlement boundaries. This development does not meet any of the circumstances for allowing housing development beyond settlement boundaries as set out in Policies SP02, DM09 and DM26.

Whilst there was a previous outline permission for 12 dwellings on part of this site, which was live at the time of the submission of the application, that has now expired and was for a significantly smaller site and fewer dwellings and therefore does not provide justification for this proposed development.

The applicant has put forward their view that the following considerations would justify a departure from the Development Plan in this case:

1. *The application has been submitted for a significant period of time and it is now demonstrated that all technical constraints have been overcome and the site is deliverable*

2. *The application site will round off the urban area relative to the committed southern site which Applethwaite now owns and will build – harm to the countryside is limited*
3. *The 5YHLS position is only just above 5 years (5.3 years taking the supply at face value) and this site can be delivered in full within 18-24 months*
4. *The local plan was adopted under the NPPF transitional arrangements subject to the Council committing to prepare an updated new plan under the new system (Town and Country Planning (Local Planning) (England) Regulations 2026) and submit it for examination by March 2028 in order to address the significant shortfall in the planned housing land supply as quickly as possible because the adopted requirement is less than 80% of the up to date local housing need calculated using the standard method. The Council must there publish a Gateway 1 self-assessment by 31 October 2026 and it therefore makes sense to look favourably upon opportunities to put additional housing land supply in place now ahead of detailed work on the new plan so that the requirement is reduced and the political burden of having to release Green Belt is lessened.*
5. *The application will deliver a significant highway safety benefit whereby it will no longer be necessary for pedestrians to walk in the road between the current settlement edge and PROW FP1318018. This will be lost if the proposed development does not take place and Applethwaite cannot be expected to deliver the same s278 / planning obligation works in connection with solely the southern site given the extant permission fallback position.*

Whilst the application has been submitted since some time before the adoption of the Local Plan Fourth Edition we must determine applications in accordance with the plan in place at the time of determination. The application was not in a position to be determined before the adoption of the new Local Plan. If it had been refused prior to adoption then appealed, the appeal would be determined on the basis of the Local Plan Fourth Edition. This is the case for a current appeal for a housing development outside of the settlement boundary at Gisburn Road, Blacko which was refused prior to the adoption of the new Local Plan.

The harm to the landscape would be limited for the reasons addressed in the Landscape and Visual Amenity section, however, the development would result in harm to the rural character of the site itself and visual amenity by developing a field where there is currently no development. The policies of the Local Plan carry significant weight. Approval of this application would immediately undermine the policies of a newly adopted plan which are intended to direct development to sites within designated settlement.

Irrespective of whether it was adopted under transitional arrangements the Local Plan Fourth Edition has been recently examined and adopted and sets a clear locational strategy that new development should be within designated settlement boundaries unless it meets a specific exception.

Although the development would provide a link to a public right of way to allow access to PROW FP1318018 from the settlement edge, the primary purpose of that would be to provide walking links for the proposed development, although there would also be some highway safety benefit of the provision of that link in terms of general users of the public right of way not having to walk along the road, this would not offset the harm of the development.

Landscape and Visual Amenity

The design, materials and scale of the proposed housing would be in keeping with the character of the surrounding area, similar to other modern housing development in the vicinity and with features that reflect the character of the area such as their simple form window and doors surrounds and mullions.

The site lies immediately adjacent to the settlement boundary of Earby. It is not prominent in the landscape and is limited in terms of its landscape value.

The proposed application site is located on a valley side, which drops down into Earby. This is not a prominent hilltop location which would detrimentally affect the local landscape value. The development would be seen as a natural extension of the existing settlement similar to the approved development to the south and therefore would not result in a significant wider landscape impact.

However, the proposed development would result in development of land within the open countryside, where there is currently no development This would result in some harm to the open rural character of the countryside in the immediate vicinity that policies DM09 and DM26 seek to protect.

Trees

As part of the development proposals, the intention is to remove 2 trees to facilitate the proposed development, T9, T10, that are subject to the TPO No2/2024, and 4 trees, T1, T3, T4 and T20 that are not protected.

To facilitate the footway link it would also be necessary to remove a group of highway trees G6 adjacent to the boundary of 1 White Leys Close.

The trees proposed for removal are of low quality (category U and C2) with limited life expectancy and their removal is acceptable subject to compensatory landscaping, and necessary irrespective of the development in the case of the Ash trees adjacent to the road.

The amended layout would provide adequate areas of replacement tree planting and would acceptably retain T12 and T13, replacing the buildings to give adequate space for future growth and for root areas not to be unacceptably impacted by services.

With conditions for tree protection and replacement the proposed development would be acceptable in terms of its impact on trees.

Residential Amenity

The amended plans remove two plots and create a landscaped buffer between the gardens of the proposed dwellings and the gardens of White Leys Close.

This provides acceptable separation distances to fully resolve the issues of loss of privacy and overbearing impacts raised by the original plans. The amended proposal is acceptable in terms of residential amenity impacts.

The proposed development would provide an acceptable living environment for its residents and would not unacceptably impact upon the residential amenity of the residents of any adjacent property.

Ecology and Biodiversity

An ecological survey of the site has been submitted with the application.

No potential bat roosts were identified and the site is of low potential for foraging. Mitigation and enhancement measures would ensure that bats are not unacceptably impacted.

There is low potential for ground nesting birds. Whilst the trees and hedgerows have some bird nesting potential mitigation and enhancement measures would ensure that birds are not unacceptably impacted.

No other notable or protected species have been recorded on the site.

The development is required to provide an uplift of 10% in biodiversity, which should be provided on site if possible. An assessment of the current biodiversity value of the site and the post development value, this would result in a 3.4% uplift in habitat, it is proposed for the remaining 6.6% to be provided off-site.

Subject to conditions to require that the recommendations of the reports are implemented and contribution provided for the costs of monitoring the BNG provision the development would not result in any unacceptable ecology impacts and would provide a 10% uplift in biodiversity.

Open Space

Policy DM31 requires that provision for on-site open space is made to mitigate pressures arising from new development and/or any deficiencies in open space provision. The proposed layout includes acceptable areas of open space and green infrastructure, this would acceptably comply with Policy DM31.

Affordable Housing Provision

Policy DM23 sets a target of 5% affordable housing for greenfield developments of 10-49 dwellings in Earby. The applicant proposes to provide two affordable housing units within the site, affordable housing requirements are rounded down and therefore one affordable housing unit is required in accordance with Policy DM23, this can be secured by condition.

Highways

Subject to the proposed relocation of the 30mph speed limit to the south of the proposed vehicular access, acceptable visibility splays could be achieved at the access by condition and the development would be acceptable in terms of highway safety and capacity.

With the removal of highway trees it is feasible for a new footway link to be provided as off-site highway works to the north side of Earby Road to provide acceptable pedestrian access to Earby. As assessed in the Trees section above, their removal is acceptable subject to adequate replacement within the site.

The approved site to the south includes a footway link to the south side of Earby Road. It would not be possible for footways on both sides to be built out. LCC Highways have confirmed that if that development were to go ahead first then it would be acceptable for this site to just provide a link to cross Earby Road to that footway, and vice versa if this development were to go ahead first. This can be controlled by an off-site highway works condition and the section 278 process.

A section 106 contribution towards the Colne-Skipton Greenway is requested by LCC Highways. This would directly support active travel in relation to the development. An acceptable level of off-street car parking is also proposed.

The development is acceptable in highway terms in accordance with policies SP13, DM32 and DM37.

Drainage and Flood Risk

Previously it was proposed for surface water to be drained to the combined sewer, to which Yorkshire Water objected. The approved housing development site to the south has been acquired by the applicant and it is now proposed for surface water to drain to a watercourse to the south of that site. This is acceptable in terms of the surface water disposal hierarchy and Yorkshire Water have withdrawn their objection.

A revised flood risk assessment and drainage strategy has been submitted and these acceptably demonstrate that the proposed development would not be at unacceptable risk from flooding or increase the risk of off-site flooding.

The proposed development is acceptable in terms of drainage and flood risk.

Planning Balance

The Council can demonstrate a five-year housing supply with the allocations in the Local Plan Fourth Edition.

The development would provide economic and social benefits from contribution towards the provision of housing and highway safety benefits by improving off-road links to the public footpath network. Taking into account the scale of the development at 28 dwellings, and that the necessity for the public right of way links primarily comes from the development itself, those benefits would be moderate.

The proposed development is contrary to the locational policies of the statutory development plan which seek to direct new development to locations within defined settlement boundaries other than in specific circumstances, that do not apply to this development. This weighs significantly against the development. Furthermore, the development would result in harm from visual impact of development of a field within the open countryside where there previously was no development and the loss and replacement of existing trees. The harm resulting from the development would significantly outweigh its benefits.

Summary

The proposed development of this site within the open countryside is contrary to the policies of the Pendle Local Plan Fourth Edition and is recommended for refusal.

RECOMMENDATION: Refuse

For the following reason:

The proposed development would be located beyond a defined settlement boundary in the open countryside and would develop land where there is currently no development to the detriment of the open rural character and visual amenity of the immediate area and conflicting with the

locational strategy of the Development Plan contrary to policies SP02, DM09 and DM26 of the adopted Pendle Local Plan Fourth Edition 2021-2040.

Application Ref: 24/0810/FUL

Proposal: Full: (Major): Erection of 28 no. dwellings with new access from Park Avenue along with associated infrastructure and landscaping.

At: Land To The West Of White Leys Close, Earby

On behalf of: Mr R Calderbank

REPORT TO WEST CRAVEN COMMITTEE ON 12TH MAY 2026

Application Ref: 25/0732/FUL

Proposal: Full (Major): Town & Country Planning General Regulations 1992 -Regulation 3- Change of use of field and associated works to form an extension to existing cemetery.

At: Ghyll Cemetery, Ghyll Lane, Barnoldswick

On behalf of: Pendle Borough Council

Date Registered: 03/11/2025

Expiry Date: 02/02/2026

Case Officer: Alex Cameron

This approval of this application was delegated by the Committee at the meeting on 31st March 2026 subject to amended plans to alter the layout, it is brought back before Committee with further clarification regarding the proposed layout.

Site Description and Proposal

The application site is an open field to the south of the existing cemetery at St Mary Le Gill Church, which is a Grade I Listed Building and the Watch House in the churchyard is Grade II Listed. There is an existing car park to the west accessed from Ghyll Lane, Gill Clough runs to the east with Ghyll golf course beyond and the nearest dwelling is approximately 60m to the south. Public right of way FP1301009 runs along Ghyll Lane to the west and through the church yard, there are no public rights of way within the site.

The proposed development is the change of use of the land to a cemetery with associated development the proposed layout of the site comprises burial plots to the west and areas for ash interments, an ash scattering landscape, and a memorial garden to the east side. The extension would provide for 317 burial plots and 562 cremated remains plots.

Relevant Planning History

None applicable

Consultee Response

LCC Highways – Requested further information including parking surveys to establish existing parking demand. That information was submitted and the following further comments made in response:

The parking survey on the day when a burial took place (29.1.26) showed that parking demand across the two car parks was 37, with 20 vehicles being parked on Car Park 2. This is the unmade car park adjacent to the access for the proposed cemetery extension. Appendix D of the Technical Note is the Car Park Layout and Hearse/Tipper Vehicle Tracking Plan (Drawing CDS-C1026-P02-L-010 Rev 000 dated 27.1.26). This shows 13 standard car parking bays and two disabled parking bays, giving an overall parking provision of 15 spaces on this car park. A turning area for hearses and a tipper van is also proposed. Whilst the highway authority appreciates that the parking demand on the date of the above funeral may not be typical of all funerals its view is that it is a

good benchmark. As such there are concerns that there will be a shortfall of parking with the layout submitted. The authority also considers that a separate turning area for a hearse/tipper van within the car park is not necessary as the above tracking drawing demonstrates that both vehicles can enter and leave the cemetery in forward gear via the internal turning area. Therefore, in order to increase parking provision, the turning area within the car park should be reduced in size to provide turning for a standard sized car only and seven echelon parking bays, including the two disabled bays, should instead be provided along the northern boundary of the car park. To ensure that the turning area is kept clear this should be marked out. A revised plan should be submitted.

The highway authority considers that additional parking should, and can, be provided to ensure that vehicles do not overspill onto Ghyll Lane. Following the receipt of the revised parking layout plan the highway authority will provide further comments, including any highway-related conditions it considers necessary.

Updated response following receipt of amended plans - The submitted amended parking plan is suitable to accommodate demand. No objection subject to construction management and car parking conditions.

PBC Environmental Health – No comments

Environment Agency – No objection

Lead Local Flood Authority – No comments

Yorkshire Water – No comments to make on water supply.

Public Response

Press and site notices has been posted and nearest neighbours notified – Responses have been received objecting to the development on the following grounds:

- Highway Concerns about access and parking arrangements
- The access road is in a poor state of repair and a commitment should be made for its ongoing maintenance
- Concerns relating to boundary treatment with the adjacent agricultural land and potential impacts on livestock if boundary treatments are not adequate.
- Potential issues for excavation from the geology of the site

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 SP09 (Water Management) Requires that developments do not increase flood risk rates and that water quality and groundwater resources are not compromised.

Policy SP13 (Transport and Connectivity) States that new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion.

Policy DM02a (Flood Risk) The policy seeks to manage and reduce the risk of flooding. It also seeks to ensure that new development is not vulnerable to the impacts of climate change.

Policy DM02b (Surface Water and Foul Water Management) Requires that where appropriate, applications should be supported by a strategy for foul and surface water management. Any discharge should employ the most sustainable drainage option in accordance with the drainage hierarchy, which should be demonstrated by the applicant.

Policy DM10 (Landscape Character) States that development proposals will be expected to respect and wherever possible enhance the landscape in which they are located.

Policy DM13 (Environmental Protection) seeks to minimise air, water, noise, odour and light pollution.

Policy DM14 (Contaminated and unstable land) Development must not result in groundwater pollution. Where the potential to release contaminants into the soil exists, during either the construction or operational phases of a development, applicants must address the relevant requirements of Policy SP09.

Policy DM16 (Design & Place Making) Seeks high quality design in all new developments.

Principle of the Development

The application site is located approximately 400m to the east of the settlement of Barnoldswick and bus stops of Skipton Road. Taking into account that it is an extension of an existing cemetery and the need to provide facilities for burials the proposed development is acceptable in principle in this location.

Landscape Impact and Visual Amenity

The site sits in an undulating landscape on land which slopes down to Gill Clough, with a dense belt of coniferous trees between it and the golf club beyond. Due to this, the natural bowl the site sits in and the low sitting nature of the development, the proposed development would not be prominent in the landscape and would be unlikely to be visible beyond the immediate environment around the site.

The proposed development would not result in unacceptable harm to the landscape character or visual amenity of the area.

Heritage Impact

The Grade I Church of St Mary Le Gill is of exceptional interest as a Grade I listed building, and dates to the early medieval period.

The Grade II Watch house is of interest as a watch house or Bier House (for interment prior to burial) and is contrastingly simple in form and scale.

The Non Conformist mortuary chapel is of interest as a small Non-conformist chapel with simple form and a symmetrical frontage.

All assets possess good illustrative value and a strong relationship with the churchyard/cemetery setting. Whilst some views from the church, watchtower and chapel are screened by significant tree planting, which lessens the visual relationship between the site and the assets, the site currently provides a very positive pastoral character for these assets, and development gradually peters out towards the site, with the highest built development of the church to the north, the watch tower and chapel, and the churchyard, with spaciouly sited grave sites and an enclosing stone wall. The proposed development site contributes to the significance of the church, watch tower and chapel, as part of their rural setting, and positive views of the site are currently possible from the assets facing south. This gives an impression of the church's historic rural surroundings and contributes towards the assets' appreciation, offering a tranquil wider environment in which to appreciate them.

Whilst there is some distance between the site and the assets, and screening provided by trees, views to the site are possible. The Council's conservation consultants have advised that development of the site, including access roads/paths, landscaping and any associated infrastructure is however likely to result in some low-level less than substantial harm, which must be weighed against the public benefits of the development. The public benefits of providing for the ongoing need for burial facilities would outweigh the low level of less than substantial harm.

The delegated approval of the application was approved subject to an amended layout to address the Committee's concerns about the circular layout of the proposal.

This application has been brought back before Committee to provide additional explanation and justification of the proposed design of the layout.

The circular layout was arrived at in response to the constraints of the areas of the site suitable for burials stemming from the need to provide a buffer to the watercourse and avoid areas of shallow bedrock. This resulted in a naturally circular area that is suitable for burials. Furthermore, the layout was arrived at following pre-application discussions with the Council's Conservation Consultants who were satisfied that the proposed layout would not result in unacceptable impacts upon the setting of the adjacent Listed Buildings. Redesigning the layout to remove the circular arrangement would result in significant cost implications as, in addition to redesigning the layout, it would also involve revising the groundwater risk assessment, on-site BNG and Heritage Statement. It is requested that the Committee consider that, with the above clarification, the proposed layout is acceptable.

Residential Amenity

The site is a sufficient distance from the nearest residential properties to ensure that the development would not result in any unacceptable residential amenity impacts.

Ecology and Biodiversity

A survey of the site has been submitted with the application, the site was found to comprise horse-grazed field with a small area of scrub, deciduous woodland, and ungrazed grassland with no irreplaceable habitats. The proposed development would not result in any unacceptable impacts. It would not be practical to provide for 10% biodiversity net gain on site and therefore off-site provision is proposed.

A Section 106 agreement would generally be required by the Council for a contribution to cover the Council's costs of monitoring for 30 years. The Council cannot make a Section 106 agreement with itself and this is not necessary as the Council is the applicant and therefore will cover its own costs of monitoring.

Drainage and Flooding

The applicant has submitted a flood risk assessment for the site. This concludes that the site is not at unacceptable risk of flooding and that with appropriate drainage the development would not increase the risk of off-site flooding. The site is at low risk of fluvial flooding, whilst there is surface water flood risk identified along the eastern boundary this is at a low level with flood depths generally below 0.3m and does not raise concerns due to the proposals in that area for a memorial garden area. It advises that due to the nature of the development it does not require a formalised drainage scheme and will not result in an increase in off-site flood risk. The Lead Local Flood Authority have not raised any objections or requested any conditions.

Contamination

The site is not likely to be contaminated land however cemeteries have the potential to result in contamination of groundwater. The south east end of the site is proposed to be used for ash interments, an ash scattering landscape, and a memorial garden to provide the required minimum 30m buffer between the proposed burial plots and the watercourse and avoid burials in areas of the site with shallow bedrock. This is a matter that is also controlled by the Environment Agency via their groundwater activity permitting powers. The Environment Agency have been consulted and have raised no objections, subject to no objection being received and any condition/s recommended it can be ensured that the proposed cemetery extension would not result in contamination of the water environment.

Highways

The proposed extension will not result in an increase in funerals held at the site, it merely increases the capacity to allow burials to continue beyond the existing site's capacity. However, there would be some level of traffic implications in the long term from the continuation of new burials at the site when they would otherwise cease following capacity being reached.

The site has two existing car parks, one within the church yard and an unmarked gravel car park to the south. The car parks have been assessed as having a capacity of up to 5 vehicles and 15 vehicles respectively if marked out.

Parking surveys have been undertaken at times when visitors are most likely to attend and during burial services. This recorded a demand of up to 37 vehicles across the two car parks during burial services and significantly lower at other times.

LCC Highways requested that the parking is marked out to promote efficient use of the parking and a separate manoeuvring area for hearses be provided to allow for additional spaces in the car park. Amended plans were submitted showing a separate turning area for hearses and refuse vehicles and LCC Highways have no objection.

However, concerns were raised at the previous Committee meeting that hearses would not be able to access the southern car park and turning area due to gradients. It has been clarified that hearses would only access the church yard and would not use the southern car park, amended plans are to be submitted to clarify this and remove the southern car park turning area.

Concerns have been raised regarding the condition of Ghyll Lane, the lane is an unadopted highway and not within the ownership of the applicant. Furthermore, as detailed above, this development does not change the level of traffic to and from the site. Taking these factors into account, it is not reasonable or necessary to require maintenance of Ghyll Lane as a condition of the planning permission.

Subject to conditions to ensure adequate parking and cycle storage the development is acceptable in terms of parking and highway safety.

Other matters

Concerns have been raised regarding the impact of the use on livestock on the adjoining field including appropriate boundary treatments and the potential for visitors to feel the livestock and cause the livestock harm, these concerns are not material to the determination of the planning application and is a separate matter between the landowners.

The site is located adjacent to Ghyll Golf Club, the site is approximately 150m from the tee of a hole with its fairway running parallel to the boundary, taking into account the angle of shots that would be played to the centre of the fairway and that there is a dense belt of trees immediately to the west of the tee that would be likely to provide a natural barrier to wayward shots in the direction of the site there does not appear to be a significant risk of golf balls regularly landing within the site, albeit potentially possible on occasion.

Conclusion

It is recommended that the application is approved on the basis of the submitted plans.

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: CDS-C1026-P02-L-001 Rev 001, CDS-C1026-P02-L-004 Rev 004, CDS-C1026-P02-L-006, CDS-C1026-P02-L-007, CDS-C1026-P02-L-010 Rev 001.

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

3. The development shall be carried out and operated in strict accordance with the recommendations of the Tier 3 Groundwater Risk Assessment.

Reason: In order to mitigate the risk of pollution of the water environment and mitigate risks of land instability.

4. The submitted landscaping scheme (Drawing Nos. CDS-C1026-P02-L-004 Rev 004 & CDS-C1026-P02-L-006) 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 and that felled trees are adequately replaced.

5. Prior to the installation of any external lighting, details of the external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the positioning, direction and luminance and hours of illumination of the external lighting. The external lighting shall be installed, operated and maintained only in strict accordance with the approved details.

Reason: In the interest of residential amenity and to preserve the habitat of protected species.

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) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network and in the interest of residential amenity.

7. Prior to first use of the approved development the works to the car park to the West of the existing cemetery shall be completed in accordance with the approved plan Drawing CDS-C1026-P02-L-010 Rev 001 dated 19.3.26.

Reason: In the interest of highway safety to ensure that a satisfactory level of car parking is provided.

8. Multiple burial or internment ceremonies shall not occur at the same time.

Reason: To avoid overspill parking on the access road in the interest of highway safety.

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

Application Ref: 25/0732/FUL

Proposal: Full (Major): Town & Country Planning General Regulations 1992 -Regulation 3- Change of use of field and associated works to form an extension to existing cemetery.

At: Ghyll Cemetery, Ghyll Lane, Barnoldswick

On behalf of: Pendle Borough Council

REPORT TO WEST CRAVEN COMMITTEE ON 12TH MAY 2026

Application Ref: 26/0113/HHO

Proposal: Full: Erection of a rear dormer extension.

At: 88 Rainhall Road, Barnoldswick

On behalf of: Mr James Waite

Date Registered: 19.02.2026

Expiry Date: 16.04.2026

Case Officer: Luke Jones

Site Description and Proposal

The application site relates to a detached dwelling situated within the defined settlement boundary of Barnoldswick. The main access is from Rainhall Road. The existing dwelling has rendered walls, a pitched roof of grey flat tiles, and UPVC windows.

The proposed development is the erection of an extension to an existing rear dormer.

Relevant Planning History

20/0503/HHO – Full: Erection of a single storey front porch, remove the existing chimney stack, replace existing render, windows and roof tiles. APPCON.

Consultee Response

Highways

Having reviewed the 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.

Parish/Town Council

No response.

Environmental Services (Health)

We are concerned about nuisance being caused during the construction phase, specifically linked to working unsociable hours, and would therefore request that the informative below is placed on the development.

To ensure that construction work is carried out at reasonable times.

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

Reason: For the amenity of the neighbouring residents.

Public Response

The nearest neighbours have been notified by letter with no responses received.

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 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 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 DM24 (Residential extensions and alterations) states that in defined settlement boundaries residential extensions and alterations will be supported where the amenity of neighbours is retained, and design and materials respect the character of original dwellings.

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.

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

Officer Comments

The proposed development is in a residential area situated within the defined settlement boundary of Barnoldswick. 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 Design Principles SPD advises that roof alterations should be minor and sympathetic to the original design of the dwelling. Two-storey extensions should normally incorporate a pitched roof.

The proposed dormer extension would be extended over an existing single storey rear extension, creating a two-storey extension, projecting circa 3.97m from the original rear elevation of the dwelling with a flat sloped roof matching the ridge height of the main roof. This would result in an overall projection of circa 7.98m from the main roof with a length of circa 8.29m. The proposed materials include grey composite cladding to the external walls and anthracite grey UPVC windows.

Whilst the extension would be located to the rear, it would be visible from public vantage points along Valley Road to the north and the rear Nos. 72–86 Rainhall Road to the west. In this context, the flat roof form, combined with the scale and extent of the extension across the roof slope, would result in a bulky and dominant addition that would fail to appear subordinate to the host dwelling. The alignment with the ridge height of the main roof further exacerbates its visual prominence and would materially alter the proportions and character of the original dwelling.

As a result, the proposal would not represent a minor or sympathetic extension and would conflict with the guidance set out in the Design Principles SPD. The development would therefore result in an unacceptable form of design that would harm the character and appearance of the host dwelling and the surrounding area contrary to Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Residential Amenity

The Design Principles SPD advises that extensions must not overshadow to an unacceptable degree or have an overbearing effect on neighbouring properties. Windows in extensions should not directly and inappropriately overlook adjacent property. In general, windows should normally be restricted to rear elevations, to avoid overlooking of neighbouring gardens and dwellings.

In assessing potential overbearing and overshadowing impacts, the nearest neighbouring property is No.90, located to the east of the application site. This property sits at a lower ground level due to the topography of the area. The proposed development would be set approximately 6m from the shared side boundary. The nearest rear-facing window at No.90 would not breach the 45-degree guideline and, as such, the development would not result in an unacceptable overbearing or overshadowing impact. Whilst there is a side-facing window within the rear conservatory at No.90, this would be approximately 11.5m from the proposed development, which is considered a sufficient separation distance to avoid any harmful impacts.

To the opposite side, the development would be approximately 8m from the boundary with No.86, which has a blank gable elevation facing the site and is orientated away from it. As such, no windows would be affected, and the proposal would not result in any unacceptable overbearing or overshadowing impacts.

To the rear, the closest neighbouring property is No.56 Valley Road, positioned to the north-east along the side boundary of the application site. The separation distance between the proposed dormer and the rear elevation windows of No.56 would be approximately 18m. This substantial distance ensures that no unacceptable overbearing or overshadowing impacts would occur.

In terms of privacy impacts, the proposed development includes the insertion of windows in the side elevations of the dormer and to the rear elevation. The proposed window in the side elevation facing No.90 would directly face towards the garage blank side elevation with some views afforded towards the rear garden.

The window would be circa 6.5m from the side boundary however given the presence of the existing single storey rear extension, which extends up to the side boundary by up to 1.75m, this would partially screen views towards the rear garden of No.90 due to the change in land levels. Also, given that the window would face predominantly towards the roof of No.90, no unacceptable overlooking or loss of privacy would occur to the neighbouring rear garden.

The proposed window would also be circa 11.7m from the side window of the rear conservatory of No.90 however given the change of levels and the windows not directly facing, this would be at an oblique angle which would not result in an unacceptable loss of privacy.

The side-facing window towards No.86 would not result in any harmful overlooking, as this neighbouring property presents a blank gable elevation towards the site. Furthermore, the separation distance of approximately 8m to the rear garden of No.86 is sufficient to ensure that no unacceptable loss of privacy would occur.

The proposed rear-facing windows would be positioned approximately 7m from the side boundary with No.56 Valley Road. However, these windows would not directly face this property, and given the separation distance of approximately 18m between the respective rear elevations, no unacceptable overlooking or loss of privacy would arise.

The proposed development would therefore be acceptable in terms of residential amenity in accordance with DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and adopted Pendle Design Principles SPD.

Highways

The proposed development would increase the number of bedrooms at the property from four to five bedrooms. The property currently has sufficient space at the front of the dwelling for three off-road parking spaces and would therefore meet the requirements of Policy DM37 of the Local Plan Fourth Edition. Therefore, there are no highway implications arising from the proposal. LCC Highways raises no objection.

RECOMMENDATION: Refuse

1. By reason of its scale, extent, and flat roof form, the rear dormer extension would fail to appear subordinate to the host dwelling and would result in a visually dominant form of development, causing harm to the character and appearance of the host dwelling and wider area. It is therefore contrary to Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD.

Application Ref: 26/0113/HHO

Proposal: Full: Erection of a rear dormer extension.

At: 88 Rainhall Road, Barnoldswick

On behalf of: Mr James Waite

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 13th April 2026