

**MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD AT THE RAINHALL CENTRE, BARNOLDSWICK
ON 22ND SEPTEMBER 2026**

PRESENT –

Councillor M. Adnan (Chair)

Councillors

*S. Cockburn-Price
D. Hartley
Y. Iqbal
A. Sutcliffe
Y. Tennant
M. Waddington
L. Whipp*

Officers

<i>N. Watson</i>	<i>Assistant Director Planning, Building Control and Regulatory Services</i>
<i>E. Barker</i>	<i>Legal Services Manager</i>
<i>J. Eccles</i>	<i>Committee Administrator</i>

(Apologies for absence were received from Councillors D. Gallear and N. McCollum.)

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The following people attended and spoke on the item indicated –

<i>County Councillor David Whipp James Dixon Matthew Wyatt</i>	<i>26/0323/FUL- Outline (Major): Erection of 84 dwellings (Access, Appearance, Layout and Scale only) including open space and associated infrastructure at site of Fernbank Mill, Fernbank Avenue, Barnoldswick</i>	<i>Minute No. 11(a)</i>
<i>Ben Bainbridge</i>	<i>26/0323/FUL - Proposal and Location Technical Details Consent: Change of use of agricultural land to residential use (Use Class C3), erection of 4 no. dwellings including integral and attached private vehicular garages with garden and parking areas of Planning Permission 23/0173/PIP at Land to the north east of Pollard Row, Wheatley Lane Road, Fence</i>	<i>Minute No. 11(b)</i>
<i>County Councillor David Whipp Tim Piggott Shelagh Thake</i>	<i>25/0357/CND - Approval of Details Reserved by Condition: Discharge Condition 9 (Surface Water Sustainable Drainage Scheme) of Planning Permission 21/0111/FUL (Appeal Ref: APP/E2340/W/21/3288078) at Land To The West Of Brogden View</i>	<i>Minute No. 11(b)</i>

9. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

10. MINUTES

RESOLVED

That the Minutes of the meeting held on 18th August 2026 be approved as a correct record and signed by the Chair.

11. PLANNING APPLICATIONS

(a) Applications over 65 houses

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on the following planning application for determination -

26/0323/FUL *Outline (Major): Erection of 84 dwellings (Access, Appearance, Layout and Scale only) including open space and associated infrastructure at site of Fernbank Mill, Fernbank Avenue, Barnoldswick for Muller Property Group*

This application was deferred from the 18th November meeting to allow for the LLFA objection to be resolved; consultation with the Environment Agency; and further consideration of the legal position in relation to the contributions and off-site highway works conditions requested by LCC. This information was set out in the report.

A planning update reported additional public responses which had been addressed in the report. It also reported that the applicant had requested that determination of the application be deferred to allow further time to discuss the requested financial contributions to support the bus services or the off-site highway works for junction build-outs at the junction of Fernbank Avenue/Gisburn Road and Butts Way/Federation Street upgrades.

RESOLVED

That consideration of the planning application be **deferred** to allow for further discussions on the S106 financial contributions being requested.

(b) Referrals from area committees

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on the following planning applications for determination -

26/0323/FUL *Proposal and Location Technical Details Consent: Change of use of agricultural land to residential use (Use Class C3), erection of 4 no. dwellings including integral and attached private vehicular garages with garden and parking areas of Planning Permission 23/0173/PIP at Land to the north east of Pollard Row, Wheatley Lane Road, Fence for Mrs. Noreen Rycroft*

This application was deferred from the last meeting for details of window sight lines to Pollard Row to be submitted. Additional sectional plans had been submitted showing the sightlines between the upper floor windows and the ground floor windows of Pollard Row. The Planning Officer's

report had considered the amended plans and concluded that the development was acceptable in terms of residential amenity.

A planning update circulated prior to the meeting reported additional comments from members of the public which had been addressed in the officer's report.

RESOLVED

That planning permission be **granted** 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: Location Plan, CAL 2025 001 001 Rev F, CAL 2025 001 005, CAL 2025 001 006 Rev D, CAL 2025 001 007 Rev A, CAL 2025 001 008 Rev E, CAL 2025 001 010, CAL 2025 001 011, JG01.

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development samples of external materials / finishes of the walls, roofs, windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To ensure that the materials are appropriate to the locality and in the interest of visual amenity.

4. Unless otherwise agreed in writing by the local planning authority the external window reveals shall be a minimum of 70mm.

Reason: In the interest of visual amenity.

5. The submitted landscaping scheme (Drawing No. CAL 2025 001 006 Rev D) shall be implemented in its entirety 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 and that felled trees are adequately replaced.

6. The hedge on the south east boundary between the garage of plot 2 and the north eastern corner of the site shall at all times be maintained at a continuous height of not less than 1.8m, should all or part of the hedge be removed, reduced below 1.8m or fail such that the garden of Spencer Fold Barn is visible through the hedge, within one month, a 1.8m close boarded

fence shall be erected between the garage of plot to and the north eastern corner of the site unless an alternative scheme to provide privacy screening has been submitted to and approved in writing by the Local planning Authority, the fence or alternative scheme shall be maintained at all times thereafter.

Reason: In order to preserve the privacy of the garden of Spencer Fold Barn.

7. The development shall be carried out in accordance with the recommendations of the Preliminary Ecological Appraisal, prior to the occupation of the dwellings hereby approved a scheme of site habitat enhancements shall have been submitted and approved in writing by the Local Planning Authority and fully implemented, the enhancements shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the preservation or enhancement of protected species habitats.

8. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation has been submitted to, and approved by, the Local Planning Authority. Works shall include, but not be exclusive to, the construction of the access to an appropriate standard, including a minimum width of 5.5m, radius kerbs, buff coloured tactile paved dropped pedestrian crossings on both sides of the access, the re-location of street lighting column 91, and the re-location of a telegraph pole which will be at the developer's expense.

No dwelling hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with the approved scheme.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

9. No development shall take place, including any works of clearance, until a Construction Method Statement including site plan 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 and means of mechanical road sweeping
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from clearance and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site
- x) Timing of deliveries
- xi) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
- xii) Measures to control noise and vibration
- xiii) Restriction of burning on-site

Reason: In the interest of highway safety and residential amenity.

10. Unless otherwise agreed in writing by the Local Planning Authority the new access between the development site and Wheatley Lane Road shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before any other development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

11. Prior to occupation of the first dwelling visibility splays measuring 2.4m back along the centre line of the access and extending 43m in both directions on the nearside carriageway edge shall be provided at the new access onto Wheatley Lane 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.

12. No dwelling hereby approved unless and until the parking and manoeuvring areas serving that dwelling shown on the approved plans have been constructed, laid out and surfaced in bound materials, which shall be porous unless otherwise approved in writing by the Local Planning Authority. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings and the manoeuvring areas kept free from obstructions in perpetuity.

Reason: To ensure satisfactory levels of off-road parking and manoeuvring are achieved within the site to prevent parking on, or manoeuvring within, the highway to the detriment of highway safety.

13. No development shall commence unless and until scheme of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority, the drainage scheme shall be fully implemented prior to the occupation of the dwellings and maintained in accordance with the approved scheme thereafter.

Reason: To ensure adequate drainage to ensure the development does not increase risk of flooding or pollution of the water environment.

14. Prior to the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

(i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

(ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

15. No part of the development shall commence unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority, unless otherwise approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning authority the obligation shall provide for the provision or enhancement of off-site open space and for 10% Biodiversity Net Gain and monitoring for a 30 year period.

Reason: To provide for the costs of monitoring BNG provision and make provision for open space.

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

Notes:

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.

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (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, including a minimum width of 5.5m, radius kerbs, buff coloured tactile paved dropped pedestrian crossings on both sides of the access, the re-location of street lighting column 91, and the re-location of a telegraph pole which will be at the developer's expense. 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.

The grant of planning permission does not entitle a developer to obstruct nor prevent the use of a right of way. Any proposals for the temporary diversion or closure of Public Footpath FP1315102 Old

Laund Booth should be made to Lancashire County Council's Public Rights of Way team before any development works begin. They can be contacted by email at PROW@lancashire.gov.uk – the location, district and planning application number should be included in any correspondence.

25/0357/CND *Approval of Details Reserved by Condition: Discharge Condition 9 (Surface Water Sustainable Drainage Scheme) of Planning Permission 21/0111/FUL (Appeal Ref: APP/E2340/W/21/3288078) at Land to the West of Brogden View for Mr Mark Smith*

At a meeting of West Craven Committee on 8th September, the decision to refuse to discharge condition 9 was referred to this Committee as, given the response from the statutory consultee, the refusal to discharge the condition would represent a significant risk of costs being awarded against the Council in the event of an appeal.

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be asked to arrange for an independent review of the drainage scheme at this site and this application come back to a future meeting for determination.

CHAIR _____