

Report Title	PLANNING APPLICATIONS
Meeting	COLNE AND DISTRICT COMMITTEE
Meeting Date	08TH OCTOBER 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	WATERSIDE & HORSFIELD, BOULSWORTH & FOULRIDGE AND VIVARY BRIDGE
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO THE COLNE AREA COMMITTEE ON 08TH OF OCTOBER 2026

Application Ref: 26/0416/FUL

Proposal: Full: Change of use of land to provide 1 no. caravan pitch, including the erection of a utility building, the retention and reduction of hardstanding with associated landscaping, parking and altered vehicular access.

At: Green End Smallholding, Lenches Road, Colne

On behalf of: Ms Mary Violet Hind

Date Registered: 22/06/2026

Expiry Date: 17/08/2026

Case Officer: Neil Watson

Site Description and Proposal

The application site relates to an area of land outside, but adjacent to, the settlement boundary for Colne. It is located within the open countryside but is not subject to any statutory designations or Local Plan designations.

The application seeks planning permission to use the land for a caravan pitch for occupation by a gypsy family as well as erecting a utility building, retaining hardstanding, landscaping and altered vehicular access. The utility building has already been erected.

Relevant Planning History

22/0856/FUL: Full: Siting of a static caravan to be used as a permanent dwelling with associated landscaping. Refused. The subsequent appeal was dismissed based on the impact the development would have on the landscape of the area eroding the open character of the landscape and appearance of the countryside.

25/0276/FUL: Full: Erection of a log cabin to be used as a Holiday let.
Refused

23/0032/AP/ENFORC: Appeal against Enforcement Notice: Without planning permission and within the last 10 years, the material change of use of the land from agricultural to a mixed use of agricultural and the storage of caravans for residential occupation and without planning permission and within the last 4 years, the unauthorised engineering of agricultural land to form an unnatural steep embankment and hard standing.
Dismissed based on impact on character and appearance of the area.

Consultee Response

LCC Highways

Proposed development

The proposed development, partially retrospective, is for the change of use of land to provide one caravan pitch, erection of a utility building, retention and reduction of hardstanding, landscaping, parking and altered vehicular access.

Access and parking

The site is served from an existing, privately maintained access at the eastern end of Hartleys Terrace. Hartleys Terrace is a stone sett paved, privately maintained road subject to a 20mph speed limit.

The site access gates are set back at least 5m from the edge of Hartleys Terrace which is considered necessary to allow a vehicle to clear the carriageway whilst the gates are opened or closed.

Three on-site car parking spaces are proposed plus a turning area which should allow vehicles to enter and leave the site in forward gear. The parking and manoeuvring areas should be kept free from obstructions to ensure that adequate parking and manoeuvring are retained.

Cycle storage for four cycles is proposed, although not details have been submitted. This can be controlled by condition.

An electric vehicle charging point should be provided to support sustainable travel. This shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential Buildings, which states that 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 vehicles. This can be controlled by condition.

Conclusion

Lancashire County Council acting as the highway authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. However, the following conditions should be applied to any formal planning approval granted.

The Coal Authority

I can confirm that the Coal Authority has no objections to this planning application.

Cadent Gas

Please add an informative to the decision notice.

Colne Town Council

The land is outside the settlement boundary and the development is not in keeping the with area. Colne Town Council do not support the application.

Environment Officer (Trees)

Following a review of the application and the submitted plans, the proposed landscaping appears to be intended to reintroduce greenery into areas that are currently dominated by hardstanding.

However, I have concerns that the submitted landscaping proposals lack sufficient detail. In particular, there is no information on how the proposed grassed and planted areas will be created within the existing hardstanding, nor are there details of the species or type of planting proposed.

I also have concerns regarding Area 2, as the proposed landscaping appears to narrow the entrance and could be vulnerable to damage from vehicles. Following discussions with the case officer, I understand that there is currently a gate in this location that provides protection from vehicle movements; however, this feature is not shown on the submitted plans.

Should you be minded to approve the application, I recommend that a detailed landscaping scheme be secured by condition. This should include details of the proposed ground preparation, planting specification, species, layout, and any protective measures required to ensure the long-term establishment and maintenance of the landscaping.

Public Response

Nearest neighbours have been notified by letter, a site notice has been displayed for wider publicity. Comments have been received both in favour and objection to the proposals and have been summarised below:

Objection

- Applications in this location have all been put in under different names
- The work has been undertaken without permission
- There is an issue with drains
- Where is toilet waste being disposed of?
- These people are not gypsies, they have lived in a house for years
- Persistent failure to comply an enforcement order to vacate the land
- Disruption to local residents because of vehicles driving at speed to and from the site
- They have a disregard for the environment by felling trees and earthworks which potentially affects access to Pike Laithe Farm
- Highway safety issues
- Concern about further gypsy development at this site
- The application should be considered in the context of unauthorised work
- They have made incremental changes without permission, which need to be taken into account in this application

Support

- Proposed use of land is a significant improvement
- The plans are consistent with the countryside
- Meeting a recognised need for gypsy accommodation
- Previously 10 houses have been approved here
- The application should be assessed fairly and objectively against policy
- The caravan has always been maintained and kept tidy

- No adverse impact upon the landscape
- Not out of keeping with the locality
- The caravan has not resulted in increased noise, anti-social behaviour, parking problems or excessive traffic
- No greater impact than a single dwelling
- The landscaping and planting will help integrate the development into its surroundings
- This family have been connected to the area for generations

Policy

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 DM09 (Open Countryside) sets out that development outside settlement boundaries will only be acceptable in certain circumstances, which are listed in the policy.

Policy DM10 (Landscape character) sets out that development proposals will be expected 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 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 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 DM29 (Gypsy, traveller and travelling show people community) sets out criteria where accommodation for pitches would be appropriate.

Planning permission for residential pitches will be granted for gypsy, traveller and travelling showpeople where the Council is satisfied that the following criteria have been met:

- (a) The proposal is responsive to a genuine need arising within the borough.
- (b) Sites make efficient use of land without resulting in overcrowding.
- (c) Sites respect areas of high conservation and ecological value.
- (d) Sites do not harm the historic environment.
- (e) Sites are compatible with established neighbouring uses safeguarding the health and wellbeing of their occupiers.
- (f) Sites do not compromise the purpose or function of the Green Belt and protects the rural and tranquil character of the open countryside.
- (g) Sites are accessible to local shops, services, schools and healthcare facilities by walking, cycling and public transport.
- (h) Sites are acceptable in respect of vehicular access, parking and services.
- (i) Sites are not located in Flood Zones 2, 3a or 3b, and are not subject to a high risk of flooding from other sources.

2. Residential pitches must be adequately serviced with electricity, water and wastewater supply provided. Each pitch should feature enclosed waste storage space. Sufficient turning space should be provided within sites to allow for entry and exit by refuse vehicles in forward gear.

3. Means of site security and/or boundary treatments must not obstruct safe access to and from the highway.

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

The Design Principles Supplementary Planning Document (SPD) applies to extensions and developments, setting out the requirements for good design and protecting residential amenity.

Development in the Open Countryside SPG elucidates and amplifies policies in the Development Plan which relate specifically to locations within the open countryside.

Colne Neighbourhood Plan

The Colne Neighbourhood Plan forms part of the development plan for this area. The most relevant policies to this application include the following:

Policy CNDP3 – Design in Colne and the Colne Design Code

The design of high quality, beautiful and sustainable buildings and places will

be supported. This policy sets out that development proposals should: follow existing street patterns, use and re-use local materials, retain key features of the local vernacular, ensure building form and layout responds to the form and layout within the Urban Character Area. It also sets out that development will not be supported where it is of poor design.

Policy CNDP6 – Future Housing Growth

This policy sets out that new housing development will be supported within the settlement boundary. The policy sets out housing allocations in four areas within the Neighbourhood Plan Area.

Policy CNDP12 – Transport

This policy relates to sustainable transport modes and ensuring that there is appropriate transport infrastructure to support new development. It encourages the use of electric vehicle charging points in new dwellings.

National Planning Policy Framework

DM8: Unauthorised development and enforcement

1. Where there has been unauthorised development and local planning authorities are considering whether enforcement action is expedient, they should take account of their local enforcement plan, the impact of the breach of planning control, and the extent to which the breach would otherwise be acceptable.

2. In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means: a. Policy S4 in this Framework should be applied when considering development proposals within settlements; b. Outside settlements, policy S5 should be applied; and c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

S5: Principle of development outside settlements

1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

a. Development for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction and processing; engineering operations and infrastructure (including for transport, energy, water and telecommunications); roadside facilities in accordance with policy TR5; national defence and security; or which is solely for nature conservation, restoration and/or enhancement;

b. Development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary;

c. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces;

d. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);

e. Limited infilling within groups of houses;

f. An exception site as provided for in policy HO10, or development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

g. Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12;

j. The development of land allocated for that purpose in the development plan (where this lies outside settlements); and

j Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:

i.. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or

ii Comprise major development for freight and logistics purposes which accords with policy E3.

2. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

3. Development proposals comprising isolated homes, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with policy HO11.

4. Development proposals which do not fall within one of the categories set out in this policy should only be approved in exceptional circumstances, where the benefits of the would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.

HO12: Traveller sites

1. Development proposals for traveller sites should be located so that they:

a. Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate; and

b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.

2. When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.

3. Where development proposals require the permanent or temporary relocation of an authorised traveller site, an alternative site should be identified and provided. Suitable alternative sites should take into account the views of existing residents as well as existing family or community groupings where possible.

N2 Improving the Natural Environment

Development should consider environmental qualities including landscape character.

Planning policy for traveller sites

Policy H: Determining planning applications for traveller sites

25. Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections

27. When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

28. If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:

Officer Comments

The application site lies in an area of open countryside outside of a settlement boundary. It has a planning history where planning permission has been refused for the siting of a residential caravan and that was the subject of an appeal. The appeal was dismissed on the basis that the

development harmed the landscape and character of the area. A similar decision was also made on appeal against an enforcement notice as detailed above.

Caravans occupied by the applicant were on site in 2022. As detailed above a number of planning applications have been made to regularise development on the site.

This application seeks planning permission for caravan use on the site as well as the erection of a building. The building has been substantially built.

It is accepted that through lineage the applicant is a gypsy and gypsies are protected in under the Equality Act 2010. Article 1 of the First Protocol of the Human Rights Act 1998 sets out that a person is entitled to the peaceful enjoyment of his possessions and that no one shall be deprived of his possessions except in the public interest. Article 8 states that everyone has the right to respect for his private and family life and his home.

The occupants of the proposed pitch are, as Gypsies, an ethnic minority, and thus have the protected characteristic of race under s149(7) of the Equality Act 2010.

There are no gypsy sites available within the Pendle area. The adopted Local Plan did not allocate any sites for gypsies as there was no evidence of a need for a gypsy site allocation in the housing need assessing or submissions made by representors for that Plan. The Inspector accepted that the evidence showed there was no identified need and there was no need for a specific allocation. The Local Plan has a policy, DM29, which sets out the framework for assessing applications for gypsy sites. The development plan has primacy but the National Planning Policy Framework also has to be considered as a material planning consideration. The Updated Planning Policy for Gypsies – August 2026, also needs to be taken into account in the planning balance.

The applicant states that their need for a stable family base constitutes their personal circumstances. They are of the view that their verified Romany lineage and requirements for a stable caravan base carries substantial / defining weight in the planning balance and this overrides any minor landscape harm.

The proposed development would meet the housing need of a family who are from the Romany community. Their personal circumstances could be taken into account in decision making, indeed they may carry weight, as has been determined in other cases including *South Bucks DC v Porter* [2004] and *Wrexham CBC v National Assembly for Wales & Berry* [2003] and *Mr T Young v Blackburn & Darwen3 Council* [2025].

The most relevant policies for this case are Policies DM09 (development in the open countryside) and DM29 (Gypsy, traveller and travelling show people community), which sets out criteria where accommodation for gypsies, travellers and travelling show people would be acceptable. Criteria 3 (c) of DM09 allows for development outside of a settlement where the development meets an essential local housing need. That has to be considered in the context of national policy where site provision has not to be restricted to only local people.

NPPF policy S5, at 1(g), sets out the principle that development outside of a settlement to meet the unmet need for gypsy sites is acceptable. In the absence of any sites for gypsies in Pendle

and in the context of the applicants being gypsies there is evidence of unmet need and as such the principle of having a gypsy site in this location is acceptable.

In terms of Policy DM29, the proposals must also meet the criteria within the policy:

- The proposal responds to a genuine need in the borough because there are no designated gypsy and traveller or travelling show people sites identified for the future
- The proposal would make efficient use of the land as it is only for a single caravan
- It is not in a site of high conservation or ecological value
- It would not harm the historic environment
- It would be compatible with neighbouring uses and safeguards health & wellbeing of their occupiers
- It is not within the Green Belt and would not adversely affect the rural and tranquil character of the open countryside
- The site is acceptable in relation to vehicular access, parking and services
- It is not within Flood Zone 2, 3a or 3b

The application site is outside the settlement boundary for Colne. It has a public house a short walk away. Other services are located in the town centre which is accessed up a steep hill 0.43 miles away. That would take circa 15 minutes to walk to. The town centre contains a full range of services and healthcare facilities. It is reasonably located to a range of services and facilities.

Landscaper Character and Visual Impact

The site lies in a rural setting with some development next to it. The character is impacted in an adverse way by the siting of the caravan and the hard standing that supports that. In addition a new building has recently been erected which is applied for in this application.

The landscape character and visual quality for the location is adversely affected by this development which harms the character of the area. Whilst the development must be considered on its own planning merits two appeal decisions reinforce the conclusion that the visual impact of a development of this nature has in its setting. The development is thus contrary to Policy DM10 of the adopted Pendle Local Plan and policy N2 of the NPPF.

Impact on Amenity

The site is at the edge of the settlement, adjacent to Wood Street which comprises a row of terraced dwellings. It is to be positioned so that it is greater than 21m from the nearest neighbouring dwelling. As such, the proposed development would not result in an unacceptable neighbouring amenity issue.

The utility building which has already been constructed has one small window which looks into the site and not in the direction of neighbouring dwellings. As such, it would not result in an unacceptable impact upon neighbouring dwellings.

The application is accompanied by a plan which indicates a row of trees arranged to the north of the proposed dwelling, this would provide additional screening to the area and could be secured by condition in the event of approving the application.

The proposed development would not result in an unacceptable overbearing effect upon neighbouring dwellings.

Overall, the proposed dwelling is acceptable in terms of residential amenity.

Parking and Highway Issues

The proposed dwelling is to have three parking spaces and four cycle spaces. The Highways Authority have not objected to the proposed development. The proposed development would not result in an unacceptable highway safety issue.

Ground Stability / Coal Mining Risk

The Coal Authority have not objected to the proposed development. Ground stability and public safety are material planning considerations and should be taken seriously by the Local Planning Authority. In this case information has been submitted to satisfy the Local Planning Authority that the impact of the Coal Mining risk is understood. As such, the proposal is acceptable in this regard.

Other Matters

Concerns regarding utilities have been raised with the applicant's agent, they have informed the Council that there is an existing electric and water supply to the site. There is also a sewer within the site. As such, there is no concern regarding a lack of appropriate facilities.

It has been pointed out that the application has been put in using a different name to previously submitted applications. There is nothing to prevent different people submitting applications on the same piece of land. It is clear in this case that the applicant is the same person who has been served with an enforcement notice. As such, the Council are satisfied that the evidence required under Policy DM8 of the NPPF has been satisfied. It is a matter of fact that the development is retrospective.

Some members of the public have disputed that the applicant is from gypsy heritage. The Council has no evidence to disprove the evidence which the applicant has submitted in this regard.

There are several other issues which have been raised by local resident however, these are not material planning considerations and have not formed part of the determination of this application.

Whether the Development is Intentional Unauthorised Development

In August 2026, the Government issued a revised National Planning Policy Framework. This includes Policy DM8, which deals with unauthorised development. The use of the site has been unlawfully changed from agricultural to residential, land levels have been altered and a utility building have been constructed, without the necessary planning permission. Policy DM8 sets out that in cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control). If it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission. The Framework does not ask the decision maker to split the development up into its various parts e.g. siting of caravans, altering levels,

erection of a utility building. Rather, it requires the decision maker to consider the planning application before it.

The applicants first occupied the land around 2022 prior to the Council being informed of the unauthorised use. There is no conclusive evidence as to whether that development was intentional at that time, notwithstanding that the Council's enforcement officer was told that the developer wondered when the Council would turn up to investigate, implying that they were aware of the need for planning permission.

The application is a single application to apply for a use for a caravan on site as well as for the erection of an already substantially complete unlawful building.

The appellant was first contacted about the unlawful development on site on 16/9/2022. Officers have spoken on site with her and there has been a prosecution for not complying with the enforcement notice which she has been aware of since 4th October 2023.

The evidence is that the applicant was aware of the need for planning permission on the site for development after being involved in the enforcement of the unlawful use by caravans and having been in contact with the planning department. The erection of the building which is an integral part of this application was intentional.

Fig 1.0 Enforcement Visit Photo 07/04/2026 – Utility Building partly erected



Planning Balance

There is a need for gypsy accommodation and the applicant's have demonstrated that they require a pitch for their caravan in order to maintain their Romany gypsy lifestyle. They have a protected characteristic under the Equality Act 2010.

There are no gypsy sites allocated in the Pendle Local Plan Fourth Edition nor other sites available. It is not disputed that there is a need for this type of accommodation, indeed this must carry significant weight in the planning balance.

Balanced against this, there is landscape and visual harm resulting in this application. Similar findings on appeal have been reached for applications with similar impacts on Appeal. The proposed development is not materially different from the proposals which have gone before, in landscape terms. There is planning harm and conflict with Policy DM10 of the Local Plan Fourth Edition.

There is now a requirement under NPPF policy DM8 to give substantial weight to development that is applied for retrospectively which has been carried out intentionally. That is the case with this application.

Therefore, in this case the decision maker must balance the needs and having regard to their protected characteristics against the landscape harm and the substantial weight which must be applied to this retrospective application for a development varied out intentionally. ON balance the harm the application will cause outweighs the needs to reside on site and the application is recommended to be refused.

RECOMMENDATION: Refuse

For the following reasons:

1. The development would result in landscape and visual harm in an area of open countryside for a development carried out intentionally and this harm is not outweighed by the needs of the applicant. The development would thus be contrary to policy DM10 of the adopted fourth edition Pendle Local Plan and policy DM8 of the National Planning Policy Framework.

Application Ref: 26/0416/FUL

Proposal: Full: Change of use of land to provide 1 no. caravan pitch, including the erection of a utility building, the retention and reduction of hardstanding with associated landscaping, parking and altered vehicular access.

At: Green End Smallholding, Lenches Road, Colne

On behalf of: Ms Mary Violet Hind

REPORT TO THE COLNE AREA COMMITTEE ON 08TH OF OCTOBER 2026

Application Ref: 26/0487/LBC

Proposal: Listed Building Consent: Alterations to existing door opening to create a new window.

At Thistleholme, Wycolle Road, Trawden, Lancashire

On behalf of: Mr & Mrs K. Brown

Date Registered: 30.07.2026

Expiry Date: 24.09.2026

Case Officer: Athira Pushpagaran

This application has been called in by the Chair.

Site Description and Proposal

The application site is a Grade II listed property situated within the open countryside, outside the defined settlement boundary. It is also situated within the Trawden Forest Conservation Area. The main access is from Wycolle Road through a shared access track which is also a public footpath.

The application seeks listed building consent to carry out alterations to existing door opening to create a new window.

Relevant Planning History

25/0033/HHO Full: Erection of an aluminium greenhouse within the curtilage of the listed building. Approved with Conditions. 2025

25/0013/LBC Listed Building Consent: Erection of a stud partition wall across the lounge with 2 no. additional internal doors. Approved with Conditions. 2025

18/0861/CND Approval of Details Reserved by Condition: Discharge of Condition 3 (Materials) of the Planning Permission 18/0583/FUL. Discharged. 2019.

18/0583/FUL Full: Erection of a replacement shed on allotment. Approved with Conditions. 2018

13/16/0076P Listed Building Consent: Installation of replacement windows to dwelling. Approved with Conditions. 2016

13/08/0416P Full: Internal alterations, extension at first floor level, repositioning of internal staircase, revisions to single storey roof and cleaning external stonework (As amended). Approved with Conditions. 2008

13/08/0417P Listed Building Consent: Internal alterations, erection of extension at first floor level, repositioning of internal staircase, revisions to single storey roof and cleaning of external stonework. Approved with Conditions. 2008

Consultee Response

Growth Lancashire

I have read the information provided in the application. The key heritage issue for the LPA to consider is:

1. Whether the proposal preserves the special interest of the listed building through direct works.

The proposal is for alterations to an existing door opening to create a new window. The works include the introduction of a partial new cavity wall above and below the new window, which will be finished with a stone outer leaf, concrete blockwork and insulated with Kingspan insulation with dry lining. The wall will be constructed from random stone to match the existing. A concrete foundation will be introduced below the wall. The drawings state that the internal tiled floor and external stone flags adjacent to the wall will be made good on completion of the work.

The windows will be four-light stone mullioned windows constructed with an oak frame and double-glazing measuring 14mm. The windows will have stone cills, mullions, along with jambs and heads.

Impact on the Listed Building through direct works

The issue from a heritage viewpoint is whether the proposal would harm the significance of the Grade II listed building through direct works.

Thistleholme is a c17th century former laithe house with later alterations. The building is constructed from rubblestone with quoins and has a stone slate roof. Its principal elevation is made up of a gable end which fronts the road and has three light stone mullion windows with semi-circular headed lights at ground floor level. The doorway has a rough hewn, four centred arch with chamfered jambs and head. The first floor has three, two-light stone mullion windows. The adjoining barn dates to c.18th century and has been converted into a dwelling.

The property's significance lies in its aesthetic and historical context, primarily evidenced in the building's fabric and architectural form/appearance. In this regard, can be attributed as having a high significance.

The Heritage Statement dates the lean-to section of the dwelling, where the work is to be undertaken, to the late 20th century. The glazed wall/door which is to be removed is of modern construction and of no intrinsic architectural or historic interest. No historic or notable elements of the building are to be altered as part of the proposed scheme.

The kitchen interior is currently finished with a combination of plastered wall surfaces and exposed stonework. As the existing glazed wall is of relatively modern construction and is situated within a later extension to the dwelling, I do not feel that I can raise a substantial objection to its replacement with a cavity wall of blockwork construction with Kingspan insulation, finished externally in stone.

Notwithstanding this, a wall of solid stone construction incorporating an appropriate breathable insulation system and finished internally with lime plaster would represent a more appropriate and preferable approach. Such a construction method would facilitate the evaporation of moisture, thereby reducing the potential for future damp-related issues, whilst also more closely reflecting the traditional building fabric and construction techniques evident elsewhere within the historic dwelling.

Furthermore, the use of solid stone construction and compatible breathable materials would better preserve the building's historic character and maintain the use of sympathetic materials and traditional methods of construction. That being said, given that this part of the dwelling has already

undergone alteration and incorporates modern interventions, it is not considered that the proposed works would result in any additional harm to the significance or character of the building.

In order for the proposed wall to visually integrate with the existing dwelling, it should be ensured that the external stone is a natural stone that matches the existing stonework in terms of colour, texture, size, and random coursing pattern. A sample of the proposed stone should be submitted for approval and photographs shown alongside the existing stonework of the dwelling for comparison. A sample of the stone chosen for the lintels, cills, jambs and heads should also be submitted for approval. The stonework samples could be assessed via a suitably worded Condition. I have no objection to the introduction of oak framed windows with 14mm double glazing.

The submitted information does not include the proposed mortar mix for the work. It should be ensured that a lime mortar is used, preferably an NHL2. This information should be submitted for approval. The mortar should sit flush with the face of the stonework.

Conclusion / recommendation

As I am required to do so, I have given S16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 considerable weight in my comments.

Whilst a more traditional approach, incorporating solid stone construction, breathable insulation and lime-based finishes, would be preferred in heritage terms; for the reasons identified above, subject to further details and Conditions, the proposal meets the statutory duty to preserve, and accords with Chapter 20 of the NPPF by resulting in no notable effect on the significance of a heritage asset. As such, it meets the requirements of local policy SP11 and DM18 and I raise no objection from a heritage perspective.

Parish/Town Council

With reference to planning application 26/0487/LBC, Councillors have no objections to the proposals within this application and feel that the proposed window would be far preferable to the existing doors.

Historic England

No comments

AMNSOC

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

As with all applications the statutory requirement is that the application must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration of the application must also be in accordance with primary legislation which in this case is primarily the Planning (Listed Buildings and Conservation Areas) act 1990 ("the Act").

The Act states in section 16:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

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) sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary 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.

Policy SP11 (Historic Environment) requires designated and non-designated heritage assets to be conserved and enhanced in a manner appropriate to their significance.

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.

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.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy HE4 (Securing the conservation of heritage assets)

1. Heritage assets, as an irreplaceable resource, should be conserved in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:

- a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and
- b. Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.

2. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.

Policy HE6 (Proposals affecting designated heritage assets) requires substantial weight to be given to the conservation of designated heritage assets. Any harm to a designated heritage asset

will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

Officer Comments

Policy HE4 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset, should have a clear and convincing justification. Policy HE6 of the NPPF states that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.

The proposal is for alterations to an existing door opening to create a new window. The works include the introduction of a partial new cavity wall above and below the new window, which will be finished with a stone outer leaf, concrete blockwork and insulated with Kingspan insulation with dry-lining. The wall will be constructed from random stone to match the existing. A concrete foundation will be introduced below the wall. The drawings state that the internal tiled floor and external stone flags adjacent to the wall will be made good on completion of the work. The windows will be four-light stone mullioned windows constructed with an oak frame and double-glazing measuring 14mm. The windows will have stone cills, mullions, along with jambs and heads.

The Heritage Statement dates the lean-to section of the dwelling, where the work is to be undertaken, to the late 20th century. The glazed wall/door which is to be removed is of modern construction and of no intrinsic architectural or historic interest. The kitchen interior is currently finished with a combination of plastered wall surfaces and exposed stonework. No historic or notable elements of the building are to be altered as part of the proposed scheme.

While a wall of solid stone construction incorporating an appropriate breathable insulation system and finished internally with lime plaster would represent a more appropriate and preferable approach, this part of the dwelling has already undergone alteration and incorporates modern interventions, the proposed works would not result in any additional harm to the significance or character of the building.

The conservation officer has requested a condition to ensure that a lime mortar is used, preferably an NHL2, for the proposed works. This can be conditioned. The mortar should sit flush with the face of the stonework.

Subject to the recommended condition, the proposed works would be acceptable in accordance with to policies SP11 and DM18 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), policies HE4 and HE6 of the NPPF.

Reason for Decision

In accordance with Section 66 of the Planning (Listed Buildings and Conservation) Act 1990, special regard has been made to the desirability of preserving the special historic or architectural interest of the building. The proposal does not materially affect the special historic or architectural interest of the Listed Building and as such there is no reason to refuse consent.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The works approved shall be begun before the expiration of three years from the date of this consent. No later than three days after works first begin on site, written notice shall be given to the Local Planning Authority of the date on which works are first commenced.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The works hereby permitted shall be carried out in accordance with the following approved plans:

749/5 Location & Site Plan
749/6 Existing and Proposed Plans and Elevations
749/9 Window Frame Setting and Stone Surround Detail
749/8 Oak Window Frame Details
749/7 Existing and Proposed Section

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

3. Notwithstanding any indication on the approved plans and application form, prior to external cladding and rendering, samples of all the external materials and finishes to be used on the elevations, including the natural stone for walls, mullions, sill, jambs and head, and lime mortar including its exact specification, shall have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter times be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of the character and appearance of the listed building.

Informatives

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

Application Ref: 26/0487/LBC

Proposal: Listed Building Consent: Alterations to existing door opening to create a new window.

At Thistleholme, Wycoller Road, Trawden, Lancashire

On behalf of: Mr & Mrs K. Brown

REPORT TO THE COLNE AREA COMMITTEE ON 08TH OF OCTOBER 2026

Application Ref: 26/0467/VAR

Proposal: Variation of Condition: Vary Condition 2 (Plans), Condition 3 (Materials), Condition 5 (Access), Condition 8 (Parking areas) and Condition 13 (Parking and manoeuvring areas) of Planning Permission 25/0829/FUL.

Address: Wynstone, Barrowford Road, Colne

On behalf of: Mr Frank Belshaw

Date Registered: 14/07/2026

Expiry Date: 08/09/2026

Case Officer: Laura Barnes

Site Description and Proposal

The application site relates to an application which has previously been approved for the erection of a dwelling within the grounds of the existing dwelling house.

The application seeks to vary the existing approval in the following ways:

- Amend the location of the garage
- Amendments to materials

Relevant Planning History

25/0829/FUL: Full: Erection of 1 no. dwelling in existing garden area within the curtilage of the existing dwelling including new vehicular access.

Approved with conditions

26/0133/CND: Approval of Details Reserved by Condition: Discharge Condition 4 (Foul and Surface Water Drainage Scheme), Condition 6 (Construction Method Statement), Condition 9 (Landscaping Scheme) and Condition 12 (Arboricultural Method Statement Monitoring Form) of Planning Permission 25/0829/FUL.

Conditions Discharged

Consultee Response

LCC Highways

Having reviewed the documents submitted Lancashire County Council acting as the highway authority makes the following comments. The proposed development remains a detached five bed dwelling with a new vehicle access from Barrowford Road.

Condition 2 (Plans)

Amended plans have been submitted to accommodate an electric cable running through the site, the front boundary wall elevations amended to reflect the wording of the planning permission and other minor changes.

Condition 5 (Access)

The plans for the new site access which the highway authority originally commented on showed the stone boundary wall lowered to 0.9m high and topped with railings. This design would have allowed a visibility of 43m to the right (West) when exiting, which was appropriate for the 30mph speed limit on Barrowford Road. However, the area committee did not want the boundary wall to be lowered, nor railings erected and approved the application with the boundary walls retained at their existing full height except for the access. This means that there will be virtually no visibility splay to the right when exiting. The highway authority considers that this will be contrary to Paragraphs 115 b) and 116 of the NPPF and puts on record that it does not support this layout.

Condition 8 (Parking areas)

The same worded condition should be applied to any further planning approval granted.

Condition 13 (Parking and manoeuvring areas)

The same worded condition should be applied to any further planning approval granted.

Environmental Health

No comment

Environment Officer (Trees)

Having reviewed the application, I do not consider the proposed changes to have a significantly greater impact on the trees than the original application. The only other notable change is the proposed removal of a conifer in the rear garden, which I have no objection to.

Public Response

Nearest neighbours notified by post, 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.

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

National Planning Policy Framework

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Principle of Development

The principle of development has already been established through the planning history. Therefore, the change between the existing permission and the proposed development simply relates to the proposed garage location and some minor differences in materials.

Design

The design of the main dwelling would not change dramatically, save for the garage and entrance element. In the previously approved scheme, the garage was attached to the main dwelling. However, it has become clear that an electricity cable runs along the line where the proposed garage would sit. As such, the intention is now for a detached dwelling to sit forward of the front elevation, in line with Wynstone. The materials proposed for the new dwelling are natural stone walling, stone slate roof with UPVC window frames with an oak finish. Whilst the materials for the proposed detached garage are a natural stone plinth with oak boarding to the walls and terracotta coloured interlocking roof tiles to the roof, with a turret clock feature.

The proposed materials are acceptable in this location and accord with Policy DM16 and the Colne Neighbourhood Plan in this regard.

Residential Amenity

The proposed changes would not result in any different impact upon the neighbouring amenity than what has previously been approved under planning permission 25/0829/FUL.

Access and Parking

The proposed access and parking arrangements would still make provision for the required number of vehicles, along with an appropriate turning area.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from 2nd February 2026.

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 D, Proposed Garage Plan 2025/FB/06, Proposed Floor Plan 2025/FB/03 Rev B, Proposed Elevation Plans 2025/FB/04 Rev B, 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 approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The foul and surface water drainage shall be as approved under application reference 26/0133/CND. 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. The Construction Method Statement shall be as approved under application reference 26/0133/CND and there shall be no variation without the prior written consent of the Local Planning Authority.

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 landscaping scheme shall be as approved under application reference 26/0133/CND.

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. The development hereby approved shall be carried out in strict accordance with the Arboricultural Method Statement Monitoring which was approved under application reference 26/0133/CND.

Reason: In order to protect the trees in the interests of amenity of the area.

13. 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.

14. 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: 26/0467/VAR

Proposal: Variation of Condition: Vary Condition 2 (Plans), Condition 3 (Materials), Condition 5 (Access), Condition 8 (Parking areas) and Condition 13 (Parking and manoeuvring areas) of Planning Permission 25/0829/FUL.

Address: Wynstone, Barrowford Road, Colne

On behalf of: Mr Frank Belshaw

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 15th September 2026