

Agenda

MUNICIPAL YEAR 2025-2026



HYNDBURN

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Planning Committee

Wednesday, 20 August 2025 at 3.00 pm,
Scaitcliffe House, Ormerod Street, Accrington

Membership

Chair: Councillor Dave Parkins

Vice-Chair: Councillor Bernard Dawson MBE

Councillors Mike Booth, Joyce Plummer, Loraine Cox, Clare Pritchard, Ethan Rawcliffe, Kath Pratt, Judith Addison, Scott Brerton, Stephen Button, Noordad Aziz, Stewart Eaves and Josh Allen

A G E N D A

1. Apologies for Absence, Substitutions, Declarations of Interest and Dispensations

2. Minutes of the Last Meeting *(Pages 3 - 6)*

The Minutes of the last meeting of the Planning Committee held on the 9th of July 2025 were submitted for approval as a correct record.

Recommended - That the minutes be received and approved as a correct record.

3. Town and Country Planning Act 1990- Planning Applications for Determination

The Chief Planning and Transportation Officer submitted a series of reports setting out the recommended action on the planning applications below.

- a 11/25/0114 - Great Harwood Showground, Land off Harwood Lane, Great Harwood, BB6 7TD *(Pages 7 - 22)*
Full: Formation of an access road and area of hard standing for use during the



time when the land is in use for the Great Harwood agricultural show.

4. Planning Enforcement Update *(Pages 23 - 28)*

Report Attached.

PLANNING COMMITTEE

Wednesday, 9th July, 2025

Present: Councillor Dave Parkins (in the Chair), Councillors Joyce Plummer, Loraine Cox, Ethan Rawcliffe, Kath Pratt, Judith Addison, Scott Brerton, Stephen Button, Noordad Aziz, Stewart Eaves and Heather Anderson

Apologies: Councillors Clare Pritchard

72 Apologies for Absence, Substitutions, Declarations of Interest and Dispensations

Apologies for Absence were received by Councillor Clare Pritchard with Councillor Heather Anderson Substituting.

73 Minutes of the Last Meeting

The Minutes of the last Planning Committee held on the 11th of June 2025 were submitted for approval as a correct record.

Resolved – That the minutes be received and approved as a correct record.

74 Town and Country Planning Act 1990- Planning Applications for Determination

75 11/25/0114 - Great Harwood Showground, Land off Harwood Lane, Great Harwood, BB6 7TD

Mr Adam Birkett Head of Planning and Transportation addressed the committee and drew their attention to a letter which had been sent by the agent of the 11/25/0114 application directly to Members of the Committee.

The letter raised concerns about the details of the officer report and added additional information which had not been included in the original application.

Due to this Mr Birkett asked the Chair if Members had any comments before continuing to discuss the application.

Members decided by unanimous decision in light of the new information it would be best to defer the application to allow Planning Officers to address the applicant.

Resolved – The item was deferred.

76 11/23/0364 - Former Law Courts and Police Station, Manchester Road, Accrington, BB5 2BH

Mr Joshua Parkinson, Planning Manager (Development Management) presented the application to the committee. Noting the update sheet which had been provided and clarifying the late representations from Growth Lancashire, Historic England and Twentieth Century Society regarding their position in relation to the uPVC windows suggested by the applicant.

Similarly an update was provided from Lancashire County Council Highways regarding the cost of the off-site highway improvements.

Mr Parkinson discussed the specifics of the application, making reference to the report in regards to the consultation responses received.

The application referred to the Grade II listed building 'Magistrates Courts, Manchester Road'. The Police Station was constructed in 1933 by Sir Percy Thomas. The site is located in the Christ Church Conservation Area (CA). The neighbouring site is also a Grade II listed building the 'Fire Station' and has recently been converted into offices, a warehouse and shop with a rooftop extension.

The proposed development seeks to create offices, a café and 25 apartments with a rooftop extension. The applicant had provided a Viability Study mentioned on page 34 of the report which highlighted the need for uPVC windows and a lack of available funds to allocate affordable housing units. However, the committee report notes that an Independent Viability Assessment found a surplus of £92,501.00.

The committee report notes officers' concerns with the application while balancing the benefits of the development.

The report recommended the application for approval with conditions.

Members discussed the benefit of having the building brought back into use alongside boosting the housing supply.

Discussions took place regarding the conditions noted in the report and how they minimise the harm to the building's exterior profile. Similarly members commented on the sites location on major bus routes and proximity to the train station, highlighting the bus stop across the road which has links to Manchester, Rawtenstall and many other surrounding towns.

Overall members viewed the development of such a significant building positively and were happy to see investment into Hyndburn.

Resolved – Members voted to move the officer recommendation with the conditions listed in the report, or as amended to the satisfaction of the Chief Planning and Transportation Officer, by unanimous decision.

77 11/24/0026 - Former Law Courts and Police Station, Manchester Road, Accrington, BB5 2BH

Mr Joshua Parkinson, Planning Manager (Development Management) presented the application to the committee. The Listed Building Consent details the same site as the previous application 11/23/0364 and proposes the removal of some furniture and existing partitions which is necessary to carry out the change of use.

The report recommends the approval of the application with the conditions listed in the report to minimise harm and keep the character of the building.

Members discussed the measures recommended and found them to be favourable, drawing attention to the photographic coverage of historically significant features of the site. Similarly members mentioned the fact that as the building stands no one is able to currently enjoy these features as the building has been out of use for a long period of time.

Resolved – Members voted to move the officer recommendation with the conditions listed in the report, or as amended to the satisfaction of the Chief Planning and Transportation Officer, by unanimous decision.

78 Update Sheet

Update Sheet presented as part of item 11/23/0364.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed

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REPORT TO:	Planning Committee
APPLICATION REF:	11/25/0114
APPLICATION ADDRESS:	Great Harwood Showground, Land off Harwood Lane, Great Harwood, BB6 7TD
DEVELOPMENT DESCRIPTION:	Full: Formation of an access road and area of hard standing for use during the time when the land is in use for the Great Harwood agricultural show
DATE REPORT WRITTEN:	6 August 2025

Description of the Site and the Proposed Development

The application proposes the creation of a new access road and hardstanding on agricultural land at Great Harwood Showground, off Harwood Lane, Great Harwood.

The application is made by the Great Harwood Agricultural Show Society in respect of land within their sole ownership in connection with the use of land as a showground. The applicant states that the development is required to support the hosting of Great Harwood Agricultural Show.

The proposed development would involve two separate elements:

- i) the creation of a new length of access track from Church Lane to connect to an existing track on the showground. The track will be formed of a 150mm sub-base, 50mm of 25mm gravel which will be topped with 25mm of soil and seed. The track will be 4m wide and 520m long. It is stated that the route of the proposed access track is already used when the show is held and that the presence of a hard surface will facilitate improved access particularly during poor weather conditions.
- ii) the creation of two hardstanding areas in a central location of the showground either side of an existing track. The southern area would measure 60 x 10m and the northern area would measure 60 x 35m.

The site is located within the Green Belt. This application follows the refusal of a planning application for a similar development that was submitted in February 2022. This was on the basis of the impact on the character and appearance of the area, Green Belt, living conditions of nearby occupants and the adjacent public right of way.

Consultation Responses/Representations

LCC Highways:

Access

The showground has two points of access on Harwood Lane with an access on Whalley Road for emergency vehicles only.

There are no details submitted with this application however I am aware that the access via All Springs Drive is used as the main access to the ground for visitors to the agricultural show to accommodate the high volume of traffic. The access is used in conjunction with temporary traffic management routinely supplied by Kays Traffic Management Company on the surrounding highway network to manage the high volume and flow of traffic.

The current plan on show day includes 'Show parking' entering via Church Lane and exiting via Allsprings Drive on a one way system. Granville Road, Brantfell Road and Allsprings Drive are closed with access for residents only with associated signage. Coaches and disabled parking spaces are accessed through the Harwood Road entrance on Harwood New Road. Queue warning signage is placed on Whalley Road and directional parking signage is placed on Whalley Road, Queen Street, Church Street and Park Lane.

The mini-roundabout at Park Lane/Church Lane and the junction of Whalley Road/Harwood New Lane may have additional traffic management to safely manage the flows, if this is considered necessary by the Police then this will be implemented.

If this application is granted, we would request a condition on the decision to ensure that the use of this access on all show/event days is always in conjunction with temporary traffic management on the surrounding highway network.

Construction

Should the application be approved, all materials deliveries should be undertaken via the Harwood Lane showground access and not via Allsprings Drive.

PROW

FP114092 crosses the new access road within the site and FP1104001 runs along the lane and measures should be taken during the construction phase to protect pedestrians.

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 can be accommodated on the highway network with the temporary traffic management measures as detailed above and conditions below.

Should the application be approved the following conditions are requested.

- 1. The access road shall be used only during the annual Great Harwood Agricultural Show or any other show as agreed with the Local Planning Authority in conjunction with the Highway Authority.*

Reason: To minimise the impact upon the surrounding highway network.

2. *On event days, the access shall only be used in conjunction with temporary traffic management on the surrounding highways as agreed by the Highway Authority. Traffic shall enter via Church lane and exit via Allsprings Drive via a one way system. Granville Road, Brantfell Road and Allsprings Drive shall be closed with access for residents only with associated signage. Coaches and disabled parking spaces are accessed through the Harwood Road entrance on Harwood New Road. Queue warning signage shall be placed on Whalley Road and directional parking signage shall be placed on Whalley Road, Queen Street, Church Street, Park Lane, Harwood Lane and Whalley Road. The mini-roundabout at Park Lane/Church Lane and Whalley Road/Harwood New Lane junctions shall have additional traffic management measures if necessary.*

Reason: For highway safety

3. *During the construction phase all deliveries shall be undertaken via the Harwood Lane showground access and not via Church Lane/Allsprings Drive.*

Reason: For highway safety.

HBC Ecology:

The applicant is proposing to use trees that have previously been planted by way of compensating for the loss of onsite habitats, thereby creating the required biodiversity net gain.

There are two issues with this, firstly I cannot find anywhere in the guidance that allows previously planted trees to be used for a new planning application. The ecology consultant submitting the BNG assessment may be able to provide further guidance, specifically where this is permitted under the Biodiversity gain regulations and stated within guidance. There is an orange flag showing on the DEFRA metric, which seems to imply that it is permissible, but I just can find the information saying this. And secondly, the area where the trees have been planted is not within the edge red, and so is offsite and would need to be registered as a gain site with Natural England. I suspect that the site has not been registered as a gain site. This specific problem could be rectified by an amendment to the red line boundary, and so is not a major issue.

Can I ask that you ask the agent to provide the necessary evidence regarding previously planted trees, and the guidance stating whereby this is permissible by the regulations. If such proof is provided I will then also need proof that the trees have not been planted by consequence of another permission, such as another planning application or other public funding.

Discussions have taken place with the agent and amended details including tree planting proposed within the red edged line location plan has been received, alongside an amended DEFRA metric and associated information.

Second formal consultation response received:

No objections have been raised subject to conditions

The onsite Biodiversity Net Gain is significant and must be legally secured by S106 agreement for the period covered by the Biodiversity Gain Plan and Habitat Management and Mentoring Plan. The S106 must be registered on the local authorities land charges register.

The Coal Authority:

No comment

Lead Local Flood Authority:

No comment

Cadent Gas:

Holding objection to enable investigation if permission is granted.

Neighbouring consultations:

A letter was sent to All Springs Hall and no letters were received in response. A site notice was placed in the area and no letters were received.

Other representations

A supporting comment was received. No specific points were raised but stated support for the application.

Relevant Planning History

11/22/0053 Full: Provision of crushed stone surfacing of cross-field track and hardstanding area to improve access and parking in connection with occasional use of land at Great Harwood Showground. Refused 31/05/2023

09/0039. GROUND STABILISATION TO ENABLE PROVISION OF VEHICLE ACCESS ROADS FOR USE BY GREAT HARWOOD AGRICULTURAL SOCIETY FOR STAGING OF SHOW. A/C 11.03.2009

08/0484 PROVISION OF VEHICLE ACCESS FROM HARWOOD LANE AND WIDENING OF EXISTING ACCESS FROM WHALLEY ROAD TO PROVIDE EMERGENCY SERVICES VEHICLE ACCESS. A/C 05.11.2008

03/0646 CHANGE OF USE FROM AGRICULTURAL LAND TO GOLF COURSE (RENEWAL OF CONSENT)

11/93/0682 CHANGE OF USE FROM AGRICULTURAL LAND TO GOLF COURSE A/C 2/3/94

11/97/0027 OUTLINE APP: RESIDENTIAL DEVELOPMENT. REFUSED 7/5/97

11/98/0474 CHANGE OF USE FROM AGRICULTURAL LAND TO GOLF COURSE. A/C 13/1/99

Relevant Policies

Hyndburn Core Strategy (CS)

BD1: The Balanced Development Strategy
Env3: Landscape Character
Env6: High Quality Design
Env7: Environmental Amenity
T2: Cycle and Footpath Networks

Hyndburn Development Management Development Plan Document (DMDPD)

DM7: Cultural and Community Facilities
DM17: Trees woodlands and Hedgerows
DM18: Protection and Enhancement of the Natural Environment
DM26: Design Quality and Materials.
DM29: Environmental Amenity
DM32: Sustainable Transport, Traffic and Highway Safety
DM33: Sustainable Transport Infrastructure
DM34: Development in the Green Belt and Countryside Area
DM35: Farm Diversification & Local Food Networks

Material Considerations

National Planning Policy Framework
National Planning Policy Guidance
DMDPD GN8 Car Parking, access standards and transport assessment/travel plan thresholds

Observations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Hyndburn comprises of Core Strategy (2012), Development Management DPD (2018), the Accrington Area Action Plan.

The planning considerations are the principle of development, visual appearance and the impact on the character and appearance of the landscape; traffic impact; and consideration of any other matters arising from consultations or otherwise. Each of these issues will be considered in turn.

1. Principle of Development

- 1.1. The application proposes the construction of an access road and areas of hardstanding in the designated Green Belt. The Hyndburn Core Strategy Policy BD1 seeks to maintain the general overall extent of the Green Belt and seeks to concentrate the majority of development within the urban boundary and existing settlements. Development in the rural area will be limited to that supporting farm

diversification and promoting leisure and recreational facilities whilst retaining landscape character.

- 1.2. The NPPF set out Government planning policy in relation to the Green Belt (para 142) mentioning that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF goes on to say (para 143) that Green Belt serves five purposes:
 - a) to check unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 1.3. Para 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 1.4. Paragraph 154 on the NPPF sets out exceptions where development in the Green Belt can be considered to be acceptable. Part b) refers to the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 1.5. Exception h) identifies that engineering operations and material changes of use of land can also be considered appropriate in the Green Belt providing that they preserve its openness and do not conflict with the purposes of the land within in.
- 1.6. The Development Management DPD Policy DM34 sets out that proposals to enhance, promote or improve access to leisure and recreation facilities will be supported subject to development being in line with criteria set out elsewhere in the policy.
- 1.7. Firstly, it must be established if the proposed development would meet with any of the exceptions listed within paragraph 154 of the NPPF. The Planning Statement

submitted with the planning application proposes that the development would fall under exception b).

- 1.8. The previously refused planning application 11/22/0053 considered that the proposal did not meet with this exception. In terms of this proposal, the Local Planning Authority maintains the view that the development would not satisfy paragraph 154 b) as the use of the land for the Great Harwood Agricultural Show is not the land's established use.
- 1.9. The lawful use of the land is agricultural. As such, the proposed development is not connected with the existing established land use.
- 1.10. The land has a moderate downward incline to the east – around half the length of the road (starting from the access gate) would be across this open, downward sloping land. The land is presently open grassland. It retains a rural character. From lower vantage points it forms the foreground of a significant landscape comprised in a treed hillside. It is part of a distinct rural scene. This forms part of the setting of Great Harwood. The proposed track would generate some harm to the openness of the green belt. The NPPF states that engineering operations and material changes of use of land is a form of development not inappropriate in the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it. As the proposed track is considered to fail to preserve the openness of the Green Belt, the proposals would not satisfy the exception at paragraph 154h) of the Framework.
- 1.11. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 1.12. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Therefore, it must be considered if any very special circumstances exist.
- 1.13. The submitted Planning Statement states that the development is required so that the show can operate safely and without interruption in the event of rain immediately before or during the show day. In order for the show to operate it has to be able to provide visitor parking on the land that they own which is grass. If the weather is bad and the land is wet this can lead to significant problems of cars getting stuck and in extreme circumstances would result in the show having to be cancelled.
- 1.14. It is understood that problems were encountered in 2024 due to bad weather.

- 1.15. It is evident that heavy rainfall has the potential to cause disruption. The proposal has the intent of enhancing a local event of cultural, social and economic importance in the locality. This is explained by the applicant. It is considered that very special circumstances exist to support the development.
- 1.16. The proposal would somewhat be in conflict with the purposes of the green belt identified by NPPF in paragraph 143, namely: c) by failing to assist in safeguarding the countryside from encroachment.
- 1.17. It is considered that the proposed track would generate some harm to the green belt. However, it must also be noted that as the proposed route is already used on show days, the intensification of the volume of traffic would likely be insignificant and would enable the route to be used during all weather conditions. The track would be allowed to green over during the rest of the year as other tracks on the site have experienced. This will help blend the track in with the surrounding open fields. The track would generate minimal harm to the openness of the green belt as the land would still appear open. Although the proposals would somewhat be in conflict with paragraph 143 c), resulting in encroachment into the green belt, as discussed, the track would be of a sympathetic design resulting in minimal harm. As the route has already been used on show days without a hardstanding track, there is likely to be a minimal impact in terms of the volume of vehicular traffic. Therefore, despite the harm generated to the green belt, this is outweighed by the 'very special circumstances' presented.
- 1.18. Although it is mentioned within the Planning Statement that the track would only be within use on the days of the agricultural show, the LPA would have no control over this – planning conditions must be capable of being monitored and enforced and it is not considered that a condition limiting use of the access in conjunction with the agricultural show could be adequately monitored. Nevertheless, it is unlikely that non-event days would generate anywhere near the same levels of traffic.

2. Character & Visual Appearance

- 2.1. The NPPF says that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- 2.2. It is acknowledged that there are already a number of buildings, tracks and hardstanding areas associated with Great Harwood Rovers FC in the immediate area. The proposed track would extend further north into the adjacent agricultural field which is currently free from development. As noted above, the track would result in some level of harm to the green belt but the track is of a sympathetic design and would minimally harm the openness of the greenbelt. It is already the route of showground

traffic. The track may also have some minor beneficial impact by preventing long term damage by using the route in adverse conditions. On balance it is considered to be acceptable in terms of its visual appearance.

- 2.3. Public Rights of Way FP114092 crosses the new access road within the site and FP1104001 runs along the lane. Para 105 of the NPPF states that *Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails*. Through introducing the proposed track it is considered that the proposals would cause some disruption to the public right of ways during the event days. However, considering that this would be for limited times over the year and already occurs to an extent, it is considered that the very special circumstances presented would outweigh this disruption to the Public Right of Way. Therefore, while the track would fail to protect and enhance public right of way the proposal and would conflict with Core Strategy Policy T2 and DMDPD Policy DM33; and paragraph 105 of NPPF, the benefits of the proposal outweigh this harm and conflict.

3. Impact upon Residential Amenity

- 3.1. Policy Env7 sets out that *proposals will be permitted only if it is demonstrated that material impacts arising by reason of traffic will not give rise to unacceptable adverse impacts or loss of local amenity*. Policy DM29 states that *Development will be required to protect the amenity of surrounding existing and future residents*.
- 3.2. The use of the Showground is operated as an implementation of the permission ('permitted development') granted under Class B of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 3.3. The terms of the permission enable the present use of the showground. The 'temporary use of land' permission has been operable since the mid-20th century and it is notable that it permits *use* but does not include *operational development*. The effect is that whilst the use is permitted development, it nevertheless remains of an ephemeral nature which, after the event, leaves the land generally unaffected.
- 3.4. The showground has vehicular and pedestrian access from Harwood Lane (B6535) and an emergency only access directly from Whalley Road (A680). However, apparently on Annual Show days (a two-day weekend in summer) the field access (the present application site) has been used since 2017 as an access to the showground. This is described by the Highway Authority as an access via All Springs Drive being used as the main access to the ground for visitors to the agricultural show to

accommodate the high volume of traffic. The access is being used in conjunction with temporary traffic management on the surrounding highway network to manage the high volume and flow of traffic. The Highway Authority note that other smaller events occur throughout the year for a total of the maximum of 28 days under permitted development.

- 3.5. As All Springs Drive is already used as the main access during show days, it is not considered that the introduction of a hardstanding road would unacceptably increase the volume of traffic on this road. Thus, it would not generate a detrimental impact on the residential amenity of the area and would accord with Policy DM29 of the DMDPD and Policy Env7 of the CS.

4. Highway Safety, Traffic and Parking

- 4.1. LCC Highways have been consulted regarding the planning application and raised no objections conditionally. It is mentioned that a requirement for very extensive Traffic Management arrangements need to be imposed by condition if the application be granted. This would be in order to manage the traffic for highway safety reasons. It would involve the partial closure to through traffic of some residential roads; one-way working on other residential roads; and temporary signal controlling of a mini-roundabout. However, a condition relating to how people visitors of the show access the site would be impossible for the applicant control making it unreasonable.
- 4.2. The Highway Authority also requested that if permission is granted that the access road shall be used only during the annual Great Harwood Agricultural Show or any other show as agreed with the Local Planning Authority in conjunction with the Highway Authority. However, such a condition would not be considered enforceable or reasonable having regard to the six tests.
- 4.3. Nevertheless, it is understood that the route is already used on events days. As such, there would not be any significant adverse impact on highway safety, traffic and parking. Therefore, the proposal generally complies with Policies DM32 and DM33 of the DMDPD insofar as they seek to promote sustainable transport, including securing safe and convenient access for all.

4. Biodiversity Net gain

- 5.1. The proposal would result in the minimum 10% biodiversity gain. An amended location plan has been received which features a new red edged line including 65 new trees proposed to be planted on site. Additionally, the track will add to the biodiversity gains proposed on site being classed as modified grassland.

- 5.2. The exact details of achieving biodiversity net gain will be set out in the Biodiversity Gain Plan which is required to be submitted by Schedule 7A of the Town and Country Planning Act 1990. Notwithstanding the comments of HBC Ecology, it is considered that this could be secured by the standard conditions rather than an obligation.

6. Planning Balance and Conclusions

- 6.1. In conclusion, the proposal would be classed as inappropriate development in the Green Belt and in conflict with the purposes of the Green Belt identified by NPPF in paragraph 143, namely: c) by failing to assist in safeguarding the countryside from encroachment. It would also have some harmful impact on the public right of way.
- 6.2. However, the benefits of the scheme are noted, including the social, economic and environmental benefits associated with the agricultural show. It is considered that these other considerations outweigh the harm to the Green Belt and to the public right of way. Therefore, 'very special circumstances' exist.
- 6.3. On this basis, it is considered that the proposal would accord with the development plan taken as a whole. Therefore, it is recommended that the application be approved.

Recommendation:

That planning permission be **APPROVED** subject to the following conditions (or alternative conditions amended to the satisfaction of the Chief Planning and Transportation Officer):

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plan:

GHAS/1018/3611/04 Proposed Site & Location Plan with track detail

Reason: For the avoidance of doubt and to enable Hyndburn Borough Council to control the development.

3. Prior to commencement of all works, including enabling works, a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted and approved in writing by the Local Planning Authority. The HMMP shall include:

- a. A non-technical summary;
- b. The roles and responsibilities of the people or organisations delivering the HMMP;
- c. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- e. The monitoring methodology and frequency in respect of the created habitat or enhanced habitat to be submitted to the local planning authority. The frequency of monitoring shall be no less than 1, 2, 3, 4, 5, 10, 15, 20, 25, 30 years following completion of development. Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, and the National Planning Policy Framework.

Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, and the National Planning Policy Framework.

4. Prior to commencement a satisfactory programmed landscaping scheme to achieve the measured Biodiversity Net Gain in accordance with the approved Biodiversity Gain Plan, which shall include soft and hard landscaping, means of enclosure, planting of the development, and annual maintenance shall be submitted to and approved in writing by the Local Planning Authority. The content of the scheme shall include minimum of 65 standard UK native trees (8-10cm girth/2.5-3.0m height). The landscape scheme shall clearly mark the Habitat Gain Zone (min 1,904m²) - that area forming 'Proposed Tree Planting' on the 'Proposed Site Plan'. The content of the planting scheme shall include the number of plants, species, planting size, planting and seed sowing methodology, British Standards, and location of the planting location of the planting. The work described in the scheme shall be carried out strictly in accordance with the approved details and shall be retained in this manner thereafter. The approved landscape scheme shall be implemented during the first planting season following completion of the construction phase. The approved scheme shall thereafter be kept in this manner, and any tree, shrub, plant or bulb/seed sown area which dies or is felled, uprooted, wilfully damaged or destroyed in the period described within the approved Biodiversity Gain Plan and Habitat Management and Monitoring Plan, and no less than 30 years, commencing with the date of first planting shall be replaced by the applicants or their successors in title. The landscape scheme shall be managed and monitored for the period described within the approved Biodiversity Gain Plan and Habitat Management and Monitoring Plan, and no less than 30 years, to ensure that the Biodiversity Gain target condition shall be achieved.

Reason: In the interest of Policy DM17 and DM18 of Development Management DPD.

5. Prior to the commencement of construction details for the installation of 3 tree mounted bird boxes and 3 tree mounted bat boxes shall be submitted and approved in writing by the Local Planning Authority. The submitted details shall include the box type, manufacturer's name, and plans marking the location of installation. The bat and bird boxes must be manufactured from woodcrete/woodstone or similar, but not wood. The tree mounted boxes must be installed during the main construction phase, and installed in accordance with manufacturer's specification, to British Standard or appropriate guidance. The work described shall be retained in this manner thereafter.

Reason: In the interest of the of protected species in accordance with Policy DM19 of the Development Management DPD.

6. The statutory Biodiversity Gain Plan shall be prepared in accordance with the hereby approved Biodiversity Net Gain Assessment, Statutory Biodiversity Metric, baseline habitat plan and proposed site plan.

Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, and the National Planning Policy Framework.

7. Completion of development shall take place when:

- The main construction phase has been completed, inclusive bat/bird boxes, track construction, track grass seeding, and hardstanding parking provision.
- The approved landscape scheme has been completed.
- The habitat creation phase has been completed.
- Notice in writing shall be given to the Local Planning Authority when the habitat creation phase, as set out in the Habitat Management and Monitoring Plan (HMMP), has been completed.
- A completion report, setting out details and supporting evidence to demonstrate the completed habitat creation works, has been submitted to and approved in writing by the Local Planning Authority.
- Following completion of development the 30-year habitat management and monitoring period shall commence.

Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, and the National Planning Policy Framework.

8. The created habitats, and those habitats proposed for enhancement, specified in the approved Habitat Management and Monitoring Plan (HMMP) shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be

submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, and the National Planning Policy Framework.

9. During the construction phase all deliveries shall be undertaken via Harwood Lane showground access and not via Church Lane/Allsprings Drive.

Reason: In the interest of highway safety in accordance with Policy DM32 of the Development Management DPD.

10. No removal of hedgerows, trees, shrubs, grass or undergrowth shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active bird nests immediately before the vegetation is cleared, and provided written confirmation that no birds will be harmed and/or appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the Local Planning Authority.

Reason: In the interest of the of protected species in accordance with Policy DM19 of the Development Management DPD.

11. The subbase of the track shall be below the surrounding ground level and the track shall be finished with soil and grass seed. It shall be maintained as such thereafter and any damage to the surface shall be repaired in the next planting season.

Reason: In the interest of the character and appearance of the area in accordance with Policies BD1, ENV1, ENV3 and ENV6 of Hyndburn's Core Strategy and Policies DM26 and DM34 of the DMDPD.

Informative Notes

1. Strict accordance with approved plans
This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - (b) You or your agent or any other person responsible for implementing this permission should inform Development Control immediately of any proposed variation from the approved plans and ask to be advised as to the best

method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2. Conditions

This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

4. The statutory framework for Biodiversity Net Gain (BNG) set by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development. The development cannot be lawfully commenced until this condition is satisfied.

Development may not begin unless:

- (a) A Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, which is required in respect of this permission, is Hyndburn Borough council.

SUBMISSION REQUIREMENTS:

Under paragraph 14(2) of Schedule 7A, a Biodiversity Gain Plan must include the following:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- b) The pre- and post-development biodiversity value of the onsite habitat,
- c) Any registered off-site biodiversity gain allocated to the development, and
- d) Any biodiversity credits or units purchased to off-set the development and whether or not from a registered provider.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- Name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- A description of the development and planning permission reference number (to which the plan relates);

- The relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- The completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value;
- A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (Except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North;
- A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and If habitat degradation has taken place:
 - A statement to this effect;
 - The date immediately before the degradation activity;
 - The completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - Any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete, which brings together many of these matters into one document.
<https://www.gov.uk/government/publications/biodiversity-gain-plan>

Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

List of Background Papers

<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F25%2F0114>

REPORT TO:	Planning Committee
REPORT TITLE:	Enforcement Update
REPORT AUTHOR:	Planning Enforcement Officer

1. Introduction

- 1.1. The purpose of this report is to provide an update on the work of the Planning Enforcement team, which comprises two Planning Enforcement Officers, who investigate alleged breaches of planning control and act as necessary.

2. Recommendation

- 2.1. That the contents of the report are noted.

3. Historic and Current Position

- 3.1. Over the past two years one of the key priorities has been to work on the review and clearance of the historic enforcement cases received between 2013 and 2020 inclusive. Significant progress has been made in addressing these cases, and the team are now in a position where only a limited amount remain. The cases that remain are typically more technical and complex in nature, requiring additional time and resources to address appropriately. However, the overall reduction in the historic cases has enabled officers to dedicate more attention to the important matters where formal action is required.
- 3.2. They are currently focusing on enforcement cases received between 2021 to 2024 inclusive. They are working to close the cases where it is not expedient to take formal enforcement action, which remains a discretionary decision for the Council as the Local Planning Authority. This approach will help ease the overall workload and ensure that officers are better able to concentrate on the most important and the time-sensitive cases, particularly those where formal action is required.
- 3.3. Below in table (1) shows the current number of open cases and the number of cases received between 2013 and 2024 inclusive –

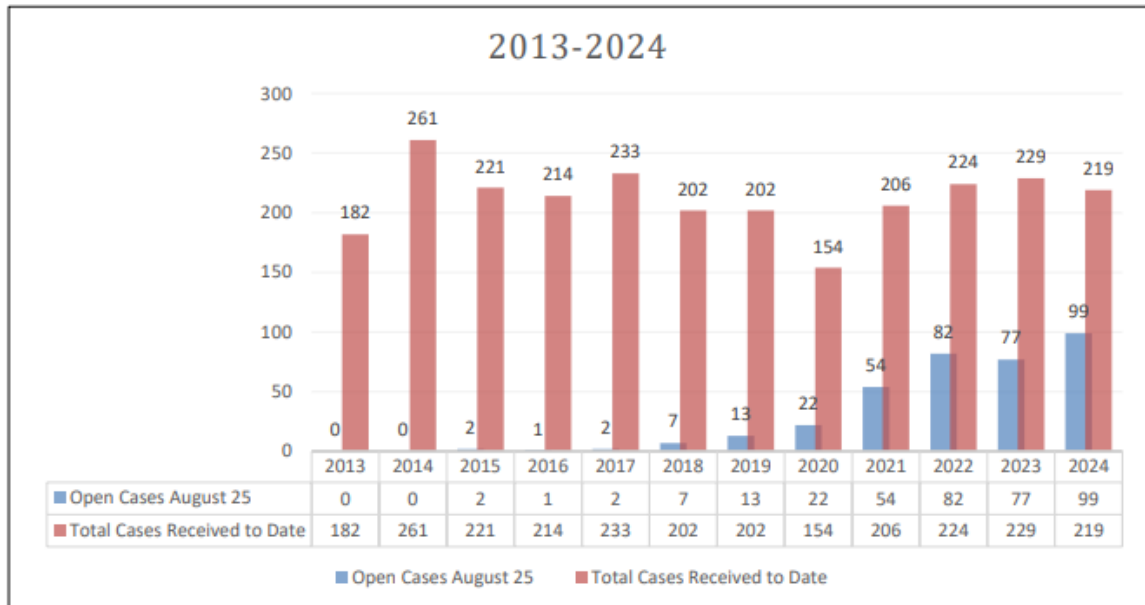


Table 1. The table illustrates the amount of outstanding cases within the system that the now refer to as the 'historic cases'.

3.4. They are continuing to review the outstanding cases received between 2015 and 2024 inclusive, alongside 130 cases received in 2025. There are 359 outstanding cases to consider together with the new cases received in 2025.

Below in table (2) shows the current number of open cases and the number of cases received to date in 2025-

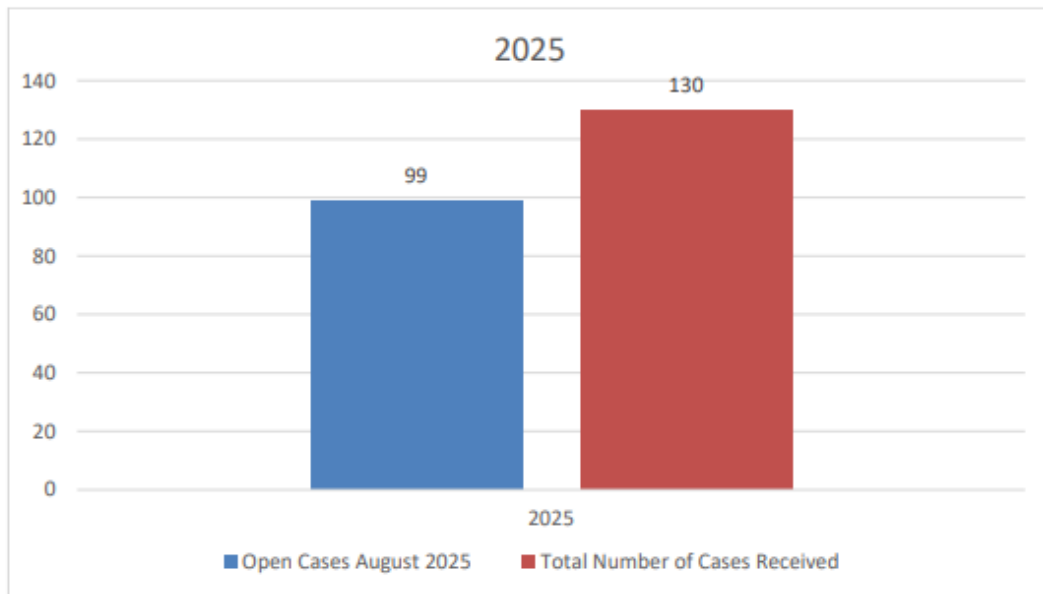


Table 2: This table illustrates the figures received so far in the year 2025. 25% of these cases have been closed and 75% of the cases remain open. Some of these cases are awaiting a decision from a planning application and some of these cases require further investigation.

- 3.5. There are 458 live cases on hand, including the historic cases that require further action. A number of these cases require formal action, intervention from other teams/agencies or a planning decision. Planning breaches that are causing significant and ongoing harm to public amenity or the environment will be made a priority. Lower priority will be given to cases where the breach is minor, technical in nature or causing minimal impact and these may be resolved through negotiation rather than formal action.

4. Review of Enforcement Protocol

- 4.1. The Enforcement Protocol has been reviewed and updated to reflect the approach now being taken (which is not significantly different to that before). The revised Protocol will be presented to Cabinet alongside an update on the service. The amendments and improvements in the new Protocol will mean that cases will be allocated to individual officers and investigated within agreed priority levels – in effect a traffic light system.

5. Enforcement Notices and Prosecution Cases (2024 to 2025)

- 5.1. Between May and December 2024, a total of eight enforcement notices have been served. This represents a significant increase compared to recent years and marks the highest number of notices served in a single year since 2014. This upward trend reflects the team's continued commitment to taking formal enforcement action where necessary in order to uphold planning control and secure compliance.

- 5.2. The Council have recently been granted a Planning Enforcement Order by the magistrates' court which gives us a right to take formal action against a breach of planning control where the time limits for taking enforcement action have expired because the person deliberately concealed the unauthorized development. The Order enables us to take action notwithstanding that the time limit has expired.
- 5.3. The prosecution offences relating to non-compliance of an enforcement notice that took place in court in February 2025 ended successfully and the defendants were fined.
- 5.4. The below table shows a list of enforcement cases that are currently within the appeal or legal system –

Action	Breach of Planning Control	Address	Outcome
Enforcement Notice	Without planning permission, the erection of boundary wall, fence and roller shutters to the side of the property facing Riding Barn Street.	105 Hyndburn Road, Church	Appeal – Awaiting Decision
Enforcement Notice	Without planning permission, the erection of an agricultural building.	Rosedene Barn, Rhoden, Oswaldtwistle	Appeal – Awaiting Decision
Enforcement Notice	The development is not in accordance with the approved plans, planning application ref 11/22/0203.	18 Moorside, Clayton-Le-Moors	Appeal – Awaiting Decision
Enforcement Notice	Erection of fencing on land adjacent to Park Road, Monk Street and Princess Street	Served on individuals	Appeal – Awaiting Decision

		suspected to have interest.	
Planning Enforcement Order	Concealment of the development of a residential dwelling in the Green Belt without planning permission	Order hearing scheduled for Magistrates Court in March 2025	Planning Enforcement Order Granted (March 2025)
Prosecution	Failure to comply with an Enforcement Notice served.	2 Oakdeane Avenue, Huncoat	Owner Prosecuted (Feb 25)
Prosecution	Failure to comply with an Enforcement Notice served.	70 Glebe Street, Great Harwood	Owner Prosecuted (Feb 25)
Enforcement Notice	Without planning permission, the laying of a hard standing concrete and the creation of a vehicular access (driveway) on a classified road without drainage provisions.	33 Queens Road, Accrington	Awaiting Prosecution
Enforcement Notice	Without planning permission, the laying of concrete on a cobbled street without drainage provisions.	Wood Street, Church	Appeal – Awaiting Decision
Enforcement Notice	Change of use of land for the storage of tyres and vehicles.	Wood Street, Church	Complied with the Notice
Breach of Conditions Notice	Failure to comply with the conditions attached to the approved application.	Whalley Road Car Wash, Clayton Le Moors	Part – compliance to the notice, awaiting the discharge of conditions.

Table 3: Enforcement cases within the legal system that are considered to be a serious breach of planning control.

6. Local Government (Access to Information) Act 1985: List of Background Papers

6.1. *Copies of documents included in this list must be open to inspection and, in the case of reports to Cabinet, must be published on the website.*

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