

Agenda

MUNICIPAL YEAR 2025-2026



HYNDBURN

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Planning Committee

Wednesday, 11 March 2026 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

AGENDA

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

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

The Minutes of the last Planning Committee held on the 11th of February 2026 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.



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Published on Tuesday, 3 March 2026

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4. 11/24/0506 - Land off Blackburn Road, Oswaldtwistle, BB5 4NA *(Pages 7 - 34)*

Major Full: Proposed erection of 85no. two-storey dwellings consisting of two and three-bedroom semi-detached and three and four-bedroom detached units, including construction of vehicle access, associated internal roads, drainage and landscaping.

5. 11/25/0124 - Land between Burnley Road and Altham Lane, Huncoat *(Pages 35 - 72)*

Major Full: Residential relief road with associated works

6. 11/26/0055 - Land off Crown Street, Accrington, Lancashire *(Pages 73 - 82)*

Full: Construction of new staff car park

7. Update Sheet *(Pages 83 - 108)*

PLANNING COMMITTEE

Wednesday, 11th February, 2026

Present: Councillor Dave Parkins (in the Chair), Councillors Bernard Dawson MBE (Vice Chair), Mike Booth, Loraine Cox, Clare Pritchard, Kath Pratt, Judith Addison, Noordad Aziz, Stewart Eaves and Munsif Dad BEM JP

Apologies: Councillors Joyce Plummer, Scott Brerton, Stephen Button and Josh Allen

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

Apologies for Absence were given by Councillors Scott Brerton, Stephen Button, Joyce Plummer and Josh Allen.

Councillor Munsif Dad BEM JP substituted for Councillor Brerton.

286 Minutes of the Last Meeting

The Minutes of the last Planning Committee held on the 17th of December 2025 were submitted for approval as a correct record.

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

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

288 11/25/0485 - The Plough Pub & Restaurant, Broadfield, Oswaldtwistle, BB5 3RY

Mr Joshua Parkinson, Planning Manager (Development Manager), presented the application to the committee, informing of the proposed change of use from a restaurant and bar to an adult's day centre.

No external changes were proposed to the building, the application retained the existing access points, including the ramped access available via the car park and pedestrian access point at the front elevation.

The application proposed operating times from 8am to 6pm 7 days a week.

No objections were received from Lancashire County Councils Highways team subject to a planning condition securing the existing parking provision at the site.

1 Letter of objection and 1 letter of support were received and are detailed on page 6 of the agenda.

1 Additional letter was received highlighting concerns with high-speed vehicles on the road after the agenda was made public.

Mr Parkinson highlighted that the public house has been marketed for sale since 2019 with only 2 offers being made for the property. One relating to this application and the other to use the site for retail use on the ground floor and residential space on the 1st floor. This offer was refused due to the offered price being lower than the accepted offer.

Mr Parkinson advised the committee that officers were satisfied that Policy DM8 (1(a)) had been sufficiently addressed.

Mr Parkinson also pointed out that there were 2 other public houses identified within 10 minutes walking distance of the site. Complying with Policy DM8 (1(b)).

The Application was recommended for Approval with the conditions listed on page 13 of the agenda.

Members discussed the application, mentioning their sadness at the loss of a popular local venue but considered the alternative use of the property more beneficial than the building remaining empty.

Members found the application to be acceptable but highlighted the change by the applicant to prevent wheelchair access mentioned at page 6 of the agenda due to highway concerns. Members discussed adding this as a condition to the applications approval to prevent this being used in the future.

Resolved – The application was approved with authority delegated to the Chief Planning and Transportation Officer to draft an additional condition to those listed in the report, including restrictions of the ramp access to the property.

289 11/25/0504 - 58 Station Road, Rishton, BB1 4HF

Miss Rosie Maguire, Graduate Planning Officer, presented the application to the committee. Miss Maguire informed the committee that the application proposed the erection of a 2.3 meter extension to the 1st floor, coterminous with the length of the ground floor (excluding the attached garage). The existing garage and conservatory would be converted into a united garage, increasing the height from 2.4 meters to 3 meters.

No Objections were received from Sports England or Hyndburn Council's Environmental Health Team.

10 Objections were received from residents, highlighted on page 17 of the agenda.

An additional 2 Objections were received after the agenda was published for similar reasons to those stated on the previously mentioned page 17 of the agenda.

Miss Maguire highlighted the applications scale and the encroachment on the neighboring property when assessed against the 45-degree guideline. Miss Maguire informed the committee that while the property already intersects the neighboring dwellings outlook, this does not justify further encroachment which would be materially worsened by the proposed application.

The application was recommended for refusal.

Members discussed the application and the impact on the neighboring residents, highlighting the loss of light to the neighboring property and its impact on the resident's enjoyment of their property.

Resolved – The application was refused as per the officer's recommendations.

290 11/25/0431 - 4 James Avenue, Great Harwood, Lancashire, BB6 7ND

Mr Adam Birkett Chief Planning and Transportation Officer presented the report to the committee, highlighting the properties features as a semi-detached dwelling with 3 bedrooms, 1 bathroom, living room, kitchen/diner and parking for 2 vehicles.

M Birkett informed the committee the application is in reference to a care home for 1 child with 2 carers present on a rolling basis.

1 Objection was received from a resident detailed on page 23 and 24 of the agenda. Lancashire County Councils Children's Services also submitted an objection, detailed on page 24 and 25 of the agenda. Lancashire County Council's Highways Team submitted no Objections.

Mr Birkett advised the committee that the Planning Inspectorate had granted the appeal of 2 similar applications in which the planning committee had refused the applications which have subsequently been overturned.

Mr Birkett advised the committee that while the Supplementary Planning Guidance in relation to Children's Care Homes is useful and some weight should be given to this, any conflict with the policy should be weighed in the planning balance.

Similarly, Mr Birkett informed that while the proposal removes a market dwelling at a time where the council is unable to demonstrate a 5-year housing supply the harm is not considered sufficient enough to warrant refusal of the application.

The application was recommended for approval with the conditions listed on pages 31 and 32 of the agenda.

Members discussed the number of applications for similar proposals which had been through the planning committee recently and questioned how closely the model mimics that of a family home. Members commented on the increased number of children being placed in these homes from outside the area and the impact this must have on vulnerable children.

Resolved – Members voted to go against the officer decision and refuse the application on the following grounds:

- Conflict with Policy 1 of the SPG
- Removing a market dwelling at a time when the council cannot demonstrate a 5-year supply of housing.

291 11/25/0400 - 4 Sefton Close, Clayton-le-Moors, Lancashire BB5 5WS

Mr Adam Birkett Chief Planning and Transportation Officer detailed the report to the committee. Advising that the application related to a detached property with gated access to private parking for up to 6 cars. The property has 4 bedrooms with a 5th bedroom visible on the floor plans from a converted garage.

The application proposes to care for 3 vulnerable children between the ages of 8 and 17 who present emotional, social and behavioural difficulties.

111 Objections to the application were received and detailed on pages 34 to 36 of the agenda.

No Objections were given by Lancashire County Councils Highway Team.

Mr Birkett advised the committee that while there was some conflict with Policies 1 and 2 of the Children's Home Supplementary Planning Guidance there is no evidence to suggest this would result in undue harm to the residential character of the area. Similarly, while the application would remove a market dwelling at a time when the Council is unable to demonstrate a 5-year housing supply, the harm would not be significant enough to warrant refusal of the application.

The application was recommended for approval.

Members discussed the application and highlighted the applications comments regarding the children's emotional, social and behavioural difficulties. Members queried if this would impact the neighbouring resident's amenity more so than the type of children's home application that have been brought before the committee recently. Mr Birkett advised that there was insufficient evidence to suggest this would be the case and the planning system is unable to control the behaviour of individuals. Members also emphasised that any refusal to the application would need to be based on material planning reasons only.

Resolved – The application was approved as per the officer's recommendation with the conditions noted in the agenda.

292 Update Sheet

The update sheet was noted.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed

REPORT TO:	Planning Committee
APPLICATION REF:	11/24/0506
APPLICATION ADDRESS:	Land off Blackburn Road, Oswaldtwistle, BB5 4NA
DEVELOPMENT DESCRIPTION:	Major Full: Proposed erection of 85no. two-storey dwellings consisting of two and three-bedroom semi-detached and three and four-bedroom detached units, including construction of vehicle access, associated internal roads, drainage and landscaping.
DATE REPORT WRITTEN:	3 March 2026

Description of the Site and the Proposed Development

The application site comprises an irregularly shaped parcel of land measuring around 3.17 hectares (ha), located to the north of Blackburn Road, Oswaldtwistle. It includes an existing vehicular access between 411 and 415 Blackburn Road, and encompasses parts of pastoral fields that extend to the north and east, as well as urban fringe land situated behind 385 to 441 Blackburn Road. The site falls eastwards from around 150 metres (m) above Ordnance Datum (AOD) to approximately 135m AOD.

The application site does not have a continuous, clearly defined boundary along its northern and eastern edges where it forms part of a wider network of fields that falls towards the Leeds and Liverpool Canal around 75m northeast. It is bordered by other urban fringe land and Springfield Garage to the south with the latter occupied by Moving PEOPLE bus company. It is bounded to the west by Church and Oswaldtwistle Cricket Club with trees between. Further afield, Accrington Golf Club lies around 115m north.

The proposal would involve the erection of 85 two-storey dwellings, comprising a mix of detached and semi-detached house types. They would be accessed via the existing access, which would be altered, with a new estate road running northwards before splitting east and west. There would be two attenuation basins to the northeast, along with notable landscaping buffers to the north and west. The amended Planning Layout also notes areas of green space positioned to the west of the site.

For clarity, while the applicant controls land extending further north and east, the application relates solely to the area edged in red on the submitted Site Location Plan. Any development outside the red line boundary would require a separate planning application, which would be assessed on its own merits.

Preliminary Matter

The submitted Viability Assessment suggests that the application cannot viably make any financial contributions as well as the signalised crossing sought by Lancashire County Council (LCC) Highways, which is considered an important part of the scheme. Following independent assessment, it is accepted by planning officers that the proposal cannot viably support any financial contributions. The application is assessed on this basis.

Relevant Planning History

There is no relevant planning application history relating to the application site. However, officers have provided pre-application advice on two separate proposals.

First, they provided advice on a proposal for the erection of 300 dwellings across all the land within the applicant's control by letter dated 15 October 2020¹. This concluded that, as most of the site lay within Green Belt, the proposal would be contrary to the development plan and the Framework, and be unacceptable in principle. It was also noted that proposal of this scale in the Green Belt should be brought forward through the plan-making process.

More recently, officers provided advice on a proposal for the erection of 85 dwellings in the broad location of the current application site by email dated 18 August 2023². This noted that part of the proposal encroached into the Green Belt and that consideration should be given to removing development from those areas. While the advice acknowledged the emerging Green Belt designation, it stated that only limited weight could be given to the Emerging LP as it had not yet been submitted for examination. Additional comments were provided on matters including character and appearance, financial contributions, open space provision (including allotments), and the impact on the Church Canalside Conservation Area.

Consultation Responses/Representations

Consultation

Cadent Gas: 11 April 2025: The application site is near their medium and low-pressure assets. They have no objection but recommend an informative.

Electricity North West: No response received (due by 16 April 2025).

Growth Lancashire (Heritage): 8 April 2025: In conclusion, they have provided a balanced judgement and for the reasons given in their comment, the proposal meets the statutory duty to preserve and accords with chapter 16 of the Framework and meets the requirement of Policy DM22 of the DMDPD. They raise no objection from a heritage perspective.

Hyndburn Borough Council (HBC) Ecology: 21 January 2026:

¹ Application Reference P/20/0211 or P.20.028.

² Application Reference P/11/0313 or P.22.027.

- The small area of planting to the rear of 415 to 427 Blackburn could not be achieved. It is used by residents for parking and does not form a contiguous element of the proposal. This would have a minor impact on the biodiversity net gain (BNG) outcome, which could be resolved at the discharge of biodiversity gain plan condition stage.
- The submitted Arboricultural Impact Assessment has missed the defunct hedge (scattered trees located between the two proposed attenuation basins) and a revised tree protection plan would be required to ensure that the hedges/trees are not removed, which could be secured by condition.
- The submitted landscape plans do not propose the enhancement of the defunct hedge and a landscape condition is recommended accordingly.
- There is no plan marking fencing of the sustainable drainage system, which must be gated and fenced to prevent habitat encroachment and a condition is recommended accordingly.
- There would be a net loss of habitat units and watercourse units, but a net gain in hedgerow units. The onsite gain would be significant so must be secured by condition.

HBC Environmental Protection:

- 5 April 2025: Would not raise any objections with reference to contamination, but request a condition requiring a desk study and potentially a detailed site investigation, remediation statement and verification report, as necessary.
- 8 May 2025: The application is supported by several reports, which assist comprehensively in considering air quality and noise. The submitted Air Quality Assessment (AQA) indicates that there would be no air quality issues and they agree with its conclusions. After some discussions, they are now happy with the proposed noise mitigation, which includes noise barriers and appropriate glazing (and ventilation) provisions. They recommend conditions relating to boundary treatment, glazing and ventilation specification, site preparation and construction phase times of operation, and site preparation and construction phase control of nuisance.

HBC Housing: No response received.

HBC Leisure Services (Parks): 3 April 2025:

- Request a contribution towards existing local provision of £73,814.14 to be utilised at West End Play Area, Church Street Play Area or Rhyddings Park.
- Suggest responsibility for future maintenance of the landscape elements fall upon the developer who should submit a maintenance plan, which should cover replacement

planting and ongoing aftercare. It should include the correct maintenance procedures for the wildflower meadows proposed.

- Suggest details of the wildflower areas are required by condition so that the seed mix, growing media and method of establishment can be reviewed by HBC Ecology.

HBC Policy: No response received.

HBC Waste Services: 1 April 2025: The waste bin storage facilities would satisfy the requirement for secure storage and movement of waste containers. There are no concerns over a refuse vehicle gaining access along the road, as the entrance into the proposal is an extension of an established adopted main highway. They require a contribution of £18,700 to be made towards waste/recycling containers. They have no other comments or concerns.

Lancashire Constabulary: No response received.

LCC Highways: 3 December 2025: Does not raise an objection regarding the proposal and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the application site. They recommend various conditions and an informative note.

LCC Historic Environment: 14 April 2025: The submitted Heritage Statement has satisfactorily demonstrated the need for post-permission works as outlined in the submitted Archaeological Written Scheme of Investigation. They recommend a condition securing a programme of archaeological work should the application be approved.

LCC Lead Local Flood Authority (LLFA): 28 May 2025: Withdraw their objection. The application would be acceptable subject to conditions relating to the final surface water sustainable drainage strategy, construction surface water management, sustainable drainage system operation and maintenance manual and verification of constructed sustainable drainage system. They recommend an informative relating to ordinary watercourse consent and provide other general and site-specific advice.

LCC School Planning Team: 27 March 2025: An education contribution is not required at this stage in regard to the proposal.

Lancashire Fire and Rescue Service: No response received.

Sport England: 10 December 2025: Withdraw its objection because the application is now considered to accord with the exceptions of their Playing Planning and paragraphs 104 and 200 of the Framework.

United Utilities: 7 April 2025: While drainage details are acceptable in principle to them, there is insufficient information on the detail of the drainage design. They recommend a condition requiring foul and surface water drainage schemes to be approved should permission be

granted. They also recommend a condition relating to management and maintenance of the SuDS. They provide other advice on their assets and water efficiency.

Publicity

There have been 150 representations, all in objection. They raise the following issues:

- Principle of development and housing need:
 - The site is not suitable for additional housing.
 - The development is premature in the context of the emerging Green Belt and the Emerging LP.
 - Housing delivery should prioritise brownfield land rather than greenfield sites.
 - The Local Plan housing target has already been met.
 - The proposal is not required to meet identified housing needs.
 - The proposal is not wanted or needed by the local community.
 - The scheme would contribute to an overprovision of housing, including:
 - Exceeding the level of housing assessed as sustainable for Oswaldtwistle.
 - Adding to an existing oversupply of 315 dwellings in the Borough.
- Green Belt and landscape effect:
 - Harm to the Green Belt, including land proposed for designation in the emerging Local Plan.
 - Adverse impact on the character and appearance of the area, including:
 - Harm to landscape character.
 - Harm to the Leeds and Liverpool Canal corridor and the setting and significance of Canal Bridge No. 110.
 - Loss of quietness and tranquillity.
 - The development being too large in scale.
 - Concern that the houses will be generic and out of keeping.

- The historic character of West End should be preserved.
- Highway safety, access and transport:
 - Significant concerns about highway safety and traffic impacts, including:
 - Increased traffic on Blackburn Road, which is already unsafe.
 - Existing accident history on Blackburn Road and around the proposed access.
 - Blackburn Road is already congested and too narrow.
 - Risk to pedestrians.
 - Conflict between future residents and bus operations.
 - The bus stop, parked cars and zebra crossing obstruct visibility at the access.
 - Upgrading the zebra crossing to a pelican crossing would worsen issues.
 - Loss of on-street parking.
 - Parking problems in the area would be exacerbated.
 - Insufficient capacity in the local transport network.
 - Concerns about construction traffic.
 - Question over whether a second access could be provided via a new road to Rishton.
- Parking provision:
 - Loss of parking for local residents.
 - Insufficient parking provision within the development.
- Infrastructure, facilities and services:
 - Pressure on local infrastructure, including:
 - Dentists, doctors and hospitals.
 - Schools.

- Public transport.
 - Shops and community facilities.
 - Landfill and waste capacity.
 - Sewerage and drainage systems.
- Flood risk, drainage and utilities:
 - Increased flood risk and inadequate drainage arrangements.
 - Existing sewerage system is outdated and at capacity.
 - Back streets regularly flood and the site is often waterlogged.
 - Concerns about surface water drainage and run-off.
 - Impact on public services and utilities.
- Biodiversity, ecology and trees:
 - Harm to biodiversity and ecological networks, including:
 - Loss of habitat for a wide range of species (birds, bats, amphibians, mammals, insects, pollinators, etc.).
 - Loss of trees and irreplaceable habitat.
 - Impact on migrating birds.
 - Harm to the wider green network.
 - Replacement tree planting would take decades to mature.
 - Net loss of on-site biodiversity.
- Air quality:
 - Increased air pollution, including impacts on:
 - The nearby children's playground.
 - The nearby care home.
- Residential amenity:
 - Harm to the living conditions of nearby residents, including:

- Overlooking and loss of privacy.
 - Loss of open views.
 - Impact on extended rear gardens.
 - Loss of light and overshadowing.
 - Visual intrusion and harm to visual amenity.
 - General reduction in overall amenity.
 - Construction impacts such as noise, dust and disruption.
- Open space and recreation:
 - Loss of green space.
 - Harm to the canal as a quiet, tranquil recreational route used by walkers and cyclists.
 - Impact on nearby allotments.
 - Lack of existing green space in the area.
- Land contamination:
 - Concerns about existing contamination.
 - Fear that development could worsen land contamination.
- Crime and safety:
 - Perceived risk of increased crime and anti-social behaviour associated with more residents.
- Other matters:
 - Potential reduction in nearby house values and reduced appeal to buyers.
 - Objection to the cumulative impact of this proposal and the nearby burial ground application being considered at the same time.
 - Concerns about the adequacy of pre-application engagement and the short publicity period.

This includes from the Countryside Charity (formerly CPRE) who raise concerns about local democracy and community engagement; affordable housing; climate and development; biodiversity and nature recovery; beauty and heritage; and health and wellbeing.

Relevant Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant documents and policies include:

Hyndburn Core Strategy (HCS):

- Policy BD1 The Balanced Development Strategy
- Policy H1 Housing Provision
- Policy H2 Affordable Housing
- Policy HC1 Green Space and Facilities for Walking and Cycling
- Policy HC3 The Design of Residential Roads
- Policy HC4 Community Benefits / Planning Obligations
- Policy ENV1 Green Infrastructure
- Policy ENV2 Natural Environment Enhancement
- Policy ENV3 Landscape Character
- Policy ENV4 Sustainable Development & Climate Change
- Policy ENV6 High Quality Design
- Policy ENV7 Environmental Amenity
- Policy T2 Cycle and Footpath Networks
- Policy A1 Amount and Distribution of Housing in Accrington

Hyndburn Development Management Development Plan Document (DMDPD):

- Policy GC1 Presumption in Favour of Sustainable Development
- Policy GC2 Infrastructure, Planning Obligations & CIL
- Policy DM6 Delivering Schools and Early Learning

- Policy DM10 New Residential Development
- Policy DM11 Open Space Provision in New Residential Development
- Policy DM12 Affordable Housing
- Policy DM16 Housing Standards
- Policy DM17 Trees, Woodlands and Hedgerows
- Policy DM18 Protection and Enhancement of the Natural Environment
- Policy DM19 Protected Species
- Policy DM20 Flood Risk Management and Water Resources
- Policy DM22 Heritage Assets
- Policy DM24 Contaminated or Unstable Land & Storage of Hazardous Substances
- Policy DM25 Pollution Control
- Policy DM26 Design Quality and Materials
- Policy DM29 Environmental Amenity
- Policy DM31 Waste Management in All New Development
- Policy DM32 Sustainable Transport, Traffic and Highway Safety
- Policy DM33 Sustainable Transport Infrastructure

The Hyndburn 2040: Local Plan (Strategic Policies and Site Allocations) (Emerging LP) has been subject to public hearings and the Examining Inspector has issued a post-hearings letter, which does not raise any fundamental concerns. It is at an advanced stage of preparation and is expected to be adopted in the summer. Therefore, in accordance with paragraph 49 of the Framework, the policies of the Emerging LP generally attract moderate to substantial weight. The relevant policies include:

- Policy SP1 The Spatial Development Strategy
- Policy SP3 Planning Obligations
- Policy SP8 Open Space Provision
- Policy SP10 Housing Provision (Including Affordable Housing)

- Policy SP11 Suitable Range of Housing
- Policy SP13 Climate Change and Sustainable Development
- Policy SP14 Green Infrastructure
- Policy SP15 Landscape Character
- Policy SP16 Natural Environment Enhancement
- Policy SP18 High Quality Design
- Policy SP19 Heritage
- Policy SP20 Environmental Amenity and Air Quality
- Policy SP23 Sustainable and Safe Transport
- Policy SP24 Cycle and Footpath Networks
- Policy SP30 Oswaldtwistle and Knuzden

The National Planning Policy Framework (Framework) (amended 7 February 2025) sets out the government’s planning policies for England and how these are expected to be applied. It is a material consideration. While the government have begun a consultation on a significant rewrite of the Framework, it is not currently an expression of government policy and is subject to change. As such, the consultation draft version attracts very limited if any weight at all.

Assessment

1. Whether the location is suitable for the proposal

Existing development strategy

- 1.1. Policy BD1 of the HCS, which sets out the balanced development strategy, seeks to concentrate development within urban areas and limit development within the rural area to that supporting farm diversification and promoting leisure and recreational facilities whilst retaining landscape character. Paragraph 9.1 of the DMDPD states that the rural area is land outside the urban boundary. The proposed dwellings would be wholly within the rural area and do not accord with any of the forms of development that are supported in this area. Therefore, the proposal conflicts with Policy BD1.
- 1.2. The application site is also safeguarded land (formerly areas of special restraint), which paragraph 9.3 of the DMDPD states was land which is not allocated for development at that time (pre-2018) but that is necessary to meet longer-term development needs stretching well beyond the plan period. Paragraphs 4.28 and 5.79

of the HCS explains that the intention was for safeguarded land and the urban boundaries to be reviewed by a Site Allocations Development Plan Document. However, the document never came to fruition as anticipated by the HCS. The allocations are now emerging through the Emerging LP.

Emerging development strategy

- 1.3. Policy SP1 of the Emerging LP would set out the spatial development strategy, which would not be significantly altered in relation to Oswaldtwistle. However, the submission version of the Emerging LP sought to amend the urban boundary in this location to incorporate Springfield Garage and urban fringe land to the rear of the terrace rows along Blackburn Road. This would have resulted in a greater extent of the application site falling within the urban boundary than existing. Nevertheless, the remainder of the existing safeguarded land would have become a new area of Green Belt with most of the proposed dwellings still within the rural area.
- 1.4. However, the Examining Inspector raised concerns at the public hearings that there were no exceptional circumstances to justify any of new areas of Green Belt. After further consideration, officers have accepted that the new area of Green Belt in this location is not justified. The Inspector concurs. It is now proposed that the urban boundary be redrawn to follow the line of the existing Green Belt. As such, most of the application site would be within the new urban boundary, which appears to include all the proposed dwellings. This change forms a main modification, which will be consulted upon for a period of eight weeks commencing on Friday 6 March. While there will likely be public objections, as the modification follows the Inspectors concerns, it is likely that the change will be found sound.

Conclusion

- 1.5. In conclusion, the proposal conflicts with the existing development strategy set out in Policy BD1 of the HCS. However, it will likely accord with the main modifications version of the Emerging LP, including the emerging development strategy set out in Policy SP1 of the Emerging LP. Moreover, the application site predominantly relates to safeguarded land, which was always intended for residential development. Whilst it was previously intended for longer-term development needs, the Local Planning Authority cannot demonstrate a five-year housing land supply such that there is a need for the land now. Taking all this together, the location is suitable for the proposal.
2. Whether the proposal would be inappropriate development in the Green Belt
 - 2.1. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless one of the listed exceptions applies. This includes:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for ... outdoor recreation ...; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land with it; ...

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are: ...

ii. engineering operations;

iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location; ...

v. material changes in the use of land (such as changes of use for outdoor sport of recreation ...”.

- 2.2. Most of the application site is not within the Green Belt and there does not appear as though there would be any proposed dwellings within it. However, some parts of the site, including the proposed attenuation basins, part of the estate road, part of the pumping station and some fencing, would be within the Green Belt.
- 2.3. The proposed attenuation basins would be artificial structures with bases around 1.5m below the surrounding crests, which would not be significantly higher than surrounding land. It is possible that they could appear as naturalised features in time. They would constitute engineering operations that would preserve openness in spatial and visual terms, and the purposes of including land within the Green Belt.
- 2.4. The part of the estate road to the west and fencing to the northeast would be engineering operations within the Green Belt. Having regard to the nature and scale of the estate road, including the hard surfacing itself and small volumes of traffic travelling over it, it would not unacceptably harm openness or Green Belt purposes. Similarly, the fencing would be understood within the context of fencing immediately adjacent to but outside the Green Belt. These elements would not be inappropriate development.
- 2.5. The proposed soft landscaping would not be development requiring planning permission so cannot be deemed to be inappropriate. However, the landscape buffer would provide a strongly defined boundary to the north.
- 2.6. In conclusion, planning officers consider that the proposal does not constitute inappropriate development in the Green Belt and that it does not conflict with paragraph 153 of the Framework, which states that inappropriate development should not be approved except in very special circumstances. In any event, even if the proposal were deemed inappropriate development, officers consider it would have limited impact on openness and the purposes of including land within the Green Belt.

While harm to the Green Belt would still be a matter of substantial weight, the harm and other harm resulting from the proposal, would be clearly outweighed by the benefits of the proposal such that very special circumstances would exist. As such, any deemed harm to the Green Belt would not provide a strong reason for refusal.

3. The effect on open space

- 3.1. The application site is not designated as open space by the existing adopted development plan. However, the definition of open space in Annex 2: Glossary of the Framework is not limited to designated space. It includes all open space of public value, including land that offers important opportunities for sport and recreation and can act as a visual amenity. Therefore, the absence of a formal designation does not preclude the site from being considered as open space by the Framework.
- 3.2. Paragraph 104 of the Framework states that open space should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space to be surplus to requirements; or
 - b) the loss resulting from the proposal would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the proposal is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 3.3. Policy SP8 of the Emerging LP would allocate part of the application site as open space. The policy states that existing open space provision will be protected and enhanced in accordance with the above paragraph of the Framework. It would also apply to open space not identified on the policies map or in the Open Space Audit.
- 3.4. The HBC Open Space Report (2022) identifies the emerging allocated open space as West End Allotments (private) measuring 1.99ha. However, the HBC Allotments Manager has advised that the 'allotments' within the application site are not statutory allotments held under the provisions of the Allotments Acts 1908 to 1950. They state that an allotment is defined by statute as an area of land primarily used for growing vegetables or fruit for consumption by the occupier and their family. It may also be used for keeping hens and rabbits. They state that a garden allotment is an area of land not exceeding 1,000 square metres (sqm). They have advised that three of the plots within the site exceed the maximum size and that it appears from aerial images that none of the allotments are used for food growing, albeit the keeping of hens cannot be ruled out. For these reasons, they state that the application site does not appear to be being used as allotments by statute or traditional means. This appears to be the case following an external inspection by the Case Officer.

- 3.5. In any event, the HBC Open Space Report suggests that allotment provision in the Borough is more than double the national standard suggested by the National Society of Allotment and Leisure Gardeners, and almost triple in the Oswaldtwistle and Knuzden analysis area.
- 3.6. In conclusion, it is debatable whether the application site contains allotments. Nevertheless, even if it does, the HBC Open Space Assessment suggests that any allotments to be lost can be considered surplus to requirements. Therefore, the proposal does not conflict with paragraph 104 of the Framework and would not conflict with Policy SP8 of the Emerging LP or Policy DM21 of the DMDPD insofar as they seek to limit building on open space to certain circumstances.

4. Whether the proposal would provide appropriate provision of open space

- 4.1. The policies of the development plan require major housing developments to provide or contribute towards open space. The amended Planning Layout shows areas of amenity greenspace within the application site and an area of natural/semi-natural greenspace along the diverted watercourse. HBC Parks have requested a commuted sum towards off-site open space of £73,814.14. However, Policy DM11 of the DMDPD, which seeks the provision of open space, permits the reduction of obligations to help ensure deliverability. In this case, planning officers accept the proposal cannot make any financial contribution towards open space whilst also delivering the Pelican crossing, which is of greater importance. The Open Space Report suggests that the site is within an acceptable radial catchment of existing open space provision. Therefore, the proposal does not conflict with Policy ENV4 of the HCS and policies DM10 and DM11 of the DMDPD insofar as they seek open space.

5. Whether the proposal would accord with housing policies relating to affordable housing, density and mix

Affordable housing

- 5.1. The policies of the development plan require major housing developments to provide or contribute towards affordable housing. The amended proposal would not provide any. However, both Policy H2 of the HCS and Policy DM12 of the DMDPD permit the consideration of financial viability. In this case, planning officers accept that the proposal cannot viably provide or contribute towards affordable housing. Therefore, the proposal does not conflict with these policies insofar as they seek affordable housing.

Density

- 5.2. The existing adopted development plan does not set target densities. Nonetheless, Policy SP10 of the Emerging LP would seek a density of at least 30 dwellings per hectare (dph). The proposal would achieve around 27dph. However, this does not

appear to have been raised as an issue during the pre-application process and the emerging policy does not yet have full statutory weight. The site is also of an unusual shape, which makes it difficult to increase the number of dwellings. On this basis, the proposed density is acceptable in numerical terms.

- 5.3. The Schedule of Accommodation on the amended Planning Layout Suggest suggests that the proposal would comprise around 52% semi-detached dwellings, 39% detached dwellings and 9% maisonettes. This broadly accords with the strategic typology proportions aimed for by Policy H1 of the HCS, which seeks 49% semi-detached dwellings, 26% detached and 12% maisonettes. Although there would not be any bungalows or terraced dwellings, the requirement for these types is not as high and it would be difficult to achieve a full range of types on the application site.
- 5.4. Policy SP11 of the Emerging LP would move to a policy approach on mix based on bedroom numbers. The proposal would comprise around 14% one-bed dwellings, 5% two-bed, 56% three-bed and 25% four-bed. This would arguably not accord with the broad proportions sought by the policy, which would seek 0-5% one-bed, 40-45% two-bed, 35-40% three-bed and 15-20% four plus bed. However, this does not appear to have been raised as an issue during the pre-application process and the emerging policy does not yet have full statutory weight. Moreover, in the absence of a five-year housing land supply, the delivery of any housing is beneficial. Therefore, the proposed housing mix is acceptable in this case and context.
- 5.5. The proposal includes 12 maisonettes. Policy H1 of the HCS states that new apartment development will only be supported within or within walking distance of a town centre. However, maisonettes are distinguishable from apartments as the former tend to be two-storey and have their own direct access. In any event, the latest pre-application scheme included four apartments, which was not raised as an issue. Furthermore, the number of maisonettes is relatively small and contributes to the delivery of a wider mix of housing than would otherwise be achieved.

Conclusion

- 5.6. In conclusion, for the reasons given, the proposal does not conflict with Policy H2 of the HCS and Policy DM12 of the DMDPD insofar as they seek affordable housing. While the proposed density is below that which would be sought by Policy SP10 of the Emerging LP, the proposed density is acceptable. The proposed housing mix broadly accords with the strategic typology proportions aimed for by Policy H1 of the HCS. Any perceived conflict with Policy SP11 of the Emerging LP insofar as it relates to housing mix or Policy H1 of the HCS insofar as it relates to apartment development would attract limited weight against the proposal.

6. The effect on biodiversity and ecology

Habitats

- 6.1. The application was accompanied by a Preliminary Ecological Appraisal (PEA) (December 2024) and an Ecological Impact Assessment (EclA) (March 2025). The latter is more recent so is relied upon for the purposes of this assessment. In terms of habitats, it found that the application site included bare ground and buildings, improved grassland, scattered trees and watercourses, which it states are considered to have little value for wildlife. It states that the loss of these habitats is unlikely to have an adverse effect on ecology provided some areas of the site are enhanced.
- 6.2. The Habitats Survey (2019) commissioned as part of the Emerging LP found that the wider survey area included around 370m of species-rich hedgerow and species-poor defunct hedgerow (habitat of principal importance), including an extent within the application site. This has been identified as scattered trees by the submitted EclA and not fully by the submitted Arboricultural Impact Assessment (AIA), which suggests the hedgerow is not as long as set out in the Habitats Survey. Nevertheless, while they note the issue, HBC Ecology raise no objection and suggest that the matter can be dealt with by a landscaping condition. While the Habitats Survey also found lowland dry acid grassland and lowland mixed deciduous woodland (both habitats of principal importance) within the wider survey area, the submitted information and HBC Ecology do not suggest they are present within the application site. Therefore, subject to conditions, the proposal would have an acceptable on habitats.

Species

- 6.3. The submitted Breeding Bird Survey Report (July 2023) found a moderate level of activity during the survey. However, due to the activity recorded, as well as the retention of habitat immediately adjacent to the application site, it concludes that the proposal would not adversely impact target species. It also suggests that there is opportunity to enhance the site for some species. The submitted Non-breeding Bird Survey (April 2024) came to similar conclusions but also recommends the production of a homeowners information leaflet. While the reports are dated, the more recent EclA and HBC Ecology have not suggested a requirement for further surveys. Therefore, subject to conditions, the proposal would have an acceptable impact on birds.
- 6.4. The submitted EclA does not identify any fundamental concerns regarding other species, including amphibians, badgers, bats, otters and water voles. HBC Ecology have not raise any concerns in this regard. The EclA does recommend an appropriate lighting scheme, a reasonable avoidance measures statement in relation to amphibians and the prevention of vegetation clearance during the bird breeding season without a check. These can be secured as part of the also recommended construction environmental management plan (CEMP). Therefore, subject to conditions, the proposal would have an acceptable impact on other species.

Biological heritage sites (BHSs)

- 6.5. The application site is within proximity of the Aspen Valley and Leeds/Liverpool Canal Section New Barn BHSs. The submitted EclA identifies the potential for adverse impacts from construction dust and lighting. However, it recommends a construction environmental management plan, and lighting scheme. Therefore, subject to conditions, the proposal would have an acceptable impact on the BHSs.

Ecological enhancements

- 6.6. The submitted PEA recommends various ecological enhancements, including bat features or boxes, bird boxes, suitable native species planting within the sustainable drainage system features and suitable landscaping incorporating species that provide food or shelter. These enhancements could be secured by condition.

Biodiversity net gain

- 6.7. The submitted Statutory Biodiversity Metric suggests that the proposal would result in an on-site net loss of -9.29 habitat units and -0.27 watercourse units, and a net gain of 2.64 hedgerow units. The submitted Biodiversity Impact Assessment suggests that the applicant would seek to provide off-site net gain via a habitat bank. HBC Ecology have not raised any significant concerns regarding biodiversity net gain, including the application of the relevant mitigation hierarchy. While they suggest that a small area of planting could not be achieved, they advise that this would have a minor impact and could be resolved at discharge of condition stage. Therefore, the biodiversity gain condition could be satisfied.

Invasive (alien) non-native species

- 6.8. The Habitats Survey identified Himalayan balsam and Japanese knotweed in the allotment and garden areas. However, this matter could be dealt with by condition.

Conclusion

- 6.9. In conclusion, subject to conditions, the proposal would have an acceptable effect on biodiversity and ecology. It would comply with policies ENV2 and ENV4 of the HCS and policies DM18 and DM19 of the DMDPD insofar as they seek to conserve the natural environment. The statutory biodiversity gain framework at Schedule 7A of the Town and Country Planning Act 1990 (as amended) could be satisfied.

7. The effect on trees and hedgerows

- 7.1. The submitted AIA suggests that the proposal would require the removal of one medium quality individual tree (T1) and the substantial loss of two groups of medium quality trees (G3 and G8). This loss would be regrettable, but HBC Ecology have not

raised any objection to their loss. The further loss of all a low-quality group (G5) and part of another (G6) is acceptable. As above, while the AIA does not identify the hedgerow within the application site, HBC Ecology are satisfied that the matter can be dealt with by condition. Additionally, while the AIA is based on the initially submitted layout, final details could be required by condition, which would unlikely result in any greater tree loss than initially proposed (and result in a reduction). There is more than enough room within the application site to accommodate adequate compensatory planting. The landscape buffer would be more structural than existing, which would be beneficial ecologically and visually. Therefore, subject to conditions, the proposal would broadly comply with Policy DM17 of the DMDPD insofar as it seeks to recognise the benefits of trees and hedgerows.

8. The effect on flood risk and drainage

- 8.1. The application site is at low risk of river flooding according to the Environment Agency Flood Map for Planning, but the submitted Flood Risk Assessment (FRA) notes that there are watercourses crossing it, which would require diversion. Moreover, the site appears to be affected by extents of surface water flood risk according to the Flood Map for Planning, which ranges from high to low risk, including at the access point.
- 8.2. Paragraph 027 of the Planning Practice Guidance on flood risk and coastal change is clear that where a site-specific FRA demonstrates clearly that a proposed layout, design and mitigation measures would ensure that occupiers would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified, e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.
- 8.3. The submitted Drainage Strategy considers connection to the open watercourse crossing the application site to the east is the most sustainable method. It states that total flows would be restricted to the equivalent greenfield flow rate with an allowance for climate change and urban creep. It states that further investigations of an existing culverted watercourse would need to be undertaken to determine precise lines and levels to inform a suitable diversion. LCC LLFA have withdrawn their objection and advise that the proposal is acceptable subject to conditions. Similarly, United Utilities states that the submitted details are acceptable in principle, but that further details are required and recommend a condition requiring foul and surface water drainage schemes. There is no suggestion that the proposal would not be safe for its lifetime without increasing flood risk elsewhere. The sequential test need not be applied.
- 8.4. In conclusion, subject to conditions, the proposal would have an acceptable effect on flood risk and drainage. It would comply with Policy ENV4 of the HCS and Policy DM20 of the DMDPD insofar as they seek to meet the challenge of flooding.

9. The effect on highway safety and transport

Sustainable transport

- 9.1. The application sites accessibility by sustainable transport modes reflects its location adjacent to the urban boundary to the north of Oswaldtwistle. There are some facilities and services within a reasonable walking distance such as Oswaldtwistle West End Primary School and Premier convenience store. However, higher level facilities and services, including secondary schools and supermarkets are not within a reasonable walking distance. It is unlikely that cycling would be an attractive option for many users given the lack of cycleways and the speed and volume of traffic on the nearby highway network. Nevertheless, there are bus stops within 100m of the site that provide regular services to Accrington and Blackburn. Therefore, while the site is accessible by some transport modes, there is scope for improvements to promote sustainable transport.
- 9.2. LCC Highways raise no objection, but state that a full travel plan, alongside measures to promote sustainable transport are required. The travel plan could be secured by condition. They have sought the upgrading of the zebra crossing on Blackburn Road to a signalised crossing, which is provided for by the amended plans. This is considered necessary and would mitigate the impact of the proposal as well as be a benefit to the wider community. The crossing could be secured by condition.
- 9.3. For completeness, LCC Highways have not pursued their initial request for the paving of a public footpath near Oswaldtwistle West End Primary School (path reference FP1105307) to link to an already paved footpath. The submitted Highways Technical Note explains that there is already a paved link to the school. Therefore, this improvement is not necessary and has not been sought.

Access

- 9.4. LCC Highways initially raised concerns regarding the design of the access, which has subsequently been amended. This includes the provision of bollards to protect pedestrians, as well as dropped kerbs and tactile paving. The proposal is expected to enhance the existing access for coaches associated with the adjacent yard but would give rise to greater conflict owing to the intensification of use. On balance, LCC Highways state that the proposal would not worsen the existing situation.
- 9.5. The proposal would require off-site highway works to provide adequate visibility splays, including alterations to build out, bus stop markings and kerb lines. The splay to the east would require the removal of one car length from the on-street parking bay and LCC Highways would seek removal of the parking opposite the access. The parking would be compensated for by an eight-vehicle bay on the proposed estate road.

Streets, parking areas and other transport elements

- 9.6. The proposed internal layout has been amended to respond to the comments of LCC Highways. They previously raised concerns about the culverted watercourse running longitudinally along the proposed estate road, which has now been relocated. While there are no plans to show this, the matter could be dealt with by condition. LCC have confirmed that they would seek to adopt the streets and associated infrastructure.
- 9.7. LCC Highways note that the proposal accords with the Car Parking Standards and that each dwelling without a garage would have a covered and secure cycle store.

Transport network

- 9.8. The submitted Transport Assessment projects weekday morning and evening peak hour traffic flows to the year 2029, incorporating traffic that would be generated by the proposal. It forecasts a local background traffic growth of approximately 6.5%. The assessment evaluates the impact on two key junctions: the site access junction with Blackburn Road, and the junction of Blackburn Road and Thwaites Road. It finds that both are expected to operate within capacity in 2029. LCC Highways are satisfied with the analysis on junction capacity. Therefore, the proposal would have an acceptable impact on the transport network in terms of capacity and congestion.

Conclusion

- 9.9. In conclusion, subject to conditions, the proposal would have an acceptable effect on highway safety and transport. It would comply with policies DM32 and DM33 of the DMDPD insofar as they seek to promote sustainable transport.
10. The effect on the character and appearance of the area, including on the Church Canalside Conservation Area (CA), landscape character and the setting and significance of other heritage assets
- 10.1. The application site encompasses parts of pastoral fields as well as urban fringe land to the rear of built form along Blackburn Road. It partially includes land within the Calder Valley landscape character area, which is characterised by lush, improved pasture with a range of boundary types depending on elevation. However, the urban fringes exert an influence over the landscape and there are pockets of neglected land and urban fringe land uses such as horse paddocks and industrial buildings close to the urban edge. The application site and surrounding area reflects this juxtaposition with pasture understood within the context of detracting urban fringe land on the edge of Oswaldtwistle. Taken as a whole, while the pastoral element makes a positive contribution, the site makes a neutral contribution to landscape character.
- 10.2. The eastern part of the application site is within the Aspen Valley character area of the Church Canalside CA, which forms part of a gently undulating pastoral landscape that contrasts with the historic and industrial core of the CA. However, the area is heavily

influenced by adjacent urban development, including that along Blackburn Road. For the reasons already given, the part of the site within the CA makes only a limited positive contribution to its character and appearance, and the remainder of the site makes a neutral contribution to its setting. This is agreed by Growth Lancashire.

- 10.3. There are other heritage assets within 400m of the application site. However, due to the lack of proximity and screening, Growth Lancashire consider the site makes neutral/negligible contribution to the setting of these other assets, which is accepted.
- 10.4. The proposal would involve the expansion of the urban area of Oswaldtwistle into the pastoral landscape within the application site. However, the incursion into the pastoral element would be relatively limited in scale and, overall, the whole site makes a neutral contribution to landscape character. Moreover, the proposed landscape buffer would provide natural screening of the proposed built form in time, which may result in a net landscape benefit and a more defined urban edge. The proposed attenuation basins would unlikely be prominent from outside of the site. Therefore, the proposal would have an overall neutral impact on landscape character. Any perceived harm would be very limited and outweighed by the benefits.
- 10.5. The proposal would include a new estate road, which would be the primary road with secondary roads and private driveways flowing from it. This would not accord with the linear layout of the existing dwellings to the north of Blackburn Road but would be similar to residential developments nearby such as that along Aspen Fold.
- 10.6. The proposal would comprise two-storey dwellings, including a mix of detached and semi-detached house types. The prevailing height would accord with the existing dwellings along Blackburn Road. While the house types would not accord with the prevailing type to the north of Blackburn Road, the proposal would be read as its own distinct development such that this would not be harmful.
- 10.7. The proposal would include 12 different house types. These would have rectangular or almost square plans with gabled roofs of varying forms. They would be arranged in different orientations with semi-detached types generally presenting narrow frontages and detached types presenting wider frontages. The submitted Materials Distribution Plan sets out that the walls of the dwellings would be buff brick and reconstituted stone, and they would have slate grey interlocking roof tiles. The appearance, detailing and materials of the proposed dwellings are generally acceptable.
- 10.8. As already mentioned, the proposal would include a strong landscape buffer to the north and west. There would be other planting within the site, including landscaping along the retained watercourse. The soft landscaping is a key part of the overall scheme and would ensure a defined boundary and verdant setting.

- 10.9. For the reasons given, the proposal would have a neutral effect on the character and appearance of the Church Canalside CA and the setting of other heritage assets.
- 10.10. In conclusion, subject to conditions, the proposal would have an acceptable effect on the character and appearance of the area, including on the Church Canalside CA, landscape character and the setting and significance of other heritage assets. It would comply with policies BD1, ENV1, ENV3 and ENV6 of the HCS and policies DM10, DM22 and DM26 of the DMDPD insofar as they seek to achieve well-designed places that recognise the intrinsic character and beauty of the countryside, and conserve and enhance the historic environment. This recommendation has had paid special attention and regard to the statutory duties imposed by sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
11. Whether the proposal would provide acceptable living conditions for future occupants
- 11.1. The application site is adjacent to Church and Oswaldtwistle Cricket Club. However, Sport England has withdrawn their initial objection upon receipt of an amended Cricket Ball Strike Assessment. This would ensure that there is no conflict between the proposal and the existing community facility.
- 11.2. The proposal appears to largely meet the external space standards set out in Policy DM29 within the site and with the surrounding dwellings. While there would be some transgression within the site, these would be minor departures between elevations with habitable windows and blank elevations or those with non-habitable windows, and front-to-front where expectations of privacy differ. Therefore, the proposed dwellings would generally have adequate privacy and outlook.
- 11.3. The proposed dwellings would each have private outdoor amenity spaces. Whilst some would be on the smaller side, there are no adopted minimum standards. The proposed maisonettes would have shared spaces, which is acceptable.
- 11.4. There would be some dwellings within proximity to retained and proposed trees. However, HBC Ecology raise no concerns regarding tree resentment issues. It appears that the dwellings would still achieve adequate levels of daylight and sunlight.
- 11.5. The submitted Noise Assessment sets out a requirement for mitigation measures to limit the impact of noise from vehicular traffic and the adjacent bus depot. This includes a 3m noise barrier along the boundary with the depot and appropriate glazing (and ventilation). HBC Environmental Protection are happy with this mitigation. While not shown on the proposed plans, the submitted Energy Statement refers to the installation of air source heat pumps. These should generally be acceptable, subject to a condition requiring further details to be approved. Therefore, subject to conditions, the proposal would provide acceptable living conditions for future occupants with regard to noise.

11.6. The submitted AQA includes an Assessment of Odour Potential, which states that there is small potential of odour from the bus depot such as from oils. It concludes that the magnitude of odour impact would be a slight adverse effect, but not significant, and that the application site is suitable for residential use. HBC Environmental Protection do not raise any objection in this regard. The impact of air quality on future occupants is explored below. Therefore, the proposal would provide acceptable living conditions for future occupants with regard to odour.

11.7. In conclusion, subject to conditions, the proposal would provide acceptable living conditions for future occupants. Therefore, it would comply with policies BD1 and ENV7 of the HCS and policies DM25 and DM29 of the DMDPD insofar as they seek to achieve acceptable levels of amenity for future users.

12. The effect on the living conditions of nearby occupants

12.1. The proposal would meet the external space standards set out in Policy DM29 of the DMDPD in relation to dwellings outside of the site, which would ensure no significant adverse effects on privacy and outlook. It would be located to the north of the nearest existing dwellings and set back sufficient distance to ensure no unacceptable overshadowing or loss of daylight. While there may be a degree of overlooking of the urban fringe land to the south, this appears to be used for varying purposes and there is already a degree of overlooking from the existing terrace row to the south.

12.2. The proposal could generate some nuisance during construction. However, this would be time limited and could be acceptably mitigated by the conditions recommended by HBC Environmental Protection who raise no objection.

12.3. In conclusion, the proposal would have an acceptable effect on the living conditions of nearby occupants. It complies with the aims of policies BD1 and ENV7 of the HCS and Policies DM10 and DM29 of the DMDPD insofar as they seek to achieve acceptable levels of amenity for nearby users.

13. Impact on air quality

13.1. The submitted AQA includes a Construction Dust Impact Assessment, which identifies medium risk of dust soiling and low risk to human health. As such, it recommends site-specific mitigation, which would reduce the residual effects to less than significant. Additionally, it includes a Road Traffic Emissions Assessment, which concludes that the application site is suitable for residential use with regard to air quality. HBC Environmental Protection agree with these conclusions. Therefore, subject to condition, the proposal would have an acceptable impact on air quality. It would comply with Policy ENV7 of the HCS and policies DM25 and DM29 of the DMDPD insofar as they relate to pollution.

14. Impact on crime and disorder

- 14.1. The application was not accompanied by a standalone Crime Impact Statement, but the submitted Design and Access Statement refers to relevant matters. It states that buildings have generally been oriented back-to-back with natural surveillance of pedestrian routes and public open space. While concerns have been raised by the representations of objection about future occupants contributing to an increase in crime and disorder, this is not supported by evidence. Therefore, the proposal would comply with paragraph 135f) of the Framework, which seeks to create places that are safe and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

15. Other matter – Archaeological assets

- 15.1. The submitted Heritage Statement states that there is limited potential for remains of archaeological interest. It states that existing remains such as field boundaries, ridge and furrow and possible clay extraction are not considered to be of archaeological interest or qualify as non-designated heritage assets. LCC Historic Environment have no objection but highlight the need for a post-permission programme of archaeological works. This suggests that any assets encountered would unlikely warrant preservation in situ. Therefore, subject to a condition, the proposal would have an acceptable impact on any potential archaeological assets. It would comply with Policy DM22 of the DMDPD insofar as it relates to archaeological heritage.

16. Other matter – Coal mining

- 16.1. The application site is within a coal mining development low risk area. Therefore, subject to informative, the proposal does not conflict with Policy ENV4 of the HCS and Policy DM24 of the DMDPD insofar as they relate to legacy coal mining risks.

17. Other matter – Climate change

- 17.1. The submitted Energy Statement sets out how the proposed dwellings would achieve a 68.27% reduction on the dwelling (carbon dioxide) emission rate against the target emissions rate set out in the Building Regulations 2010 (as amended). The energy strategy would include minimising heat loss and incorporating air source heat pumps. The requirement for a full travel plan would help to improve the accessibility of the application site and wider area by sustainable transport modes. These measures, amongst others, would contribute appropriately to meeting the challenge of climate change. Therefore, the proposal would comply with policies BD1 and ENV4 of the HCS and Policy DM20 of the DMDPD, which have this general aim.

18. Other matter – Contaminated land

- 18.1. HBC Environmental Protection do not raise any objections with reference to contamination but request a condition requiring a desk study and any other work flowing from that, as necessary. Therefore, subject to condition, the proposal would comply with Policy ENV4 of the HCS and Policy DM24 of the DMDPD insofar as they relate to contaminated land.
19. Other matter – Education
- 19.1. LCC Schools Planning Team confirmed in their response dated 27 March 2025 that an education contribution was not required at that stage. They have not commented since. Therefore, a contribution towards education has not been sought and the proposal does not conflict with Policy DM6 of the DMDPD.
20. Other matter – Housing standards
- 20.1. The proposal would no longer include the provision of affordable housing and thus the need for Part M4(2) of the Building Regulations 2010 (as amended) dwellings. The Schedule of Accommodation confirms that all proposed dwellings would meet the '*Technical housing standards – nationally described space standard*'. Therefore, the proposal would exceed the requirements of Policy DM16 of the DMDPD, which sets out access and internal space housing standards.
21. Other matter – Waste management
- 21.1. The proposed dwellings appear as though they would have space for the storage of bins to the rear, which could be secured by condition. There are bin collection points within the proposed layout. HBC Waste Services state that the proposal would satisfy the requirements for secure storage and movement of waste containers but request a contribution of £18,700 towards recycling and waste containers. The submitted information demonstrate that a waste vehicle could turn on the proposed estate roads, which is accepted by LCC Highways and HBC Waste Services. As above, the proposal cannot viably contribute towards containers. Nevertheless, the proposal complies with Policy ENV4 of the HCS, Policies DM10 and DM31 of the DMDPD and Policy CS7 of the MWCS, which seek appropriate management of waste.
22. Outstanding matters – Publicity
- 22.1. Beyond the matters covered above, the existing and emerging development plan do not preclude greenfield development. The housing target of the Emerging LP has been effectively superseded by reform to the standard method, which has significantly increased the number of homes required in the Borough. There is no demonstrable evidence that the proposal would place an unacceptable burden on infrastructure, facilities and services. The time for making comments has been much longer than the statutory 21 days and the applicant undertook pre-application engagement. Finally, the

effect on house values is not a material consideration. In short, the outstanding matters do not lead to a different conclusion on any main issues.

23. Other consideration – Presumption in favour of sustainable development

- 23.1. The Local Planning Authority cannot demonstrate a five-year housing land supply. In such circumstances, paragraph 11 of the Framework states that permission should be granted unless:
- i. the application of the policies in the Framework that protect areas or assets of particular importance (set out in footnote 7) provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies (set out in footnote 9) for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 23.2. There are no policies in the Framework that protect areas or assets of particular importance that would provide a strong reason for refusing the proposal.
- 23.3. The proposal would be in a sustainable location and secure a well-designed place, which are some of the key policies referred to at paragraph 11 of the Framework. The contribution to housing supply would be a significant benefit. While the proposal would conflict with the existing development strategy, this attracts limited weight against the proposal in the context of the emerging development strategy and lack of a five-year housing land supply. Therefore, the adverse impacts identified would not significantly and demonstrably outweigh the benefits.
- 23.4. In conclusion, the presumption in favour of sustainable development, commonly referred to as the tilted balance, is engaged and is a material consideration that indicates that planning permission should be granted.

24. Planning balance and conclusion

- 24.1. In conclusion, the proposal conflicts with the existing development strategy and therefore the development plan taken as a whole. However, for the reasons given, this attracts limited weight against the proposal. The tilted balance is engaged and weighs significantly in favour of granting planning permission. Therefore, the Framework as an important material consideration indicates a decision otherwise than in accordance with the plan and it is recommended that planning permission be approved.

25. Conditions

25.1. At the time of writing, planning officers have not completed and agreed a full list of conditions. However, a high-level list shall be presented at Planning Committee.

Recommendation:

That the Head of Planning and Transportation be given delegated powers to grant planning permission subject to conditions to their satisfaction.

List of Background Papers

The background papers are available on the Council's website at:

<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F24%2F0506&guid=37d8f9b1-f659-42da-84a7-f3cce44be8cf#>.

REPORT TO:	Planning Committee
APPLICATION REF:	11/25/0124
APPLICATION ADDRESS:	Land between Burnley Road and Altham Lane, Huncoat
DEVELOPMENT DESCRIPTION:	Major Full: Residential relief road with associated works
DATE REPORT WRITTEN:	3 March 2026

Description of the Site and the Proposed Development

The application site is a linear area measuring 10.6 hectares (ha) located east of the village of Huncoat and wholly within the Hyndburn Borough Council (HBC) and Lancashire County Council (LCC) administrative areas. It extends from Altham Lane in the north to a roundabout on Burnley Road (A679) to the south and is located west of the Accrington Bypass (A56). The roundabout has four arms, two for Burnley Road and two slip roads for Accrington Bypass. The middle of the site crosses Burnley Lane.

Volume 1, Chapter 10, Landscape and Visual of the submitted Environmental Statement (ES) provides a detailed description of the application site and surrounding area. In summary, the characteristics of the site and area include:

- The application site is located within pastoral fields on the eastern edge of Huncoat.
- The vegetation on the application site is limited to grassland, remnant hedgerow and hedgerow trees. There are numerous blocks of woodland in the surrounding area, which helps contain the site from some areas, including includes woodland to the north.
- The land use of the application site is predominantly pastoral agricultural with a small section of road infrastructure within the central part. There is energy infrastructure in the form of pylons to the north crossing the site east/west. The surrounding area is covered by a mix of land uses, including urban settlement, major road and energy infrastructure and countryside, including fields and woodland.
- The application site is crossed by a public right of way (PRoW) footpath (path reference FP1101004), which follows a north to south and east to west route within the pastoral fields in the northern half of the site. There are numerous publicly accessible spaces within the surrounding area, including Burnley Way long distance path.
- The Calder Valley forms a strong natural influence with land generally falling northwards towards the River Calder and towards tributary streams. The site follows a curving

landform, sloping predominantly north and east. The highest point of the site is along Burnley Lane (around 206 metres (m) Above Ordnance Datum (AOD)). The surrounding area then rises sharply to the south of the site towards Hameldon Scouts (409m AOD).

- The Accrington Bypass and M65 motorway with associated embankments, junctions and roundabouts, and extensive pylon network are notable artificial influences.

The proposed development comprises the construction of a residential relief road known as Huncoat Lane / Relief Road with associated works. *Volume 1, Chapter 2, Project Description* of the ES provides a detailed description of the proposal. In summary, it would include:

- The proposal would comprise a 1.1 kilometre (km) long, two-way carriageway, which would have a minimum width of 6.5m with a cycleway and footway on the left side of the carriageway and a footway to the right side. There would be bus stops along the road.
- The proposed road would have a signalised junction with Altham Lane and comprise a new arm on the Burnley Road roundabout. There would be a new junction to the eastern arm of Burnley Lane with the western arm closed to vehicular traffic but providing a cycle and pedestrian only access link.
- The proposal would involve cut and fill earthworks to accommodate the proposed road and roadside boundary treatments. It would also include sustainable drainage systems (SuDS) such as attenuation ponds, swales and bio-retention systems. There would be associated cabling, lighting and signage.
- The proposal would require the diversion of the PRoW crossing the application site.

The proposed development is intended to serve Huncoat Garden Village, which is an emerging strategic location for housing that would deliver around 1,500 to 1,600 homes.

Relevant Planning History

There are several previous planning applications that overlap with the boundaries of the current application site. In summary:

- LCC granted full planning permission for the erection of a waste management facility by decision notice dated 20 July 2006¹. This included a new private access road off the roundabout on Burnley Road.
- LCC granted full planning permission for the construction of a 3.1km long road to the north of Huncoat between Burnley Road and Whinney Hill Road / Bolton Avenue by decision notice dated 29 April 2009².

¹ Application reference 11/05/0535.

² Application reference 11/08/0482.

- HBC granted outline planning permission for an employment development of B1, B2 and B8 uses by decision notice dated 17 September 2008³, which would have infilled a large section of the Altham Lane frontage between Lower Gate Road and Peter Grime Row.

Planning Law, Policy and Guidance

Law

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) (PCPA 2004) states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (PLBCAA 1990) states:

“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.”

The Climate Change Act 2008 (as amended) (CCA 2008) provides the legal framework which underpins much national policy on climate change and emissions. It contains obligations in terms of achieving a 100% reduction in greenhouse gas emissions from 1990 levels by 2050, as well as the requirement to set carbon budgets for five-year periods.

The development plan

The most relevant documents of the development plan comprise the:

- Hyndburn Core Strategy (HCS) (adopted January 2012), which sets out the strategic policy framework for Hyndburn to 2026;
- Hyndburn Development Management Development Plan Document (DMDPD) (adopted January 2019), which sets out the detailed policy framework that will be used for the determination of planning applications; and
- Hyndburn Local Plan (1996 LP) (adopted November 1996), which sets out policies and proposals for the development and use land in Hyndburn to 2006. However, only the

³ Application reference 11/08/0355.

saved policies (and those not since superseded) and the Proposals Map continue to have affect.

Hyndburn Core Strategy (HCS)

Policy BD1: The Balanced Development Strategy seeks to concentrate development within the urban areas and limit development within the rural area to that supporting farm diversification and promoting leisure and recreational facilities whilst retaining landscape character. It refers to the development of housing and strategic employment sites at Huncoat. The policy states the overall general extent of the Green Belt will be maintained.

Policy A9: Whinney Hill Link Road supports the development of a new road connecting the A56 at the Burnley Road junction with Bolton Avenue, and the strategic employment site and housing site at Huncoat, subject to the following criteria:

- a) high quality landscaping being provided along its length which will secure conservation and enhancement of the wider natural environment;
- b) the implementation of measures that would prohibit heavy goods vehicles using Higher Gate Road, Lower Gate Road, the stretch of Bolton Avenue south of the railway bridge and Whinney Hill Road; and
- c) the implementation of measures that would prevent heavy goods vehicles using the stretch of Whinney Hill Road between its junction with Sherwood Way and Whinney Hill Landfill Site.

Policy A7: Housing in Huncoat states that the land to the north of the Colne / Preston railway line off Station Road in Huncoat will be developed for housing. *Policy A8: Strategic Employment Site at Huncoat* supports the development of a strategic employment site at Huncoat for B1, B2 and B8 uses subject to the criteria in the policy.

Policy T1: Improving Connectivity supports proposals to improve the connectivity of the towns in Hyndburn with neighbouring areas by road provided that the environmental and social impacts are properly taken into consideration and mitigation measures put into place where necessary and that they promote mobility and access for all. *Policy T3: Motorway and Trunk Road Improvements* supports proposals for the improvement of the motorway network and trunk road network where these improvements are required to facilitate improvements in the capacity of the network necessary to facilitate a healthy economy and sub-region.

The other relevant policies of the HCS include:

- *Policy HC4: Community Benefits / Planning Obligations* states that the Council will seek to ensure that development proposals meet the reasonable cost of new infrastructure made necessary by the proposal through planning obligations.

- *Policy ENV1: Green Infrastructure* states that green infrastructure resources will be protected, enhanced and by linking the resources, a multi-functional network will be created. Where developments are within or in close proximity to the network, they will be expected to contribute towards its protection and enhancement.
- *Policy ENV2: Natural Environment Enhancement* states that ecological or geological resources will be enhanced and protected in the ways set out in the policy.
- *Policy ENV3: Landscape Character* states that the design of new development must be appropriate to landscape character type and should contribute towards the conservation, enhancement or restoration of landscape character or appropriate new features. It sets out how landscape character will be protected and enhanced.
- *Policy ENV4: Sustainable Development and Climate Change* states that all development must minimise negative impact on the environment and help to mitigate against the likely effects of climate change on present and future generations. This will be achieved in the ways set out in the policy.
- *Policy ENV6: High Quality Design* states that the character and quality of Hyndburn's urban and rural environments will be conserved and enhanced through high quality design and protection of heritage assets. It sets out the expectations of new development.
- *Policy ENV7: Environmental Amenity* states that proposals for new development will be permitted if it is demonstrated that the material impacts of nuisances (such as traffic, visual impact, noise, dust, emissions and pollution) will not give rise to unacceptable adverse impacts or loss of local amenity and can be properly secured in accordance with best practice and recognised standards.
- *Policy T2: Cycle and Footpath Networks* states that the networks will be safeguarded and extended. Where appropriate, contributions towards the improvement and maintenance of these networks will be sought from developers as a means of ensuring that new developments are accessible by a variety of means of transport.
- *Policy RA2: Historic Character and Identity* states that historic character and identity will be supported by protecting and enhancing the features listed in the policy.

Hyndburn Development Management Development Plan Document (DMDPD)

- *Policy GC1: Presumption in Favour of Sustainable Development* reflects the presumption of sustainable development at paragraph 11 of the National Planning Policy Framework.
- *Policy HC2: Infrastructure, Planning Obligations & CIL* generally reflects Policy HC4 of the HCS, although it includes additional information on the relevant tests and viability.

- *Policy DM17: Trees, Woodland and Hedgerows* seeks to avoid the loss of and minimise harm to existing trees, woodland and or hedgerows of visual or nature conservation value. It sets out the criteria that development should be assessed against. The policy requires compensatory trees planting at a ratio of at least 3:1.
- *Policy DM18: Protection and Enhancement of the Natural Environment* generally reflects and expands upon Policy ENV2 of the HCS. It sets out the expectations of development and how they will be assessed.
- *Policy DM19: Protected Species* sets out a hierarchy for proposals that may affect protected species and the circumstances where development will not be supported.
- *Policy DM20: Flood Risk Management and Water Resources* sets out the requirements of the flood risk sequential test and need for surface water drainage systems.
- *Policy DM22: Heritage Assets* sets out how development affecting the setting and significance of heritage assets will be assessed.
- *Policy DM24: Contaminated or Unstable Land & Storage of Hazardous Substances* sets out how applications relating to previously contaminated land and that within legacy coal mining areas will be assessed, including the need for appropriate supporting information.
- *Policy DM26: Design Quality and Materials* generally reflects and expands upon Policy ENV6 of the HCS. It sets out the design criteria that development will be assessed against.
- *Policy DM29: Environmental Amenity* generally reflects and expands upon Policy ENV7 of the HCS. It states that development will be required to protect and where possible improve the amenity of surrounding existing and future residents.
- *Policy DM32: Sustainable Transport, Traffic and Highway Safety* states that all development will be required to actively encourage sustainable travel. It states that development that will generate significant amounts of traffic should be accompanied by a Transport Assessment and that proposals should not give rise to an increase in traffic above the capacity of the local or strategic transport network or harm the character of the surrounding area. It includes inclusive design criteria that are required to be met.
- *Policy DM33: Sustainable Transport Infrastructure* generally reflects Policy T2 of the HCS insofar as it states that development should make appropriate contributions towards improvements in transport infrastructure, particularly to facilitate walking, cycling and public transport use. Beyond that, it states that proposals that reduce, sever or adversely affect the amenity of footpaths must make satisfactory provision for their diversion. It also states that the Council will work closely with the Canal and River Trust and Network Rail to minimise impacts on the canal and railway.

Hyndburn Local Plan (1996 LP)

Saved Policy I.1 permits development between 1991 and 2006 of the sites within the policy for employment purposes within Class B of the Use Classes Order 1987 (business, industry, distribution & storage). This includes 22ha site V, Huncoat Power Station, Huncoat, which includes part of the northern section of the application site.

Joint Lancashire Minerals and Waste Core Strategy Development Plan Document (Parts One and Two) (MWCS)

The MWCS was adopted in March 2009 and sets out the strategic policy framework for minerals and waste planning for Lancashire, Blackpool and Blackburn with Darwen to 2021. *Policy CS1: Safeguarding Lancashire's Mineral Resources* states that mineral resources will be conserved where they have an economic, environmental or heritage value. It states that district councils will consult with them where proposals for development fall within mineral consultation areas. It encourages mineral extraction prior to other forms of development. Other relevant policies of the MWCS include *Policy CS2: Minimising the need for Mineral Extraction* and *Policy CS7: Managing our Waste as a Resource*.

Joint Lancashire Minerals and Waste Site Allocations and Development Management Policies Local Plan (Parts One and Two) (MWSADM)

The MWSADM was adopted in September 2013 and sets out site-specific policies and allocations and detailed development management policies for minerals and waste planning for Lancashire, Blackpool and Blackburn with Darwen.

Policy SA2: Safeguarding of Land for Access Improvements states that the minerals and waste planning authority will safeguard land for Whinney Hill Link Road.

Policy M2: Safeguarding Minerals states that planning permission in mineral safeguarding areas will not be supported for any form of development that is incompatible with working the minerals, unless the applicant can demonstrate to the satisfaction of the local planning authority that one of the circumstances in the policy applies

Other relevant policy

Emerging Hyndburn 2040: Local Plan (Strategic Policies and Site Allocations) (Emerging LP)

The Emerging LP would replace the HCS. It has reached Regulation 24 (independent examination) stage with regard to the Town and Country Planning (Local Plan) (England) Regulation 2012 (as amended). The Examining Inspector has issued a post-hearings letter, which does not raise any fundamental concerns. The plan is at an advance stage of preparation with an eight week consultation on the proposed main modifications commencing on 6 March 2026. Therefore, in accordance with paragraph 49 of the National Planning Policy Framework, the policies of the Emerging LP generally attract moderate to substantial weight.

Policy SP1: The Spatial Development Strategy would replace Policy BD1 of the HCS and would depart from it insofar as Huncoat would grow at a significantly faster rate than the other Accrington townships. It would acknowledge that additional development land for housing development would be required to deliver the garden village. While it states that the overall general extent of the Green Belt would be maintained, it notes important changes to the boundary, including for strategic residential development at the garden village.

Policy SP2: Huncoat Garden Village and *Policy SP29: Huncoat* would replace policies A7, A8 and A9 of the HCS. The garden village would be a strategic location for housing growth that would deliver around 1,500 to 1,600 new homes in line with the Huncoat Garden Village Masterplan and Design Code (sic). Policy SP2 would state that to ensure the infrastructure needed is put in place, development must make provision for the early development of the proposal with only the first phase of development to be completed prior to the Huncoat Relief Road. The policy would also set out how development would be well-designed; developers would contribute towards the cost of strategic infrastructure; measures to reduce car reliance would be incorporated; unacceptable adverse impacts on existing highway safety and infrastructure would be avoided; and how biodiversity and landscaping would be integrated. It would state:

“The Huncoat Garden Village site allocations have the potential (individually and cumulatively) to generate significant amounts of vehicular movement on the Strategic Road Network (SRN); principally the M65 and A56. Unacceptable severe impacts on the SRN or highway safety should be avoided and, wherever possible, alternative transport options which reduce or eliminate such impacts should be pursued. Where such impacts are unavoidable, suitable mitigation measures should be proposed by the applicant to ensure that the impacts from development on the SRN (in terms of capacity and congestion, or highway safety) are cost effectively mitigated to an acceptable degree. Development shall not be permitted until National Highways has confirmed it is satisfied that any measures proposed can mitigate unacceptable impacts to an acceptable degree. No development shall take place until National Highways has confirmed it is satisfied that the funding, partners, and relevant processes are in place to enable the delivery of the SRN infrastructure required. Any such infrastructure must be operational no later than the occupation of the development for which it is required. Applications should be supported by a Transport Assessment so that the likely impacts of a proposal on the SRN can be assessed.”

Policy SP29: Huncoat would set out the specific site allocations and expect developers to adhere to detailed considerations set out in Policy SP2 of the Emerging LP and the Huncoat Garden Village Masterplan and Design Code (sic). It would also state:

Policy SP10: Housing Provision (Including Affordable Housing) would replace policies H1 and H2 of the HCS and set out the requirement for at least 3,686 dwellings over the plan period to

2040 or 194 dwellings per year. It would recognise that Huncoat Garden Village would make a significant contribution to this provision.

Policy SP13: Climate Change and Sustainable Development would replace Policy ENV4 of the HCS and link to policies DM18, DM20, DM24 and DM26 of the DMDPD. It would state that all development must mitigate against the likely effects of climate change on present and future generations and minimise negative impacts on the environment. The policy sets out the ways this would be achieved.

The other relevant policies of the Emerging LP include (unless otherwise stated, the policies would broadly continue the existing policy approach):

- *Policy SP3: Planning Obligations* would replace Policy HC4 of the HCS and link to Policy HC2 of the DMDPD and would seek to ensure that development proposals meet the reasonable costs of new infrastructure, facilities or services needed as a direct result of the development.
- *Policy SP14: Green Infrastructure* would replace Policy ENV1 of the HCS and link to Policy DM18 of the DMDPD.
- *Policy SP15: Landscape Character* would replace Policy ENV3 of the HCS and link to Policy DM16 of the DMDPD. It would require new development to be well integrated into existing settlement patterns, appropriate to the landscape character type and designation and contribute positively to its conservation, enhancement or restoration.
- *Policy SP16: Natural Environment Enhancement* would replace Policy ENV2 of the HCS and link to policies DM17, DM18 and DM19 of the DMDPD. It would state that all developments must comply with the statutory biodiversity gain requirements.
- *Policy SP18: High Quality Design* would replace Policy ENV6 of the HCS and link to policies DM26 and DM29 of the DMDPD.
- *Policy SP19: Heritage* would replace Policy RA2 of the HCS and link to policies DM22 and DM26 of the DMDPD.
- *Policy SP20: Environmental Amenity and Air Quality* would replace Policy ENV7 of the HCS and link to Policy DM29 of the DMDPD. It would also state that development that generate high volumes of traffic would only be permitted if it is demonstrated that they would not have an unacceptable adverse impact on air quality.
- *Policy SP21: The Leeds and Liverpool Canal* would link to Policy DM33 of the DMDPD and would set out the expectations of development adjacent to or in the vicinity of the canal. It would require off-site improvements to be delivered by the developer through Grampian conditions or planning obligations.

- *Policy SP22: Connectivity and Improvements to Transport Networks* would replace policies T1 and T3 of the HCS and link to policies DM32 and DM33 of the DMDPD.
- *Policy SP23: Sustainable and Safe Travel* would link to policies DM32 and DM33 of the DMDPD.
- *Policy SP24: Cycle and Footpath Networks* would replace Policy T2 of the HCS and link to Policy DM33 of the DMDPD.
- *Policy SP25: Development in Rural Areas* would link to Policy DM34 of the DMDPD and require development in the Green Belt to accord with national policy set out in the National Planning Policy Framework.

National Planning Policy Framework (Framework) (updated 7 February 2025)

The Framework is a material consideration. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It continues that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 161 states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. Paragraph 198 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Criterion a) states that decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

Paragraph 187e) states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Paragraph 199 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the cumulative impacts from individual sites in local areas.

The relevant chapters of the Framework include 1 (Introduction), 2 (Achieving sustainable development), 4 (Decision-making), 5 (Delivering a sufficient supply of homes), 6 (Building a strong, competitive economy), 8 (Promoting healthy and safe communities), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 13 (Protecting Green Belt land), 14 (Meeting the challenge of climate change, flooding and

coastal change), 15 (Conserving and enhancing the natural environment), 16 (Conserving and enhancing the historic environment) and 17 (Facilitating the sustainable use of minerals).

Huncoat Garden Village Masterplan Framework & Infrastructure Delivery Strategy (Huncoat Garden Village Masterplan)

The Huncoat Garden Village Masterplan was approved by HBC Cabinet in October 2021 and sets out a framework of what the Council will expect to see as part of any applications for the Masterplan area. It clearly identifies the delivery of the proposal as strategically significant and necessary to unlock the full potential of the area. The Masterplan states that the need for a new road is acknowledged by Policy A9 of the HCS and that it provides further evidence for the residential relief road and therefore reaffirms its requirement to support development at Huncoat. It states that it provides an indicative route and design for the road, which will be subject to further consideration in determining its location and direction, design proposals, costing and planning application process.

The Huncoat Garden Village Masterplan specifically states that it is a material consideration in any planning application for Huncoat Garden Village (within the masterplan area) in line with the Existing LP, including the strategic allocations of the former colliery power station sites (Policies A7 and A8 of the CS). *Paragraph 007 of the Planning Practice Guidance (PPG): Design: process and tools* suggests that masterplans should be adopted as supplementary planning documents (SPDs) to attract weight in decision-making. However, *Paragraph 008 of the PPG: Determining a planning application* states that a material consideration is one which is relevant to making the planning decision in question. Therefore, as the Masterplan is relevant, officers consider it is a material consideration, which should attract limited weight commensurate to its relationship with the Emerging LP.

Huncoat Design Guide Code

The Huncoat Design Code was approved by HBC Cabinet in June 2025 and is a tool used to provide detailed guidance on the design parameters, technical standards and specifications of development across Huncoat including the existing settlement and Huncoat Garden Village. It states that Huncoat Lane would be one of the proposed primary streets of Huncoat and must be delivered as a tree lined avenue integrated with planning and SuDS (swale), high-quality footpaths, segregated cycleway, bus stops and frequent traffic calming measures, such as raised tables and change in surface at crossings and key intersections.

The Huncoat Design Guide Code states that it will be a material consideration. Paragraph 134 of the Framework states that design codes should be produced as part of a plan or as SPDs to carry weight in decision-making. The Code was produced as part of the Emerging LP and is relevant to this application. Therefore, officers consider it is a material consideration, which should attract limited weight commensurate to its relationship with the Emerging LP.

Lancashire Local Transport Plan: Consultation Version (Draft LTP)

The Draft LTP has been prepared by Lancashire Combined County Authority (LCCA) under section 108 of the Transport Act 2000 (as amended). *Policy CL1: Enable the delivery of strategic growth sites* would require the LCCA to work with partners to ensure that strategic growth sites (as set out in the Growth Plan and relevant development plans) are appropriately located, accessible and supported by suitable transport evidence. *Policy CL4: Improve reliability of strategic and major roads for all modes of transport* would require the LCCA to work with National Highways and local highway authorities to ensure that strategic and major road networks are efficient and reliable, including by tackling congestion hotspots.

Policy SV5: Alleviate adverse impacts of travel on communities would require the LCCA to work with stakeholders to reduce and proactively design out the potential adverse impacts that transport can have on communities.

Other relevant policies of the Draft LTP includes *Policy CL2: Transform east/west public transport through the Central Belt*, *Policy TC1: Improve and modernise bus journeys*, *Policy TC3: Establish convenient and safe active travel options*, *Policy FN3: Improve journey time reliability* and *Policy FN4: Deliver sustainable, resilient infrastructure*.

Hyndburn & Rossendale Local Cycling & Walking Infrastructure Plan (LCWIP)

The LCWIP refers to the Emerging LP and Huncoat Garden Village Masterplan, and recognises several essential infrastructure requirements for the delivery of the development site, including on site pedestrian and cycle routes to be funded by the developer[s]. It states that by developing new and or enhanced active travel routes between centres and key destinations, the LCWIP will integrate the proposed walking and cycling infrastructure outlined in the Masterplan into the wider Hyndburn and Rossendale active travel network.

Noise Policy Statement for England (NPSE)

The NPSE aims to avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to the improvement of health and quality of life. It identifies the concepts of both a Significant Observed Adverse Effect Level (SOEAL), the level above which significant adverse effects on health and quality of life occur, and a Lowest Observed Adverse Effect Level (LOAEL), the level above which adverse effects on health and quality of life can be detected. *The PPG: Noise* provides guidance in relation to the noise exposure hierarchy.

Environmental Impact Assessment (EIA)

The Local Planning Authority (LPA) determined that the proposal was EIA development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulation

2017 (as amended) (EIA Regs 2017) by decision letter dated 23 January 2024⁴. They provided a scoping opinion by decision letter dated 23 January 2024⁵.

The ES considers the proposed relief road as a standalone project. However, the screening opinion suggested it should be considered as part of a larger project alongside the residential development associated with Huncoat Garden Village. Nevertheless, the Cover Letter submitted with the request for a scoping opinion set out the intention for them to be considered separately. Moreover, the scoping opinion itself stated that the approach advocated by the applicant was generally appropriate and did not take issue with the relief road being considered as a standalone project. Regulation 18 of the EIA Regs 2017 requires environmental statements to be based on the most recent scoping opinion or direction where one has been issued, which is what the applicant has done.

Although it is not for this application to revisit the screening and scoping process, it may be useful for members to note the relevant case law. In short, the courts have held that defining the project is for the decision-maker and the relevant factors include:

- Common ownership (*Larkfleet*⁶).
- Simultaneous determination (*Burridge*⁷).
- Functional interdependence – where one could not function without another, this may indicate that they constitute a single project (*Burridge*).
- Standalone projects – where a development is justified on its own merits and would be pursued independent of another development, this may indicate that it constitutes an individual project (*Bowen-Wes*⁸).

In this case, the application site is in multiple ownership; the proposal is not being considered simultaneously with residential development; the proposed relief road could functionally operate without the residential development; and the principle of a relief or link road could arguably be justified on its own merits as per the HCS. On this basis, planning officers now accept that the proposed relief road is a standalone project.

Volume 1, Chapter 3, Development Need and Alternatives Considered of the ES reports on alternatives. It explains that an options appraisal was undertaken as part of the Huncoat Garden Village Masterplan, which explored six options. The options without the proposal or 'no development' alternatives were discounted due to a lack of financial viability. The two options with the proposal have been merged to become the preferred option.

⁴ Application reference 11/23/0499.

⁵ Application reference 11/23/0500.

⁶ *R (Larkfleet) v South Kesteven District Council* [2015] EWCA 887 (Civ).

⁷ *R (Burridge) v Breckland District Council and Greenshoots Energy Ltd* [2013] EWCA Civ 228.

⁸ *Bowen-West v Secretary of State for Communities and Local Government* [2012] EWCA Civ 321.

Overall, planning officers consider that the submitted ES is legally compliant in content and scope to allow a decision in compliance with the EIA Regs 2017. The assessment below will summarise and consider the environmental effects under each main issue.

Consultation Responses/Representations

Consultation

Active Travel England: No response received (due by 24 April 2025).

Altham Parish Council: 11 April 2025: No objections.

Burnley Borough Council: 15 May 2025:

- The application site is in Green Belt and would extend urban style development towards Burnley and narrowing the existing gap. However, the Emerging LP proposes residential development in this area. The closest town is Padiham, which is 2km to the northeast of the site. Therefore, the proposal would not lead to a risk of the settlements merging.
- The application site is within proximity of residential properties. However, Accrington Bypass is intervening. Therefore, the proposal would unlikely have any significant impact on the living conditions of nearby occupants, subject to conditions relating to construction dust, hours and traffic, and requiring a final Construction Environmental Management Plan (CEMP) (noting the submitted plan is in outline).

Cadent Gas: No response received (due by 24 April 2025).

Canal and River Trust: 21 May 2025:

- The proposal has the potential to encourage greater traffic movements between Altham Business and Park and the junction with the A56, along Altham Lane and over 'Canal Bridge (Altham Bridge)' (List Entry Number: 1072720, which is grade II listed and subject to a formal weight restriction of 7.5 tonnes.
- Ask that the Council is satisfied that appropriate details have been provided to assess any impact on traffic movements on Altham Lane and consequently on Altham Bridge.
- Should the details indicate the potential for the proposal to result in an increase in traffic with the potential to increase damage to the bridge (either by unauthorised heavy goods vehicles ignoring the weight limit or through cars striking the wing walls of the bridge when meeting oncoming traffic) then mitigation may be required.

Coal Authority: 7 April 2025: The application site falls within the coal mining development low risk area; therefore, they have no specific comments to make, but request that their Standing Advice is drawn to the applicant's attention, where relevant.

Electricity North West: 11 April 2025: Their infrastructure is located on the application site. The applicant should be advised that great care should be taken at all times to protect electrical apparatus (above and below ground) and should be referred to the Health and Safety Executive's documents '*Avoiding Danger from Underground Services*' and '*Avoidance of Danger from Overhead Electric Lines*'.

Environment Agency: 22 April 2025: The existing land use is agricultural with no previous contaminative use. While they concur with the findings of the Phase 2 Site Investigation, only ten soil samples have been taken across a very large area. Therefore, they have no objection to the proposal but recommend the inclusion of a condition requiring the reporting of any unexpected contamination.

Growth Lancashire (Heritage): 12 May 2025:

- Grade II listed Huncoat War Memorial is identified as the closest designated heritage asset. However, while the memorial is elevated above the application site, the field it is within is bordered by mature trees and bushes, which largely screen views. Therefore, the proposal would not impact the contribution made by the setting to the memorial.
- The submitted information identifies potentially setting changes to non-designated heritage assets (NDHAs) (the Leeds and Liverpool Canal, Peel Park and Shuttleworth Hall Country Estate (including grade I listed Shuttleworth Hall)). However, in their view, given the separation of the sites and existing major road infrastructure, the proposal would cause no further impact.
- The submitted information also identified 'non-designated monuments' on the brow of Burnley Lane. Any above ground heritage (NDHAs) in this location would experience some impact. However, in their opinion, it would be limited due to the existing and visible Accrington Bypass to the east and the fall of the land restricting any potential visual impact. In any event, in this case, the public benefits of the proposal would far outweigh any identified less than substantial harm.
- In conclusion, they consider that the proposal would cause no discernible level of harm or loss of significant to the heritage assets above, including their setting.

Hyndburn Borough Council (HBC) Ecology: 11 June 2025:

- The applicant has submitted a Biodiversity Gain Assessment and landscape plans, which refer to the creation of traditional orchard habitat. The landscape plans do not show a specific area set aside for this habitat. The biodiversity gain plan would be

refused unless the habitat management and monitoring plan (HMMP), and landscape plans specifically designate the area of traditional orchard.

- The ES includes an Arboricultural Impact Assessment, Baseline Ecological Appraisal Biodiversity Net Gain (BNG) Report and Statutory Biodiversity Metric (SBM). The SBM and BNG Report demonstrate that an onsite habitat unit gain of +14.35% and hedgerow unit gain of +29.96%.
- The scheme would deliver significant onsite habitat creation, which must be maintained for a 30-year period following completion of development. The 30-year HMMP must be approved and secured by planning obligation.

HBC Environmental Protection: 2 May 2025:

- Their comments below relate to air quality, noise and vibration and therefore the impact on the living conditions of nearby occupants. While they acknowledge there may be some diluting through increased traffic routes, the proposal would add to the number of vehicle movements in the area. They hope future applications for residential development consider this further. The existing noise climate is dominated by two major roads (presumably Accrington Bypass and M65).
- During construction, no piling is expected. The Outline CEMP provides details of measures to remove or reduce the potential impact (largely noise and dust) as far as possible. The 'normal' construction working hours should relate to noisy activities. While some disturbance would be inevitable, the use of best practicable means would ensure that this is eliminated or minimised for this 'temporary' issue.
- During operation, the proposal would provide another option for road users and effectively dilute traffic numbers on existing roads. This would result in reductions in noise and air pollution for the vast majority of existing dwellings. The proposal would clearly be closer to some dwellings, but the submitted information highlights that any impacts would be negligible.

HBC Housing: No response received (due by 24 April 2025).

HBC Policy: No response received (due by 24 April 2025).

HBC Trees and Woodland: No response received (due by 24 April 2025).

HBC Waste Services: No response received (due by 24 April 2025).

Lancashire Badger Group: 29 April 2025:

- Concerned that the Phase 1 Habitat Survey was undertaken in June where most signs of mammals are impossible to see. This is a suboptimal time to survey.

- The Survey identified the nearest badger sett 500m north of the proposal. They enquire whether this is within the HGV site. They appreciate that the proposal would not affect the badgers. However, they are concerned that badgers would become isolated being trapped between Accrington Bypass, M65 and railway line with little access to foraging areas. They appreciate this will be considered when the application is considered for the HGV site.

Lancashire Constabulary: No response received (due by 24 April 2025).

Lancashire County Council (LCC) Lead Local Flood Authority:

- 22 September 2025: Maintain its objection.
- 10 April 2025: Objects on the basis of inadequate surface water sustainable drainage strategy (SuDS), in particular the failure to provide appropriate minimum operation standards for peak flow control; provide appropriate minimum operation standards for volume control; meet the hierarchy of runoff destination; demonstrate the principle of development' and provide an appropriate allowance for climate change. They provide advice on how to overcome their objection and other general and site-specific advice.

LCC Highways: 2 February 2026: Have highlighted points of dispute in detail. They urge the applicant to take their advice due to their experience of road building infrastructure alongside the theoretical analysis which includes uncertainty about future flows rather than being wholly reliant upon it. They have provided a list of conditions, as requested by planning officers, should be application be approved without taking onboard their concerns.

LCC Historic Environment: 16 April 2025: The submitted information does accurately reflect the position that they reached in consultation with the agents in 2024 concerning the type, extent and timing of any archaeological assessment of the proposal. They recommend a condition securing a programme of archaeological work.

LCC Minerals and Waste: No response received (due by 24 April 2025).

LCC Public Rights of Way: No response received (due by 24 April 2025).

Lancashire Fire and Rescue Service: No response received (due by 24 April 2025).

National Highways: 30 October 2025: Recommend that conditions should be attached to any planning permission that may be granted relating to the construction design and method statement; full design details of the interfaces and works on the A56 trunk road; geotechnical information; landscaping and planting; and surface water drainage design and survey.

Natural England: 23 April 2025: No objection. Based on the submitted plans, they consider that the proposal would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. They provide generic advice on other natural environment

issues, including access and recreation; ancient woodland, ancient and veteran trees; best and most versatile agricultural land and soils; biodiversity duty; biodiversity and wider environmental gains; designated nature conservation sites; green infrastructure; local sites and priority habitats and species; protected landscapes; protected species wider landscapes; and rights of way, access land, coastal access and national trails.

United Utilities: 27 October 2025: Following their review of the amended drainage details, they confirm that the proposals are acceptable in principle. They request a condition requiring development to be carried out in accordance with the amended details should permission be granted. They also provide advice on management and maintenance; their assets, including a public sewer and water main, and water efficiency.

Publicity

There have been 15 representations of objection. They raise the following issues:

- Whether the location is appropriate for the proposed development:
 - Huncoat is a village and should remain that way. It does not need more traffic or housing.
- Impact on facilities, infrastructure and services:
 - There is insufficient infrastructure to support residential development.
 - The proposed road should be delivered first, then facilities and services and then residential development.
- Impact on highway safety and transport:
 - Huncoat is already gridlocked most of the time.
 - The surrounding roads already struggle, particularly accommodation heavy goods vehicles. There are issues when the railway crossing barrier on Enfield Road/Station Road fails and around Junction 8 of the M65 and Huncoat Primary School. The proposed road would have little impact on these issues.
 - Concerns about traffic generation and highway safety, particularly near Huncoat Primary School.
 - The proposal would provide a connection between Accrington Bypass and Altham Industrial Estate, which has not been assessed by the submitted information. It is recommended that Altham Lane is made access only.
 - The Transport Assessment does not refer to any impacts on Altham Lane despite single lane Altham Bridge and the lack of footway.

- The Transport Assessment does not consider the proposed around 50% increase to Altham Industrial Estate in the Emerging Local Plan or the employment zone in Hapton.
- Unclear on the impact on the PRoW.
- Clarity is required regarding junction improvements on Altham Lane, Higher Gate Road, Lower Gate Road and Station Road are required.
- Concerns about the proximity of the proposed junction with Altham Lane to the access of Peter Grime Row.
- Can assurances be provided that improvements to motorway networks (Junction 8 of the M65 and Shuttleworth Mead) prior to the construction of the proposal.
- There should be no construction traffic allowed along Burnley Lane.
- The wider signage strategy does not extend to the village as a whole, including a no through route sign at the bottom of Burnley Lane.
- Concerns about a conflict with existing on street parking along both sides of Burnley Lane.
- Concerns about the lack of existing footways along part of Burnley Lane.
- Burnley Lane is used as a shortcut to Burnley and Hapton.
- Recommend considering preventing vehicular traffic using Burnley Lane.
- Recommend that sustainable transport improvements are secured now.
- Impact on flood risk and drainage:
 - Consider additional information is required regarding flood mitigation measures and whether they would be sufficient to protect dwellings on Peter Grime Row.
- Impact on the living conditions of nearby occupants:
 - Concerns about the impact of dust. A full review is required on receptors within 20m.
 - A sensitive lighting solution is required.
 - Concerns about construction hours.

- Concerns about the frequency of audits set out in the Outline CEMP and recommend a community liaison group is established.
- The Outline CEMP includes a map showing dwellings along Burnley Lane and Peter Grime Row within the 20m impact zone but then Table 6.1 states that there are no receptors within 20m and less than one within 50m. There is one disabled resident with lung issues within the 20m zone.
- Impact on air quality:
 - There should be a larger and stronger landscaping zone to the west side of the proposal to minimise the impact on air quality.
- Impact on the character and appearance of the area, including landscape character:
 - There should be a larger and stronger landscaping zone to the west side of the proposal to minimise the visual impact.
- Impact on agricultural holdings:
 - The proposal would involve the stopping up of Burnley Lane, which would require them to undertake a detour of a mile. This would not be practical or workable in a tractor travelling 12 miles per hour (mph). It is recommended that Burnley Road should remain as a through public vehicular highway.
 - The Burnley Lane proposed intersection shows a substandard 6m entrance radius, which would be incapable of accepting large vehicular traffic. It is recommended that amendments and a swept path analysis demonstrating the ability of a heavy good vehicle to access the eastern arm of Burnley Lane with this information.
 - The proposal would not include a replacement field entrance near the Altham Lane proposed intersection.
 - The above matters were not considered by the Environmental Statement despite the affect on agricultural holdings being identified as large/significant.
 - The proposal would bisect a section of an agricultural holding. While the application includes an access, but this is unsatisfactory as it would be inconvenient, circuitous, not have a sealed surface, may be unsuitable to accommodate heavy traffic and potentially prone to flooding being adjacent to an attenuation basin. It is recommended that a direct spur is provided off the proposed road, not dissimilar to that which already exists to the west.
- Impact on biodiversity and ecology:

- The proposed attenuation ponds are likely to become habitat for species. The lighting strategy should be reviewed to reduce light pollution in these areas.
- Impact on equality and human rights:
 - Concerns about a disproportionate impact on disabled people.
 - Concerns about a breach of human rights associated with the impact on agricultural holdings.
- Other matters:
 - Councillor Dave Parkins should not sit as the chair of the planning application due to a conflict of interest.
 - Request details of the assessment of the impact of disturbance and noise, and on the natural environment.
 - Query the width of the proposed Huncoat Lane
 - Raise concerns about residential development associated with the HGV, including the Huncoat Design Code.

Assessment

1.1. Whether the location is suitable for the proposal

Whinney Hill Link Road (WHLR)

- 1.2. The purpose of WHLR according to the supporting text of Policy A9 of the HCS is to remove the heavy goods vehicle traffic associated with the Whinney Hill landfill and quarry site, and adjacent brickworks, from nearby residential areas, as well as facilitate employment and housing development in Huncoat. The HCS envisaged that the road would be developed in two phases: phase one between Altham Lane and Burnley Road to serve the employment and housing sites, and phase two between Altham Lane and Bolton Avenue / Whinney Hill Road.
- 1.3. The HCS includes a map showing the general route of WHLR bisecting the strategic employment site with a junction with Altham Lane near the access to the former Huncoat Power Station. The Policies Map of the MWSADM shows the area safeguarded for WHLR, which is more detailed and shows a similar arrangement to the HCS. However, the development plan does not include a policy explicitly setting out a required detailed route, it simply contains policies supporting the principle of a link road between the A56 at the Burnley Road junction with the employment and housing sites, and Bolton Avenue.

- 1.4. The southern half of the proposal would generally follow the route of the WHLR shown in the HCS and the Policies Map of the MWSADM. However, the northern section would not extend as far northwards and would have a junction with Altham Lane south of Peter Grime Row (rather than to the north as shown on in the MWSADM).
- 1.5. The proposal would not fully accord with Policy A9 of the HCS as it would not include the implementation of measures to prohibit heavy good vehicles using roads in nearby residential areas. Nevertheless, it would undoubtedly contribute to the overall aim of the policy as the first phase of a link road between Altham Lane and Burnley Road. The purpose of this phase is to provide access to the employment and housing sites, which would be achieved. Therefore, while the proposal could not be said to fully accord with Policy A9 of the HCS, the policy conflict attracts limited weight against the proposal.
- 1.6. The application site straddles the urban boundary and includes a section within the rural area. Policy BD1 of the HCS states that development within the rural area will be limited to that supporting farm diversification and promoting leisure and recreational facilities whilst retaining landscape character. The proposal would not support farm diversification, could not reasonably be described as promoting leisure and recreation facilities, and would not retain landscape character. Therefore, there is a degree of conflict with Policy BD1. However, as Policy A9 of the HCS supports a road in this general location, the policy conflict attracts limited weight against the proposal.

Huncoat Garden Village

- 1.7. There is overwhelming support for the proposal in the Emerging LP, Huncoat Garden Village Masterplan and Huncoat Design Code. The emerging spatial development strategy would be reliant on Huncoat Garden Village and the Masterplan identifies the delivery of the proposal as strategically significant and necessary to unlock the full potential of the area. Therefore, the principle of the proposal draws support from Policy SP2 of the Emerging LP, Huncoat Garden Village Masterplan and Huncoat Design Code. It is important that the proposal is delivered early in the emerging plan period (to 2040) to ensure that the emerging spatial development strategy is realised. This weighs significantly in favour of granting planning permission.

Conclusion

- 1.8. In conclusion, the proposal would contribute to the overall aim of Policy A9 of the HCS as the first phase of a link road between Altham Lane and Burnley Road. There is also overwhelming support for the proposal in the Emerging LP, Huncoat Garden Village Masterplan and Huncoat Design Code, which weighs significantly in favour of granting planning permission. Therefore, the location is suitable for the proposal. However, the extent that the proposal accords with the development plan shall be considered in the overall planning balance and conclusion.

2. Whether the proposal would be inappropriate development in the Green Belt
 - 2.1. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are certain exceptions at paragraph 154, including engineering operations and local transport infrastructure provided they preserve its openness and do not conflict with the purposes of including land within it. There is also a requirement for local transport infrastructure to demonstrate a requirement for a Green Belt location.
 - 2.2. The submitted Planning Statement claims that the proposal would meet the exception relating to local transport infrastructure. However, the applicants claim that the proposal would not demonstrably impact upon openness is not accepted. The application site is devoid of built form with a strong degree of openness that it is appreciable from higher ground including Burnley Lane. The introduction of lighting and signage columns and activity associated with the proposal would harm openness. Moreover, the site contributes to the purpose of safeguarding the countryside from encroachment and proposal would conflict with this purpose. Therefore, having regard to its nature and scale, planning officers consider that the proposal does not meet any of the exceptions at paragraph 154 of the Framework.
 - 2.3. Although not advanced by the applicant, planning officers have gone on to consider whether the proposal would satisfy the grey belt exception. Paragraph 155 of the Framework states that development in the Green Belt should also not be regarded as inappropriate where the criteria within the paragraph are met.
 - 2.4. The application site is near to Huncoat, which is a township of the large-built up area (LBUA) of Accrington. While it is free of existing development, there are some physical features (namely highways) that could restrict development. Furthermore, future residential development following the proposal would unlikely result in an incongruous pattern of development (such as an extended 'finger'). The site is also subject to other urbanising influences such as Accrington Bypass, high voltage powerlines and pylons, and the M65 motorway. It does not form a substantial part of a gap between towns nor would there be any significant loss of visual separation between towns. The site is not believed to make any visual, physical or experiential connection to the historic aspects of Accrington. There are no footnote 7 areas or assets that would provide a strong reason for refusing or restricting development. Therefore, planning officers consider that the site satisfies the definition of grey belt at Annex 2: Glossary of the Framework.
 - 2.5. The test of whether development would undermine the purposes (taken together) of the remaining Green Belt across the area of the plan is clearly a high bar. As the proposal forms part of an extension of an existing settlement that is being progressed as part of the Emerging LP, which is at an advance stage, it is not considered that it would undermine the remaining Green Belt across the area of the plan. The Local Planning

Authority cannot demonstrate a five-year housing land supply and the early delivery of the proposal is essential to the full delivery of Huncoat Garden Village. In this context, planning officers consider that there is a demonstrable unmet need for the proposal. The location is sustainable, being partially within the urban boundary, and the proposal would incorporate sustainable transport infrastructure. The 'Golden Rules' are not applicable as the proposal is not major housing development. Therefore, planning officers consider the proposal satisfies the exception at paragraph 155 of the Framework.

- 2.6. In any event, even if the proposal were considered to be inappropriate development, officers consider that any harm to the Green Belt by reason of inappropriateness, and the other harm resulting from the proposal, would be clearly outweighed by the benefits of the proposal such that very special circumstances would exist.
- 2.7. In conclusion, the proposal would not be inappropriate development in the Green Belt and complies with paragraph 153 and 155 of the Framework insofar as they seek to avoid inappropriate development in the Green Belt.

3. The effect on highway safety and transport

- 3.1. Accrington Bypass and its slip roads with the western Burnley Road roundabout, as well as the M65, form part of the strategic road network (SRN) for which National Highway are the Highway Authority. The remaining roads in the surrounding area form part of the local road network for which LCC Highways are the Highway Authority.

Altham Lane

- 3.2. The proposed junction with Altham Lane would be signalised and the proposal would have a single lane on approach. The submitted Transport Assessment Report includes modelling, which suggests that the junction would operate within capacity during the morning and afternoon peaks in the future base of 2037 with the development of Huncoat Lane and Huncoat Garden Village. LCC Highways have raised concerns regarding the lack of capacity in future years and seek the incorporation of two lanes on approach to the junction. The applicant has undertaken further modelling, which suggests that the junction could handle an additional 15% in the morning peak and 14% in the afternoon peak. They also state that providing too much capacity at the junction could potentially lead to increased vehicle speeds.
- 3.3. LCC Highways maintain their concerns. They reiterate previous comments regarding significant fluctuations in the flow data collected and in turn the impact of uncertainty about future flows. However, elsewhere in their comment, they state that they have previously agreed traffic figures and forecasts with the applicant and have not provided any data or modelling of their own. Moreover, they have stated that "*the impacts as presented 'would not be considered severe', in planning terms*". Paragraph 116 of the Framework states that development should only be prevented or refused on highways

grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. As such, the Framework is clear that the proposal should not be prevented or refused on this basis.

- 3.4. Additionally, the applicant has highlighted that national planning policy has recently moved away to a vision-led approach, which is defined at Annex 2: Glossary of the Framework as:

“Vision-led approach: an approach to transport planning based on setting outcomes for a development based on achieving well-designed, sustainable and popular places, and providing the transport solutions to deliver those outcomes as opposed to predicting future demand to provide capacity (often referred to as ‘predict and provide’).”

- 3.5. The proposal has inevitably involved an element of predict and provide insofar as modelling has been undertaken to ensure that it is fit for purpose. It appears the proposed junction with Altham Lane would meet the requirements of the emerging Huncoat Garden Village allocations, which includes an aspiration to reduce the need to travel. It would be for future planning applications to demonstrate that their impact could be satisfactorily accommodated within the highway network. While the concerns of LCC Highways regarding the feasibility of providing additional capacity in the future are noted, this is not a matter for the current application to address.
- 3.6. The posted speed limit on Altham Lane becomes 40mph north of its junction with Peter Grime Row. LCC Highways require this to be reduced to 30mph together with parking restrictions to facilitate the new junction. These could be secured by condition.
- 3.7. The Canal and River Trust have also raised concerns regarding the potential for the proposal to encourage greater traffic movements between Altham Business Park and the junction with Accrington Bypass and over the canal bridge with potential increased damage to the bridge. However, this comment was raised with LCC Highways who do not have any fundamental concerns regarding the impact on the bridge subject to a condition requiring improved signage. They will also report this issue to Lancashire Constabulary with a view to them carrying out enforcement of traffic offences.

Construction traffic

- 3.8. LCC Highways seek a detailed construction traffic management plan, which contains the detailed design of construction access points and the phasing and timing of works, which could be secured by condition. While they advise that the proposal should be constructed prior to the first occupation of any dwellings accessed off it, this would be a matter for any future planning applications for residential development.

SRN

- 3.9. National Highways have withdrawn their holding objection and now recommend that planning conditions be attached to any planning permission. To reiterate, their remit is to consider the impact on users of Accrington Bypass, including its slip roads. They raise concerns that there has been no information submitted to demonstrate that the amended roundabout layout would accord with the relevant design standards. However, as the changes would be mainly centred on changes to lane markings and signage, they are content that this could be dealt with by condition. They note that the submitted Stage 1 Road Safety Audit is acceptable to them at this stage.

Burnley Road (A56 and A679) western roundabout

- 3.10. The proposed junction with Burnley Road would introduce a fifth arm to the roundabout and would not be signalised. LCC Highways understand that its design meets the relevant design standards. As above, National Highways have withdrawn their holding objection and are satisfied that the design of this junction and any associated alterations to the SRN could be dealt with by condition.

Burnley Lane and Mill Hill Lane

- 3.11. The proposal would prevent vehicular traffic travelling eastwards along Burnley Lane from its junction with Lower Gate Road and Higher Gate Road. There would be a turning head constructed for vehicles inadvertently travelling this route. The highway would require formal stopping up under section 247 of the Town and Country Planning Act 1990 (as amended). However, access for pedestrians would be maintained. LCC Highways seek access for cyclists and horse riders too, including through the provision of a signalised Pegasus crossing. While they would prefer the issue to be resolved prior to determination, they state that this matter could be dealt with by condition.

PRoW

- 3.12. The proposal would require the permanent diversion of the public footpath running through the application site (path reference FP1101004) and a temporary diversion of the footpath to the north (path number FP1101003) is likely to be necessary. However, LCC Highways state that details of the route(s) could be required by condition.

Wider sustainable transport

- 3.13. There is repeated reference by LCC Highways to the low-quality walking and cycling infrastructure along Altham Lane and Burnley Road. While the proposal would not include any improvements to existing highways, these are not necessary as it would not generate trips in and of itself. It would be for future planning applications for trip generating development in the surrounding area to provide or contribute towards such

improvements. They also raise points about the potential for rerouting the M1 bus service along the proposed relief road; and the need for cycle storage at Huncoat Railway Station and travel plans from residential development. However, again, this would be for future applications for trip generating development to address.

Transport network in terms of capacity and congestion

- 3.14. There have been no objections raised regarding the impact on the transport network in terms of capacity and congestion. LCC Highways confirm that the submitted traffic figures and forecasts were agreed by them during the pre-application process.

Design of the street and other transport elements

- 3.15. The design of the proposal would generally accord with the proposed primary street profile set out in the Huncoat Design Code insofar as it relates to highway safety and transport. The bus stops, footpaths and segregated cycleway would be provided. While the predominant carriageway width would be around 0.8m narrower than envisaged, LCC Highways have raised no objection in relation to this matter and any increase in width would presumably heighten their concerns regarding speed compliance. The design of the proposal would also generally accord with the street design principles set out in the Huncoat Design Code insofar as it relates to highway safety and transport.
- 3.16. The proposed bus stops would not all be provided between the 300 to 400m intervals envisaged by the Huncoat Design Code. However, they would be provided in reasonable proximity of the accesses to each respective residential development parcel and LCC Highways have no objections in relation to them. The buses would stop partially within carriageways, which would strike a balance between maintaining traffic flows and maintaining bus priority. The detailed design, including provision of kerbs, lighting, shelters and stops could be dealt with by condition.
- 3.17. The proposal would include lighting and signage, which is sought by the street design principles of the Huncoat Design Code. Their detailed design, including location and type could be dealt with by condition.
- 3.18. The proposal would provide access points for the relevant residential development parcels in accordance with the Huncoat Design Code. The proposed junctions are designed on the typical right turn ghost island arrangement envisaged by the Code. There would be priority cycle junctions on the western side.
- 3.19. The proposal would include some tree planting, which would serve as a traffic calming measures (and additional tree planting is likely to be sought by condition).
- 3.20. The proposed side junctions would have raised table crossings for pedestrians and cyclists, and the proposed plans show demarcated crossings with tactile paving.

- 3.21. There are concerns from LCC Highways regarding speed compliance issues due to the claimed long straight nature of the design. Nevertheless, this could be dealt with by the recommended condition requiring speed monitoring during the first three months of operation and a scheme of measures to address any issues, as necessary.
- 3.22. Finally, LCC Highways state that the submitted long sections are acceptable regarding gradient and swept path. They raise concerns about the proximity of the bioretention features and street lighting columns, and the detailed design of the road construction and any associated embankments or retaining structures. However, they are satisfied that these matters could be dealt with by condition. While they raise concerns about the road restraint risk assessment, National Highways have no concerns.

Conclusion

- 3.23. In conclusion, notwithstanding the concerns of LCC Highways and subject to conditions, the proposal would have an acceptable effect on highway safety and transport. It would comply with policies DM32 and DM33 of the DMDPD insofar as they relate to these matters.

4. The effect on the character and appearance of the area, including landscape character and the setting and significance of heritage assets

- 4.1. The application site lies within the Lancashire Valleys National Character Area, which encompasses the valleys of the Rivers Calder and Ribble, and their tributaries. The area is visually contained with a strong urban character. Major settlements such as Accrington and Burnley expanded during the Industrial Revolution resulting in a strong industrial heritage. While agriculture was historically a dominant land use, it is now fragmented and predominantly comprises pasture bound by hedges with few hedgerow trees and stone walls with post-and-wire fences at higher elevations. There are numerous communication routes running along the valley bottoms, including the East Lancashire railway line and the M65 motorway.
- 4.2. The application site also falls within the Calder Valley Landscape Character Area, which stretches from the hills to the north and moorland to the south to the urban fringes of major settlements like Accrington and Burnley. This area generally reflects the characteristics of the Lancashire Valleys NCA. Key environmental features include hedgerow trees, species-rich grasslands, stone walls and historic field patterns. The local forces for change and their landscape implications in this Industrial Foothills and Valleys Landscape Character Type include pressure for expansion of urban areas, which threatens to suburbanise the countryside, and the fragmentation of land uses, including agriculture, which may contribute to increased clutter and lack of visual unity. The latter may also be associated with the degradation of semi-natural habitats and traditional farmland features, such as walls, field patterns and buildings.

- 4.3. The application site is within a Post Medieval Enclosure Historic Landscape Characterisation Type, enclosed between 1600 and 1850. It is characterised by a mix of regular and irregular patterns.
- 4.4. Volume 1, Chapter 10, Landscape and Visual of the ES provides a detailed assessment of the landscape and visual impact. It was prepared by Arcadis Consulting (UK) Ltd (a Landscape Institute Registered Practice). It sets out the embedded mitigation of the proposal, which for the construction stage would be contained in the final construction management plan and for the operation phase would include:
- The route following the natural and lower parts of the topography with cut and fill earthworks defined to integrate into the surrounding landscape.
 - The creation of species rich grassland areas and native woodland planting; and new hedgerows and tree planting. The selection of species would favour those native to the UK and indigenous to the surrounding area.
- 4.5. The table below shows a summary of the residual landscape and visual effects (post mitigation). The Local Planning Authority have commissioned independent landscape and visual impact advice from a Chartered Landscape Architect. While they raised some points for clarification, they state that the proposal generally shows a well-considered scheme that works with the undulating topography to achieve a sensitive alignment with the minimum of cut and fill. The applicant has provided a response to the requests for clarification, which is generally acceptable. Although there is some disagreement regarding some viewpoints and impacts, these are not considered to be significant. In short, planning officers generally agree with the findings of the ES in relation to the landscape and visual impact of the proposal.

Table 1. A summary of the residual landscape and visual effects.	
<i>Landscape effects</i>	
<i>During construction</i>	
Application site and surrounding area	Moderate adverse (significant)
Landscape character area	Slight adverse (not significant)
<i>During operation</i>	

Application site and surrounding area	<ul style="list-style-type: none"> • Year 1 – Moderate adverse (significant) • Year 15 – Slight to moderate adverse (not significant)
Landscape character area	<ul style="list-style-type: none"> • Year 1 – Slight adverse (not significant) • Year 15 – Slight adverse
<i>Visual effects</i>	
<i>During construction</i>	
Users of the public footpath within the application site and those in the immediately surrounding area	<ul style="list-style-type: none"> • Large adverse (significant)
People in their homes (up to 500m of the site) on the eastern edge of Huncoat (Burnley Lane, Griffin Close, Higher Gate Road, Lower Gate Road, Peter Grime Row and Towneley Avenue)	<ul style="list-style-type: none"> • Moderate adverse (not significant)
All other receptors	<ul style="list-style-type: none"> • Six slight adverse and three neutral (both not significant)
<i>During operation</i>	
Users of the public footpath within the application site and those in the immediately surrounding area	<ul style="list-style-type: none"> • Year 1 – Large adverse (significant) • Year 15 – Moderate to large adverse (significant)

People in their homes (up to 500m of the site) on the eastern edge of Huncoat	<ul style="list-style-type: none"> Year 1 and 15 – Moderate adverse (not significant)
All other receptors	<ul style="list-style-type: none"> Year 1 – Six slight adverse and three neutral (not significant) Year 15 – Two slight adverse and seven neutral

Heritage impact (excluding archaeology)

- 4.6. Volume 1, Chapter 9, Cultural Heritage of the ES provides a detailed assessment of the cultural heritage impact. It identifies adverse residual effects on a range of heritage assets and features during construction, including slight adverse (not significant) effects on grade II listed buildings High Brake Hall, Huncoat War Memorial, and Huncoat Hall and Attached Barn. It also identifies adverse residual effects during operation, including slight adverse effects on grade II listed buildings Hill House Farmhouse, Huncoat Hall and Attached Barn, Huncoat War Memorial and Village Stocks in Corner of Road 100m East of Hill House. The harm to the designated heritage assets would be less than substantial harm, which is still a matter of great weight, and the harm to non-designated heritage assets would be limited. Growth Lancashire agree with officers that the public benefits of the proposal would far outweigh any identified less than substantial harm.

Conclusion

- 4.7. In conclusion, while the proposal would result in less than substantial harm to the setting of some nearby listed buildings and limited harm to some non-designated heritage assets, this would be outweighed by the public benefits. It would also have a harmful effect on the character and appearance of the area, including landscape and visual effects. Therefore, the proposal conflicts with policies BD1, ENV1, ENV3 and ENV6 of the HCS and policies DM17 and DM26 of the DMDPD insofar as they seek to achieve well-designed places that recognise the intrinsic character and beauty of the countryside. This recommendation has had special regard to the duty imposed by section 66(1) of the PLBCAA 1990. The harm identified must be weighed in the overall planning balance.

5. The effect on the living conditions of nearby occupants

Air quality and emissions, including dust

- 5.1. Volume 1, Chapter 6, Air Quality of the ES provides a detailed assessment of the effects on air quality. It assesses that the residual effect during construction would be negligible subject to mitigation measures. It predicts that the proposal would have a negligible impact on air quality at most modelled receptors with some predicted to have a beneficial impact as a result of traffic being rerouted. The predicted concentrations of nitrogen dioxide and particulate matter 2.5 and 10 are below the objectives in the 'Air Quality Strategy: Framework for local authority delivery'. Therefore, the overall impacts are not considered to be significant. HBC Environmental Protection accept that the proposal would reduce air pollution for many nearby properties and that any increase affecting those properties nearer to the proposal are expected to be negligible.

Noise and vibration

- 5.2. Volume 1, Chapter 7, Noise and Vibration of the ES provides a detailed assessment of the effects on noise and vibration during construction and operation. It identifies a risk for significant noise effects during construction should best practice measures not be fully implemented but that the potential impacts could be reduced to acceptable levels through their adoption. These matters could be controlled through a construction management plan. It also identifies minor adverse, short-term noise impacts on the dwellings on Peter Grime Row, but moderate to major beneficial, short-term noise impacts on other dwellings. It does not identify any adverse noise effects as significant. For the same reasons as air quality, HBC Environmental Protection raise no objection with regard to noise, subject to a final construction management plan, which limits the hours of noisy activities.
- 5.3. The ES states that based on the type of construction activities associated with projects of this nature, including the lack of need for piling or ground stabilisation, construction generated ground-borne vibration effects have been scoped out. HBC Environmental Protection do not raise any concern regarding vibration.

Other nuisances, including lighting

- 5.4. The proposal would include lighting. However, the final street lighting would be agreed with LCC Highways. It is unlikely that it would result in any unacceptable adverse impact on the living conditions of nearby occupants and HBC Environmental Protection raise no objections in this regard. For completeness, there would unlikely be any unacceptable overbearing or overlooking impacts.

Conclusion

- 5.5. In conclusion, subject to conditions, the proposal would have an acceptable effect on the living conditions of nearby occupants. It would comply with policies BD1 and ENV7 of the HCS and policies DM25 and DM29 of the DMDPD insofar as they seek to achieve acceptable levels of amenity for all.

6. The effect on flood risk and drainage

- 6.1. The application site is at low risk of flooding from rivers according to the Environment Agency Flood Map for Planning. It does appear to be affected by an extent of surface water flood risk according to the Map. However, this only effects a small part of the site, which will likely marginally increase due to climate change between 2040 and 2060. The Environment Agency Long Term Flood Risk Service does not suggest any risks of flooding from other sources.
- 6.2. Paragraph 027 of the Planning Practice Guidance: Flood risk and coastal change states that where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, without increasing flood risk elsewhere, then the sequential test need not be applied. Therefore, as the submitted drainage details are acceptable to the relevant consultees, the sequential test need not be applied in this case.
- 6.3. There is an outstanding objection from LCC Lead Local Flood Authority and concerns from LCC Highways regarding the flood risk and drainage impact. The applicant has provided a response to the objection and concerns, and the reconsultation expires 10 March 2026. The impact is acceptable to National Highways and United Utilities who recommend conditions. The outcome of the reconsultation shall be reported to the Planning Committee, but it is not believed that flood risk and drainage represent an insurmountable issue at this stage. Therefore, subject to satisfactory resolution, the proposal would be acceptable in this regard.
- 6.4. In conclusion, subject to satisfactory resolution and conditions, the proposal could have an acceptable effect on flood risk and drainage. Therefore, it could comply with Policy ENV4 of the HCS and Policy DM20 of the DMDPD insofar as they seek to meet the challenge of climate change and flooding. This point shall be clarified at the Planning Committee.

7. The effect on biodiversity and ecology, including BNG and trees

- 7.1. Volume 1, Chapter 8, Ecology and Biodiversity of the ES reports on the impact and likely significant of the proposal on ecology and biodiversity. It scopes in the following ecological receptors: foraging bats; hedgehog; hedgerow; nesting birds; other habitats (not of principal importance) within the site; polecat; and reptiles. The ES finds that the proposal would have a minor slight beneficial or neutral residual effect on these receptors subject to enhancements and mitigation. While HBC Ecology appear to have initially raised concerns about the impact on common lizard, the applicant has clarified that this is covered under the reptile's receptor and this consultee has raised no objection in their latest comment. Therefore, subject to conditions, the proposal would have an acceptable effect on habitats and species, including trees.

7.2. The SBM and BNG Report demonstrate that an onsite habitat unit gain of +14.35% and hedgerow unit gain of +29.96% would be achieved. Officers agree with HBC Ecology that the increase in the biodiversity value of the onsite habitat would be significant so must be maintained for at least 30 years after the development is completed. However, while HBC Ecology recommend the use of a planning obligation, it is noted that planning conditions can be used instead, which is recommended here.

7.3. In conclusion, subject to conditions, the proposal would have an acceptable effect on biodiversity and ecology. Therefore, it would comply with policies BD1, ENV2 and ENV4 of the HCS and policies DM18 and DM19 of the DMDPD insofar as they seek to conserve and enhance the natural environment. The statutory biodiversity gain framework set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended) could be satisfied.

8. The effect on agriculture and soils

8.1. Volume 1, Chapter 5, Agriculture and Soils of the ES reports on the impact and likely significance of the proposal agriculture and soils. The proposal would affect three agricultural holdings and would split them all in two and result in severance. This would have a moderate to large (significant) adverse residual effect. There has been no evidence submitted by the representations of objection to suggest that this would affect the viability of any of the holdings. Nevertheless, this issue attracts negative weight.

8.2. The submitted Soil Strategy proposes the preparation of a soil management plan, which would reduce the residual effect on soils to slight (not significant).

8.3. The submitted Agricultural Land Classification confirms that the application site comprises grade 4 and 5 agricultural land. Therefore, it is not best and most versatile land and there would no harm arising from its loss in this regard.

9. The effect on climate change and greenhouse gas emissions

9.1. Volume 1, Chapter 11, Climate of the ES reports on the environmental impact and likely significance of the proposal on climate. It does not identify any significant effects. The Transport Decarbonisation Plan sets out the Governments policy on decarbonising the transport sector. It will be achieved in large part through non-planning measures and it is not Government policy for there to be a moratorium on all-road building schemes. The CCA 2008 provides for the setting of carbon budgets and requires the Secretary of State to ensure that the budget is not exceeded. The ES states that the carbon emissions from the construction of the proposal would amount to 0.01% of Lancashire's annual emissions. Therefore, the proposal would have an acceptable effect on climate change and greenhouse gas emissions. It accords with policies BD1 and ENV4 of the HCS insofar as they seek to meet the challenge of climate change.

10. The effect on material assets and waste
11. Volume 1, Chapter 12, Materials Assets and Waste reports on the environmental impact and likely significance of the proposal on material assets and waste. In terms of material assets, subject to an environmental management plan, the proposal could use 70-99% of the overall material recovery/recycling (by weight) of non-hazardous construction and development waste to substitute use of primary materials, and aggregates to be imported to comprise recycled/reused content in line with regional targets. In terms of waste, subject to a waste management plan, there would be a less than or equal to 1% alteration or reduction in the regional capacity of landfill. The overall residual effect would not be significant. Therefore, subject to conditions, the proposal would have an acceptable effect on material assets and waste. It would accord with policies Policy ENV4 of the HCS, policies DM10 and DM31 of the DMDPD and Policy CS7 of the MWCS, which seek appropriate management of waste.
12. The effect on land contamination and instability
 - 12.1. The submitted Phase 2 Interpretive Ground Investigation Report evaluates the contamination risks to human health and water resources as not significant. The Environment Agency have no objection to its findings subject to a condition requiring the reporting of unexpected contamination and HBC Environmental Protection have made no comments in relation to contamination. The Coal Authority have confirmed that the application site falls within the development low risk area such that a coal mining risk assessment is not required. Therefore, subject to condition and informative note, the proposal would comply with Policy ENV4 of the HCS and Policy DM25 of the DMDPD insofar as they relate to land contamination and instability.
13. The effect on potential archaeological assets
 - 13.1. Volume 1, Chapter 9, Cultural Heritage of the ES proposes a suitable programme of mitigation, if required by LCC Historic Environment, which would have a slight adverse (not significant) residual effect. LCC confirm that the submitted information reflects the position they have previously reached with the applicant and recommend a condition requiring a programme of archaeological work. Therefore, subject to condition, the proposal would comply with Policy ENV6 of the HCS and Policy DM22 of the DMDPD, which seek to conserve and enhance the historic environment by protecting archaeological assets commensurate to their significance.
 - 13.2. Whether the proposal would make adequate provision of open space
 - 13.3. The proposal does not technically trigger a requirement for open space as it does not involve residential development. Nevertheless, Figure 3.2b Open Space Typology Plan of the Huncoat Design Code shows the location of open space. It shows several areas within the application site, including indicative amenity space at to the east of the

proposed junction with Altham Lane and another to the north of the northern section of the proposed road, and an area of retained fields with indicative new woodland to the east of the southern section. These each contain existing or proposed areas of water.

- 13.4. The submitted Landscape General Arrangement Site Plan shows that parts of the indicative amenity space and retained fields would be provided for by the proposal, including new areas of water. There would also be some tree and woodland planting in the indicative new woodland area and wildflower planting around the basins. There would be reinforced grass maintenance tracks around the basins, which would also provide for recreation. The proposal generally accords with the required (must have) open space design principles.
- 13.5. There are other areas of open space shown within the application site. However, these appear to fall within residential parcels and it is reasonable to expect these to deliver this space and any connections to existing and proposed space.
- 13.6. In conclusion, the proposal would make adequate provision of open space in general accordance with the required open space design principles of the Huncoat Design Code. Moreover, as there is technically no policy requirement to provide this space, it is a benefit that weighs in favour of the scheme.

14. Other matter – Mineral safeguarding area

- 14.1. The application site is located within a mineral safeguarding area. While any minerals within and or near the site would be sterilised by the proposal, the principle of a relief road in this general location is supported by existing minerals and waste policies, and residential development is supported by the Emerging Local Plan. There is clearly an overarching need for the proposal that outweighs the need to avoid the sterilisation of the mineral resources. It is unlikely that prior extraction would be appropriate given the timeline for the delivery of Huncoat Garden Village. LCC Minerals and Waste have been consulted but have not commented at the time of writing. Therefore, based on the available information, the proposal does not conflict with the aim of Policy M2 of the Joint Lancashire Minerals and Waste Local Plan: Site Allocations and Development Management Policies – Part One, which is to safeguard minerals for extraction unless one of the circumstances within the policy applies.

15. Other matter – Overhead powerlines and pylons

- 15.1. The application site is crossed by high voltage overhead powerlines. However, Electricity North West do not raise any objection. Therefore, this is a neutral matter.

16. Outstanding matters

16.1. Beyond the issues covered above, there have been representations of objection that Huncoat does not need nor have the facilities, infrastructure or services to support more traffic or housing. However, this application is not the forum to debate whether future levels of growth within the existing and emerging development plan are sustainable or revisit the site allocations. The whole purpose of the proposal is to provide the infrastructure to support the growth set out in Emerging Local Plan.

16.2. The representation regarding the non-pecuniary interests of Councillor Dave Parkins is not material to the determination of the planning application. There have been requests and queries regarding the impact of noise and disturbance, the impact on the natural environment and the width of the proposal. However, these details are shown online as part of the submitted information.

17. Planning balance and conclusion

17.1. In conclusion, while the proposal would involve a degree of conflict with policies BD1 and A9 of the HCS, it would contribute to the overall aim of the latter as the first phase of a link road between Altham Lane and Burnley Road. The proposal would have a harmful effect on the character and appearance of the area, including landscape and visual effects, and adverse effects relating to the splitting and severance of agricultural holdings. There would also be some less than substantial harm to the setting of some nearby listed buildings and limited harm to some non-designated heritage assets (albeit this would be outweighed by the public benefits). However, such adverse effects are to be expected with a scheme of this nature and scale.

17.2. Planning officers consider that the proposal accords with the development plan taken as a whole. In any event, even if it were deemed that it conflicts with the plan, the proposal draws support from the Emerging LP, Huncoat Garden Village Masterplan and Huncoat Design Code, which would be a material consideration of sufficient weight to outweigh any conflict and would also result in further benefits including a substantial biodiversity net gain above and beyond the mandatory BNG requirement. On this basis, it is recommended that planning permission be approved.

18. Conditions

18.1. At the time of writing, planning officers have not completed and agreed a full list of conditions. However, a high-level list shall be presented at Planning Committee.

Human Rights and the Public Sector Equality Duty

In accordance with Article 9 of the Human Rights Act 1998 (as amended), this recommendation has considered the rights of everyone respect for his private and family life, his home and his correspondence. This is a qualified right where interference may be justified in the public interest, but the concept of proportionality is crucial.

The applicant has identified potential effects from air quality, loss of green space and noise, which it states have been assessed and mitigated through the design process.

In accordance with section 149 of the Equality Act 2010 (as amended), this recommendation has given due regard to the public sector equality duty, which is the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The applicant acknowledges that the proposal has the potential for negative equality impacts for example environmental impacts (e.g., air quality, amenity or noise) during the construction phase, which could have a disproportionate or differential impact on groups including children, disabled people and older people. It states that the potential negative impacts have been identified and assessed, and mitigation measures embedded or best practice identified. This includes a construction environmental management plan. The applicant has also identified positive equality impacts, including improved accessibility to facilities and services, particularly beneficial to disabled and older people, and those without cars.

These matters have been taken into account when assessing the application and ascribing weight to any benefits and harm arising.

Recommendation:

That the Head of Planning and Transportation be given delegated powers to grant planning permission subject to conditions to their satisfaction.

List of Background Papers

The background papers are available on the Council's website at:

<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F25%2F0124&guid=30c9f794-7edc-49f5-be7b-3a47776bd99d>.

REPORT TO:	Planning Committee
APPLICATION REF:	11/26/0055
APPLICATION ADDRESS:	Land off Crown Street, Accrington, Lancashire
DEVELOPMENT DESCRIPTION:	Full: Construction of new staff car park
DATE REPORT WRITTEN:	27 February 2026

The application is brought before the Committee as it is a proposal by the Council and the named applicant is an employee of the Planning & Transportation Section,

Description of the Site and the Proposed Development

A planning application has been submitted for full permission to construct a car park at land bound by Crown Street, Ranger Street and Brown Street in Accrington. The site spans 0.17 hectares and is situated within the urban boundary of Accrington located just outside the town centre. The surrounding area includes a mix of uses including large employment/ industrial units, garages, offices and dwellings.

The application site consists of a rectangular piece of land primarily comprising hardstanding/ tarmacked surfacing, perimeter fencing, a small brick shed and a large concrete storage bay (located centrally). It is understood the application site has historically been used as a scrap yard/ storage yard for vehicles and a road gritting salt compound, however it has remained vacant since 2020.

The proposal seeks to remove the existing hardstanding/ concrete slabs and brick shed, while surfacing the whole site with bitumen macadam. Car parking spaces will be outlined with surface markings and the proposed plan details 69 parking spaces (including 3no. disabled parking bays). The existing perimeter fencing is to be replaced on a like for like basis (2.1m high galvanised steel fence) as will the lighting columns.

Access to the site would be taken via the existing access point off Crown Street – a 6m wide automated vehicle barrier will also be installed.

Consultation Responses/Representations

LCC Highways: No objection

United Utilities: No objection but recommend a condition.

Relevant Planning History

None relevant.

Relevant Policies

Hyndburn Core Strategy (CS)

Policy BD1 Balanced Development Strategy

Policy E2 Protection, Modernisation and Development of Employment Sites

Policy ENV4 Sustainable Development & Climate Change

Policy Env6 High Quality Design

Policy Env7 Environmental Amenity

Hyndburn Development Management Development Plan Document (DMDPD)

Policy GC1 Presumption in favour of Sustainable Development

Policy DM1 Employment Development

Policy DM20 Flood Risk Management and Water Resources

Policy DM26 Design Quality and Materials

Policy DM29 Environmental Amenity

Policy DM32 Sustainable Transport, Traffic and Highway Safety

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 main issues raised by this application relate to the principle of development; design and appearance; impact on residential amenity and highway safety. Each of these issues will be considered in turn.

1. Principle of Development

1.1. Policy BD1 of the CS outlines the Councils development strategy stating:

'The existing settlement pattern and hierarchy of centres will be maintained and supported by concentrating development within the urban areas and in centres of a scale and type appropriate to their role. Accrington and its townships will accommodate the majority of new development. Modest growth is proposed in

Great Harwood, and Rishton would develop in a manner consistent with its size and function. Development that is appropriate to the scale and role of the townships will be supported to help sustain these areas and the services they provide to their communities.'

- 1.2. The application site falls within the urban boundary of Accrington – an area where development is expected to be concentrated. The proposal does not conflict with the overall development strategy of the CS.
- 1.3. The application site also falls within the wider existing employment allocation of 'Richmond Industrial Estate' under Policy DM1 (Employment Development) of the DMDPD. Although Policy DM1 relates mainly to new employment development, the policy outlines specific criteria for alternative uses on existing employment areas, but these are limited to 'adequate' employment sites:

'Employment sites of 'adequate' quality that are considered appropriate for alternative uses will be required to incorporate employment space as part of a mixed use redevelopment. At least 25% of the original gross internal floor space should be redeveloped for new employment development (B1 use classes).

Exception to the above will be permitted where a viability and market demand exercise demonstrates that the continuing use of 25% of the floorspace for employment purposes is unviable or unattractive in market terms. The viability exercise must reflect the full economic cycle and consider the different types of appropriate B1 employment space.

Applications for the change of use of existing employment sites will be expected to consider any impacts on traffic generation and will be assessed in line with Policy DM32: Sustainable Transport, Traffic and Highway Safety and other relevant policies in the plan.'

- 1.4. Policy E2 of the CS states:

'a) Existing business parks, major industrial estates and other good quality employment sites will be retained for employment uses.

b) The development of existing employment sites of adequate quality for alternative uses will only be permitted when part of the site is redeveloped for appropriate employment (within class B1) and where the criteria set out in part (c) below are satisfied.

c) Employment sites not falling within the scope of a or b above will remain in employment use unless it can be demonstrated that:

- *continued use of the site would give rise to unacceptable environmental impacts, or;*
- *there is no current or likely future demand for the site or premises for employment uses, or;*
- *permitting an alternative use is the only viable means of retaining a building or premises which has particular architectural or historical significance.*

In all cases, redevelopment for alternative uses should not prejudice the operating conditions of other remaining employment uses.'

- 1.5. The NPPF highlights the importance of making effective use of land. Paragraph 125 states decisions should; *'promote and support the development of under-utilised land and buildings'*.
- 1.6. The application site falls within the wider 'Richmond Industrial Estate' employment allocation and is considered a 'good' quality employment site not suitable for alternative uses as per the Councils latest Employment Land Study (2019).
- 1.7. With regard to Policy E2 of the CS, the site falls within the scope of a). The CS outlines good quality employment sites will be retained for employment uses. Likewise, Policy DM1 of the DMDPD does not provide an exception or criteria for alternative uses on 'good' quality employment sites.
- 1.8. On this basis, the use of the site for a car park (sui generis) use would be in conflict with Policy E2 of the CS and Policy DM1 of the DMDPD.
- 1.9. However, it is worth noting that the application site has been vacant since 2020 and the NPPF promotes the development of under-utilised land. In addition, it is worth noting that Policy E2 of the CS and DM1 of the DMDPD primarily focus on the delivery of B1 use class development. This use class has now been revoked and enveloped within the new use class E (commercial). Historically, the application site however has been used as storage under use class B.
- 1.10. It is also clear that some of the adjacent uses (particularly to the northwest) within the same employment allocation are also used as vehicle mechanics/ garage or storage which is also a departure from the commercial uses expected in the allocated area.
- 1.11. Officers consider that as the site would only redevelop part of the wider 'good' employment site for a car park, and not the entire allocation, leaving a large proportion of the employment site available to continue its use as employment land. As such it is considered that the proposal is acceptable in this instance.

- 1.12. Considering the above context; the site currently has no internal employment floorspace/ will not lead to a loss of existing employment floorspace, will not lead to the total loss of the wider employment site, re-uses a brownfield site and will provide a car park which will support an existing office use associated with the Council.
- 1.13. In consideration of this, the application is considered to be acceptable in principle despite the conflict with Policy DM1 of the DMDPD and the E2 of the CS.

2. Design and Visual Appearance

- 2.1. Policy Env6 of the Core Strategy seeks to conserve and enhance the quality of Hyndburn's urban and rural environment through the application of high-quality design. Policy DM26 is concerned with design quality and materials and sets out a variety of criteria that should be taken into consideration when assessing planning applications.
- 2.2. The existing site is largely comprised of bitumen macadam surfaced area with a large concrete storage bay, a small brick shed and various haphazard hardstanding areas. The structures on site, although limited, are of a poor quality and unsightly (particularly the large concrete bay).
- 2.3. The application proposes no new structures within the site. The dilapidated small brick shed and large concrete storage bay are to be demolished. The random hardstanding is to be removed and the site will feature a uniform bitumen macadam surface across its area. The fencing and lighting are to be replaced on a like for like basis, and parking spaces will be marked across the site.
- 2.4. Overall, the changes to the site are considered to be positive with the removal of the large unused concrete storage bay leading to the removal of an unsightly structure within the site. The site will generally resemble its current state with the exception of a uniformed surface across the site. This will provide an improvement over the current state of the site in visual terms.
- 2.5. Overall, the loss of the existing use and the proposed changes would not significantly harm the character of the area. Therefore, the proposal accords with Policies ENV6 of the CS and Policy DM26 of the DMDPD.

3. Impact upon Residential Amenity

- 3.1. Policy DM29 (Environmental Amenity) of the DMDPD states that development will be required to protect, and where possible to improve, the amenity of surrounding areas or existing and future residents. The Council will require that new development: a. does not result in the loss of privacy or unacceptable increase in the sense of enclosure; b. does not result in the unacceptable loss of outlook; c. benefits from adequate level of

daylight and sunlight; and d. does not create an unacceptable level of noise, vibration, artificial light, odour, fumes of dust pollution during construction and over the life of the development.

- 3.2. Policy Env7 of the CS requires that proposals for new development will be permitted only if it is demonstrated that the material impact arising by reason of traffic, visual impact, noise, dust, emissions, pollution, odour, over-looking or loss of light, or other nuisance will not give risk to unacceptable adverse impacts or loss of local amenity and can be properly controlled in accordance with best practice and recognised standards.
- 3.3. The application proposed no new structures within the site and therefore there is little scope for increased impact on the privacy of neighbouring uses above and beyond the existing situation.
- 3.4. The lack of physical changes also ensures the exposure to light for neighbouring uses is not impacted unduly when compared to the existing arrangement. Likewise, the change from a car scrap/ storage yard to a car park would be similar in nature (featuring vehicles at the site). In the context of the surrounding industrial/ employment area, the car park would not be considered to impact upon amenity above and beyond the existing situation in terms of noise or dust pollution.
- 3.5. Overall, it is not considered that the proposed development would result in any detrimental harm to the amenity of neighbouring occupants and the proposal would accord with the requirements of CS Policy Env7 and DMDPD Policy DM29.

4. Highway Safety, Traffic and Parking

- 4.1. Policy DM32 sets out that all development proposals will be required to actively encourage sustainable travel in line with Policy DM33: Sustainable Transport Infrastructure, and by prioritising the needs of sustainable transport modes in accordance with the following street user hierarchy: a. pedestrians; b. cyclists; c. public transport users; d. special vehicle service (including taxi's, deliveries and servicing needs); and e. other motorised transport.
- 4.2. The application site will retain the existing access point off Crown Street. LCC Highways have been consulted as part of the application process and raise no objections to the access point.
- 4.3. The proposed car park would, by its nature, not contribute to actively encouraging sustainable travel as it is primarily for staff members using private vehicles. However, the site has historically been used for the storage of vehicles and in general does not provide any contribution to promoting sustainable travel currently either.

- 4.4. Subsequently, LCC Highways have raised no objection to the proposed development noting that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
- 4.5. The proposals are in general accordance with Policies DM32 and DM33 of the Development Management DPD
5. Flood Risk and Drainage
 - 5.1. The proposal will not utilise a drainage system at the site due to the nature of the proposal and therefore will not see any changes in this regard.
 - 5.2. The site falls within the Flood Zone 1 and is not considered to be at a high risk of flooding nor is it expected to increase flooding nearby. Likewise, the site is not expected to be at an increased risk of flooding in the future (2070 to 2125). Therefore, the proposals comply with Policy ENV4 of the CS and Policy DM20 of the DMDPD insofar as they seek to meet the challenge of climate change and flooding.
6. Planning Balance and Conclusions
 - 6.1. The application site is currently vacant but has historically been used for the storage of vehicles or as a compound for gritting salt. The proposal seeks to remove the remaining dilapidated structures/ hardstanding on site and surface the site area with bitumen macadam to create a car park with 69 parking spaces.
 - 6.2. The proposal is not considered to detrimentally impact upon the amenity of neighbouring uses and will not harm the visual amenity of the surrounding area. The application site is not within an area at risk of flooding and is considered to not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
 - 6.3. The proposed car park, while in technical conflict with CS Policy E2 and DMDPD Policy DM1 regarding the retention of "good quality" employment land, is considered to accord with the development plan as a whole and is acceptable in this instance. The proposal aligns with NPPF objectives for utilizing under-utilised brownfield land, and as it only affects a portion of the site and supports local council office infrastructure, it does not prejudice the overall industrial estate.
 - 6.4. On this basis, the application is recommended to be approved subject to the conditions below.

Recommendation:

That planning permission is granted subject to the following conditions:

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 and Country Planning Act 1990.

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

Location Plan (Dwg no. E5/38/05) received 06th February 2026;
General Arrangement and Typical Section Details (Dwg no. E5/38/01a) received 06th February 2026;
Car Park Parking Bay Lining Layout (Dwg no. E5/38/02) received 06th February 2026.

Reason: In the interests of proper planning.

3. Site preparation and construction phase times of operation: Construction deliveries to and from the site, and construction works, are restricted to between 0800 and 1800hrs Monday to Friday, 0900 to 1300hrs on Saturdays, and will not take place on Sundays and bank holidays, unless otherwise prior agreed in writing with the local planning authority. All works will be undertaken in accordance with BS5228:2009

Reason: In the interest of residential amenity in accordance with the provisions of Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

4. Prior to first use hereby permitted the car park shall be marked out in accordance with the approved plan.

Reason: In the interest of highway safety and to ensure adequate parking is available within the site and to comply with Policy DM32 of the Hyndburn Development Management Development Plan Document.

Informative Notes:

1. Positive and Proactive Planning Statement

The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view

on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.

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. Building Regulations may be required

The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by this Department's Building Control Section (Tel: 01254 380194). You must ensure that all necessary permissions are obtained BEFORE starting work, otherwise abortive expense may be incurred.

4. Coal Authority – Low Risk

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

5. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that 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, if one is required in respect of this permission would be Hyndburn Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

List of Background Papers

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.

Update Sheet Planning Committee – 11 March 2026

Item 4 - 11/24/0506 - Land off Blackburn Road

There have been a further 14 objection letters received since the publication of the agenda. However, no new planning considerations have been raised that are not already considered with the Committee Report.

Updated comments from Lancashire County Council Highways have been received in response to the submission of a revised site access arrangement which shows the upgrading of the zebra crossing on Blackburn Road to a signalised crossing. They state that they do not have an objection regarding the proposal and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the application site.

The following planning conditions have been proposed by consultees and will be subject to review and revision by the Head of Planning and Transportation (as well as others to be drafted by planning officers):

Highways

1. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Details of working hours
 - ix) Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network.

2. Within 3 months of commencement a scheme for the site access and off-site highway works shall be submitted to and approved by the Local Planning Authority. The works shall include the following and be implemented prior to the first occupation of any dwelling.

- a) Unnamed access road junction with Blackburn Road kerb realignment, eastbound bus stop alteration with Traffic regulation order to pursue parking restrictions on unnamed access road and on Blackburn Road o/s376-378.

- b) Upgrade zebra crossing on Blackburn Road to signalised crossing

Reason: To mitigate the impact of the development traffic on the highway network.

3. Within 3 months of commencement details of the proposed arrangements for future management and maintenance of the estate road within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into with the Highway Authority or a private management and maintenance company has been established.

Reason: To ensure that the infrastructure is maintained in the future.

4. Within 3 months of commencement full engineering, drainage, street lighting and constructional details to adoptable standards (LCC specification) of the internal estate roads have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the infrastructure is constructed to a suitable standard.

5. The internal estate roads shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the infrastructure is completed in a timely manner.

6. Prior to the occupation of each dwelling the driveways and parking areas shall be constructed in a bound porous material and made available for use and maintained for that purpose for as long as the development is occupied.

Reason: To ensure adequate parking provision is provided.

7. Prior to first occupation each dwelling shall have a secure cycle store for at a ratio of 1 cycle space per bedroom.

Reason: To support sustainable travel.

8. The Framework Travel Plan shall be implemented within the approved timetable contained within for 5 years.

Reason: To support sustainable travel.

Ecology

9. Prior to commencement of construction, including enabling works, engineering works, grassland removal, scrub removal, tree felling, other groundworks an ecological Construction & Environmental Management Plan (Ref: Chartered Institute Ecology & Environmental Management) for the avoidance of harm to biodiversity during construction, including Pollution Prevention Measures and Reasonable Avoidance and Mitigation Measures (small mammals, including Badger, Hedgehog, Water Vole, Fox, amphibians, including Great Crested Newts, reptiles, nesting birds & other appropriate species), shall be submitted to and approved in writing by the Local Planning Authority. The approved work described therein shall be carried out in accordance with the approved delivery timetable.
10. Prior to commencement a satisfactory programmed landscaping scheme to achieve the measured Biodiversity Net Gain in accordance with the approved Biodiversity Gain Plan and Statutory Biodiversity Metric, 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 the enhancement of retained hedges (scattered trees to create hedge) and the riparian buffer zone. The content of the scheme shall include minimum of 2,715m² mixed scrub planting, 7,226m² Other Neutral Grassland turf planting/seed sowing, 71 standard UK native trees (8-10cm girth/2.5-3.0m height), 72m UK native hedge, 38m UK native species rich hedge, and 207m UK native species rich hedge with trees. 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.

11. Prior to commencement a scheme and programme to ensure that all external and internal boundary structures, inclusive fences and walls, must be made fully permeable to hedgehogs through the provision of 13x13cm gaps at regular intervals across the whole development site shall be submitted to and approved in writing by the Local Planning Authority.
12. Prior to the commencement details for the installation of 28 building mounted house martin nest boxes, 28 building integrated terraced Sparrow nest boxes, 29 building integrated Swift nest boxes, 85 building integrated bat boxes, 85 building integrated bee bricks shall be submitted and approved in writing by the Local Planning Authority. The building mounted box type must be manufactured from woodcrete/woodstone. The submitted details shall include the box type, manufacturer's name, and elevation plans marking the location of installation. The building integrated bird boxes, bat boxes and bee bricks 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.
13. Prior to commencement a Tree Protection Plan to BS5837:2012 'Trees In Relation To Construction' shall be submitted and approved in writing by the Local Planning Authority. All trees to be retained shall first be protected by a Construction Exclusion Zone with fencing in accordance with BS5837:2012 'Trees In Relation To Construction'. Within the protected area(s) there shall not be carried out or permitted, during the construction period, any building or other operations, parking or passage of vehicles, or storage of building or other materials or any other object. The protection measures shall be retained for the duration of the works, and only removed once the development is complete and all machinery and work material removed from the site.
14. Prior to commencement details for the protective fencing of the SUDS shall be submitted to and approved in writing by the Local Planning Authority. The Habitat Gain Zone shall at all times be protected by fencing and gated. The approved scheme of fencing shall thereafter be kept in this manner, and any damage, for a period of no less than 30 years, commencing with the date of

installation, shall be repaired or replaced by the applicants or their successors in title.

15. Prior to occupation details of and external lighting, including the intensity of illumination and predicted lighting contours from flood lighting or lighting spilled from the development into the surrounding environment, have been first submitted to, and approved in writing by the Local Planning Authority. The scheme shall comply with the guidance 'Bats and Artificial Lighting at Night 2023' (Bat Conservation Trust & Institution of Lighting Professionals). Any lighting installed shall accord with the approved details and kept in this manner thereafter.

Flood Risk and Drainage

16. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment (27th November 2024 / 23/014.01 – Version 3 / JOC Consultants Ltd) and indicative surface water sustainable drainage strategy (November 2024 / 30588/DS/SRG / Gleeson) submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
- iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates and groundwater levels in accordance with BRE 365.
- d) Evidence of an assessment of the existing on-site watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 181 and 182 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

17. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be

managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 181 of the National Planning Policy Framework.

18. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;

d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;

e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;

f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and

g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 182 of the National Planning Policy Framework.

19. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 181 and 182 of the National Planning Policy Framework.

Residential Amenity

20. The fencing and walls which provide the boundaries to the site or plots shall be constructed in full accordance with drawings UA23-027/P/BTP01 (rev. C), and (Job 0282) NSD116 (rev. B), and shall be permanently maintained in full accordance with the approved details.

Reason: In the interest of residential amenity in accordance with the provisions of Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

21. Prior to commencement of the development, details of the glazing/ventilation specification, to be incorporated into the construction of the development, where necessary, to ensure that the noise levels detailed in the noise assessment accompanying the application Ref 102952 v3, date 9th December 2024 can be achieved, shall be submitted to the Local Planning Authority. These shall be provided for prior approval, in writing. The details shall include the provisions to be made to ensure the appropriate ventilation and/or cooling of habitable rooms can be achieved. Thereafter, the approved details shall be implemented in full prior to the development becoming occupied and shall be permanently maintained in full accordance with the approved details.

Reason: In the interest of residential amenity in accordance with the provisions of Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

22. Construction deliveries to and from the site, and construction works, are restricted to between 08.00 and 18.00hrs Monday to Friday, 09.00 to 13.00hrs on Saturdays, and will not take place on Sundays and Bank Holidays, unless otherwise prior agreed in writing with the local planning authority. All works will be undertaken in accordance with BS5228:2009.

Reason: In the interest of residential amenity in accordance with the provisions of Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

23. Measures shall be in place to prevent nuisance being caused to residents from noise, dust, fumes and or vibration arising from the building works prior to the commencement of development works, and shall be retained for the duration of the development. There should be no burning off, on site, of construction waste.

Reason: In the interest of residential amenity in accordance with the provisions of Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

24. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

- a. A desk study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
- b. If the desk study identifies potential contamination and ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, on services and landscaping schemes, and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.
- c. Prior to first occupation or use, remediation statement, detailing the recommendations and remedial measures to be implemented within the site.
- d. On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

Reason: To ensure that:- the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

Item 5 – 11/25/0124 - Land between Burnley Road and Altham Lane

Since the publication of the agenda, Lancashire County Council Lead Local Flood Authority have withdrawn their objection. They note consider the proposal would be acceptable subject to conditions. The Environment Agency have also submitted a comment stating that they have no additional comments to make. On this basis, the

flood risk and drainage issues have been satisfactorily resolved. The proposal would comply with Policy ENV4 of the HCS and Policy DM20 of the DMDPD insofar as they seek to meet the challenge of climate change and flooding.

There is a minor typographical error at paragraph 2.4, which refer to a 'patter of development' but should state 'pattern'. For the avoidance of doubt, planning officers consider that the proposal complies with paragraph 110 of the Framework insofar as the location is or could be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, as well as paragraph 115 insofar as the proposal would be vision-led, safe and suitable, well-designed in relation to transport and not have a significant impact on the network or highway safety.

The following planning conditions have been proposed by consultees and will be subject to review and revision by the Head of Planning and Transportation (as well as others to be drafted by planning officers):

Highways

1. No part of the development pursuant to the approval of planning application 11/25/0124 shall be commenced until the full design details of the highway scheme interfaces and works on the A56 trunk road in connection with those shown in outline in the Arcadis drawing reference 30179111 ARC XX 000 DR CE 00010 have been submitted to and approved in writing by the local planning authority in consultation with the local highway authority and the highway authority for the A56 trunk road.

The details to be submitted shall include:

- Final details of how the schemes interface with the existing highway alignment.
- Full carriageway surfacing and carriageway marking details.
- Full construction details.
- Confirmation of compliance with current departmental standards (as set out in the Design Manual for Roads and Bridges) and policies (or approved relaxations/departures from standards).
- An independent Stage 1/2 Road Safety Audit carried out in accordance with current departmental standards and current advice notes.

Reason: In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

2. Prior to the commencement of the development hereby permitted, a drainage survey in line with DMRB CS 551 Drainage Surveys shall be undertaken and a detailed surface water drainage design shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A56 trunk road) and subsequently implemented as approved. The SUDS is to be installed according to the approved SUDS plan and maintained in perpetuity. The design shall give due regard to the requirements of DfT Circular 01/2022 and shall include a maintenance Method Statement and schedule. Surface water drainage shall be implemented prior to opening to traffic in accordance with the agreed design and shall be maintained as such thereafter.

Reason: In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

3. Prior to the commencement of any excavation works and landscaping works, geotechnical submissions shall be submitted in accordance with Design Manual for Roads and Bridges standard CD622 and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the A56 trunk road).

Reason: To mitigate any adverse impact from the development on the A56 trunk road in accordance with DfT Circular 01/2022.

4. Prior to any planting being undertaken in proximity to the A56 trunk road boundary a Landscape Plan and Planting Schedule which shall include future maintenance shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A56 trunk road. Planting shall be undertaken and maintained in perpetuity in accordance with the agreed plan and schedule.

Reason: In the interest of the safe and efficient operation of the Trunk Road and to protect the Trunk Road soft estate.

5. No development pursuant to this application shall commence until a detailed Construction Design Plan and working Method Statement relating to site earthworks has been submitted to and approved by the Local Planning Authority (in consultation with the Highway Authority for A56 trunk road. Construction of the development shall then be carried out in accordance with the agreed Construction Design Plan and working Method Statement.

Reason: To mitigate any adverse impact from the development on the A56 trunk road in accordance with DfT Circular 01/2022.

6. No development shall commence until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

7. Prior to commencement a scheme for the construction site accesses shall be submitted for approval and subsequently completed for the construction phase and reinstated thereafter (unless provided as the permanent accesses).

Reason: To enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users in the interest of highway safety.

8. No development shall commence until a phasing and completion plan has been submitted to and approved in writing by the Local Planning Authority. The relief road phasing and completion plan shall set out the timetable of phases and completion sequence of the relief road. The development shall then be carried out in accordance with the approved plan.

Reason: To ensure the phasing and completion of the relief road are completed.

9. No development shall commence until such time as the area of existing highway Burnley Lane has been stopped up under the appropriate legal process (Section 247 of the Town & Country Planning Act) in consultation with the local planning authority and the highway authority.

Reason: To prevent the highway from being subsumed into the development.

10. No development shall commence until such time as the public footpath FP1101004 crossing the site has been temporarily closed or permanently diverted in accordance with the approved scheme. A scheme for the diversion route should be provided and agreed with the LPA to LCC specification. It should be implemented in accordance with the approved details.

Reason: To protect the public right of way.

11. No development shall commence until a scheme for the construction of the site accesses (including maintenance bay, signal design, 2 lanes – left and right turn on the link road exit OR safeguarded land for future widening of the Altham Lane junction) and the off-site works of highway mitigation including reduction in speed limit and associated traffic regulation order parking restrictions on Altham Lane, cycle connectivity on Altham Lane and Burnley Road and enhanced signage/lining of 7.5 tonne Altham Lane Canal Bridge weight limit has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. The scheme shall be subsequently completed before first use of the relief road.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable.

12. No development shall be commenced until full engineering, sw drainage, street lighting, signal design, controlled crossing at Burnley Lane (if required), and constructional details of the relief road and supporting structures (embankments/retaining walls) proposed for adoption have been submitted to

and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, prior to first use of the relief road.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

13. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

14. No development shall commence until detailed design of the highway surface water drainage scheme, including basins, filter drains, culverts, separators, structures, easements for access and future maintenance has been submitted to and approved by the LPA. The development should be undertaken in accordance with the agreed details and the scheme shown on the approved drawing shall be constructed in accordance with the approved details.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

15. No development shall commence until a CCTV condition survey and report of the highway drainage system on Station Road and Enfield Road to the outfall at the watercourse has been completed and submitted for approval by the LPA. Any defects shall be identified and subsequently repaired in agreement with the LPA and the Highway Authority.

Reason: To ensure suitable provision for the highway surface water.

16. No surface water from the development, other than surface water from the relief road shall discharge into the proposed surface water drainage system basins and connections to the off-site system.

Reason: To protect the highway drainage assets.

17. Prior to first use the relief road shall be fully completed to Lancashire County Council specification.

Reason: For highway safety.

18. Within 3 months of first opening of the relief road, speed monitoring shall commence and shall include 7-day automatic traffic counts installed on the relief road during a neutral month at all 5 side road junctions and raw data including 85thile speeds shall be submitted for approval. Measures to address any speed compliance issues arising from the data shall be agreed in writing with the LPA.

Reason:

19. A scheme for the visibility splays at the side road junctions shall be provided accordingly for the speed data collected within the monitoring exercise within 3 months of opening.

Reason: To ensure adequate highway safety and visibility splays

Ecology

20. The pre-commencement statutory Biodiversity Gain Plan shall be prepared in accordance with the hereby approved Environmental Impact Assessment, Biodiversity Net Gain Assessment, Statutory Biodiversity Metric, Baseline Ecological Appraisal, Arboricultural Impact Assessment, baseline habitat plan and post development habitat and landscape plan.

21. 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 non-technical summary;
- The roles and responsibilities of the people or organisations delivering the HMMP;
- The planned habitat creation and enhancement (Phase 1) works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- The management measures (Phase 2) to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;

- 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 the completion of development.

22. Trees identified as Tree B1 (TN7) and Tree B2 (TN8) (Ref: ARCADID – Ecological baseline Report April 2024) shall not be felled unless first approved in writing by the Local Planning Authority. Tree B1 (TN7) and Tree B2 (TN8) may not be felled in the absence of an adequate survey (undertaken immediately prior to felling) for the presence or absence of bats completed by a qualified bat worker. If Bats are found during tree felling, all work must cease immediately. The destruction of the Bat roost must be licenced by Natural England. No further work to the trees may be commenced until the approved Natural England licence is submitted and acknowledged by the LPA. The work, including mitigation measures, described in the Natural England licence shall be carried out strictly in accordance with the approved details and shall be retained in this manner thereafter.
23. Prior to commencement of construction, including enabling works, engineering works, grassland removal, scrub removal, tree felling, other groundworks an Arboricultural Method Statement and Tree Protection Plan to BS5837:2012 'Trees In Relation To Construction' shall be submitted and approved in writing by the Local Planning Authority. All tree work shall be completed to the British Standard BS3998: 2010 Recommendations for Tree Work. All trees to be retained shall be protected by a Construction Exclusion Zone with fencing in accordance with BS5837:2012 'Trees In Relation To Construction'. Within the protected area(s) there shall not be carried out or permitted, during the construction period, any building or other operations, parking or passage of vehicles, or storage of building or other materials or any other object. The protection measures shall be retained for the duration of the works, and only removed once the development is complete and all machinery and work material removed from the site.
24. Prior to the commencement of construction a plan marking the Construction Exclusion Zone, for the prevention of harm to the Habitat Protection Zone (area/s of habitat within the edge red/edge blue not impacted by construction), shall be submitted to and approved in writing by the Local Planning Authority. The Construction Exclusion Zone shall first be protected by temporary HERAS fencing or other suitable fencing, and/or temporary ground protection to form the Construction Exclusion Zone. Within the protected area(s) there shall not be carried out or permitted, during the construction period, any building or other operations, parking or passage of vehicles, or storage of building or other materials or any other object. The protection measures shall be retained for the duration of the works, and only removed once the

development is complete and all machinery and work material removed from the site.

25. Prior to commencement of construction, including enabling works, engineering works, grassland removal, scrub removal, tree felling, other groundworks an ecological Construction & Environmental Management Plan (Ref: Chartered Institute Ecology & Environmental Management) for the avoidance of harm to biodiversity during construction, including Pollution Prevention Measures and Reasonable Avoidance and Mitigation Measures (small mammals, including Badger, Hedgehog, Water Vole, Fox, amphibians, including Great Crested Newts, reptiles, nesting birds & other appropriate species), shall be submitted to and approved in writing by the Local Planning Authority. The approved work described therein shall be carried out in accordance with the approved delivery timetable.
26. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site. The scheme shall comply with the guidance 'Bats and Artificial Lighting at Night 2023' (Bat Conservation Trust & Institution of Lighting Professionals) to minimise the impact on protected species. Any external lighting installed shall accord with the details so approved.
27. Prior to commencement of construction a satisfactory programmed landscaping scheme to achieve the measured Biodiversity Net Gain in accordance with the approved Biodiversity Gain Plan and Habitat Management and Monitoring Plan, which shall include soft and hard landscaping, means of enclosure, planting of the development, location of habitat piles and hibernacula, and annual maintenance shall be submitted to and approved in writing by the Local Planning Authority. The content of the planting scheme shall include the area marked as Traditional Orchard, number of plants, species, planting size, planting and seed sowing methodology, British Standards, and 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 main construction phase, inclusive access roads, buildings, and SUDs completed in entirety. 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 from the date of scheme completion, 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 Plan target condition shall be achieved.

28. Prior to commencement of construction a full inventory of dry stone wall lost due to construction shall be submitted and approved in writing by the Local Planning Authority. The inventory shall include details of wall location, amount lost by length, height, and weight, and plans marking the place of temporary stone storage prior to its reuse. All dry stone wall arisings shall be set aside and later reused for the purpose of new dry stone wall creation and/or ecological habitat creation through the creation of hibernacula and habitat piles. Plans denoting the means by which dry stone wall arisings shall be reused must be submitted and approved in writing by the Local Planning Authority.
29. Prior to commencement of construction details for the installation of stone habitat/log piles and hibernacula (amphibians, reptiles and hedgehogs) shall be submitted and approved in writing by the Local Planning Authority. The habitat piles shall, where possible, use arising's derived from onsite construction activities, including vegetation and dry stone wall. The submitted details shall include details of location and construction methodology in accordance with industry best practice. The habitat piles and hibernacula must be installed during the construction phase in accordance with approved drawings and plans. The work described shall be retained in this manner thereafter.
30. Prior to the commencement of construction details for the installation of 20 pole mounted bat roost boxes (minimum 10 poles) and 20 pole mounted bird nesting boxes (minimum 10 poles) shall be submitted and approved in writing by the Local Planning Authority. The boxes may otherwise be tree mounted where possible. The submitted details shall include the box type, manufacturer's name, and plans marking the location of installation. The box type must be manufactured from woodcrete/woodstone. The boxes must be installed during the 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.
31. No removal of hedgerows, trees, shrubs 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.

Flood Risk and Drainage

32. No development shall commence in any phase until a detailed and final Surface Water Sustainable Drainage Strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The strategy shall be based on the site-specific Flood Risk Assessment and indicative Surface Water Sustainable Drainage Strategy (Drainage Strategy Report / 0179111-ARC 050-XX-RP-DE-00001 – Revision 2 / February 2026 / Arcadis), and shall demonstrate compliance with the principles and requirements of the National Planning Policy Framework, Planning Practice Guidance, and the latest published version of the National Standards for Sustainable Drainage Systems (or any successor Standards in force at the time of submission). It shall also demonstrate how sustainable drainage system features have been designed to deliver multifunctional benefits in relation to water quality, amenity, and biodiversity.

Surface water and foul water drainage shall be drained on separate systems. No surface water runoff from the development shall be discharged to a foul sewer(s), either directly or indirectly. The strategy shall confirm and evidence the final allowable peak discharge rates and runoff volumes, following completion of all detailed design work and site investigations to confirm and refine early design assumptions.

The submitted strategy shall include, as a minimum:

a) Sustainable drainage calculations for peak flow control and volume control for the following events:

- i. The 100% (1 in 1-year) annual exceedance probability event,
- ii. The 3.3% (1 in 30-year) annual exceedance probability event, including a 40% climate change allowance,
- iii. The 1% (1 in 100-year) annual exceedance probability event, including a 50% climate change allowance.

Calculations must cover the entire development area, including all existing and proposed surface water drainage systems up to and including the final discharge location(s).

b) Final sustainable drainage plans, appropriately labelled to include:

- i. Site plans showing all permeable and impermeable areas contributing to the surface water drainage network, either directly or indirectly, including the entire development area and any off-site flows where relevant.

ii. Drainage layout plans showing all pipe and structure references, dimensions, and design levels, including all existing and proposed surface water drainage systems up to and including the final discharge location.

iii. Details of all sustainable drainage features, including landscape drawings showing topography and slope gradients.

iv. Site plans showing modelled flood water depths, volumes and exceedance flow routes and flow velocities for rainfall events exceeding the 1% (1 in 100-year) 3 annual exceedance probability event, or due to a blockage. The strategy shall demonstrate that flood risk is not increased on-site or elsewhere, informed by a blockage assessment for all flow controls.

v. Final road levels in AOD with adjacent ground levels for all sides of each road and connecting cover levels.

vi. Final details of proposals to manage surface water runoff to and from the development boundary, including measures to manage surface water runoff from adjacent land that could flow onto the site during storm events, and to ensure runoff leaving the site does not occur in an uncontrolled manner.

vii. Measures to manage the quality of the surface water runoff to prevent pollution and, protect groundwater and surface water bodies. The strategy shall include a robust water quality risk assessment, proportionate to the pollution hazard and sensitivity of receiving waters, and shall inform the design of an appropriate SuDS management train.

c) Evidence of an assessment of the receiving sewer / highway drain to confirm its condition and capacity to accept surface water runoff from the development at the proposed discharge rate and runoff volume.

d) Evidence that a free-flowing outfall can be achieved. Where this is not possible, the strategy shall demonstrate that the drainage system has been assessed for performance under surcharged outfall conditions and will continue to function without increasing flood risk.

The sustainable drainage strategy shall be fully implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided in accordance with Paragraphs 181 and 182 of the National Planning Policy Framework, Planning Practice Guidance and the National Standards for Sustainable Drainage Systems.

33. No development shall commence in any phase until a Construction Surface Water Management Plan has been submitted to and approved in writing by

the Local Planning Authority. The plan shall detail how surface water and stormwater will be managed on site during all construction activities, including demolition, site clearance, earthworks, and temporary drainage installation, to prevent uncontrolled runoff and pollution. The submitted details shall include, as a minimum:

- a) A timetable for implementation of any surface water management proposals;
- b) A method statement of the surface water management proposals for each construction phase, including temporary drainage arrangements and contingency measures for extreme weather events;
- c) Evidence of how surface water flows will be discharged, demonstrating that discharge rates will be restricted to no greater than the equivalent greenfield runoff rate.
- d) Measures to prevent siltation and pollutants from entering any receiving groundwater and/or surface water bodies, including watercourses, with reference to published guidance.
- e) A site plan of the proposed surface water management proposals and pollution prevention measures, including locations of temporary drainage features, bunds, silt fences, settlement tanks, and spill response equipment;

The plan shall be implemented in full and thereafter managed and maintained in accordance with the approved plan for the duration of the construction works.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during all construction phases, so that it does not pose an undue surface water flood risk on-site or elsewhere, and to prevent pollution of receiving waters, in accordance with Paragraph 181 of the National Planning Policy Framework and the principles of the National Standards for Sustainable Drainage Systems.

34. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, as a minimum:

- a) A timetable for its implementation

- b) Site-specific details of the operation, maintenance, and access requirements for all sustainable drainage system features and connecting drainage structures. This shall include any automated monitoring of motorised equipment, their functionality, and transmission of failure warnings to the responsible maintenance body
- c) The arrangements for adoption by any public body or statutory undertaker, or identification of named parties responsible for the management and maintenance of each surface water drainage system feature throughout the lifetime of the development
- d) Details of financial management, including arrangements for the replacement of major components at the end of the manufacturer's recommended design life
- e) Instructions on necessary steps to be taken in the event of a pollution incident, including matters that should be reported to the adopting authorities or the Environment Agency
- f) Details of land ownership and access rights for all parts of the surface water drainage system, including watercourses, sustainable drainage system features, and associated easements required for inspection and maintenance.

Thereafter, the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks to future users of the land and neighbouring land are minimised, together with risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system provided as part of the development have appropriate maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development, in accordance with Paragraph 182 of the National Planning Policy Framework and Standard 7 of the National Standards for Sustainable Drainage Systems.

35. The commencement of use of the development shall not be permitted until a site-specific Verification Report, pertaining to the surface water sustainable drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report shall include, as a minimum:

- a) Evidence that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) and specifications, or details any minor variations, with evidence demonstrating that the system

remains fit for purpose and compliant with the approved surface water drainage strategy

b) Photographic and written evidence confirming the location and details of all critical drainage infrastructure. Locations shall be referenced using national grid coordinates

c) As-built drawings of the constructed drainage system, including all SuDS features, pipework, control structures, and discharge points, with levels and dimensions clearly annotated.

Thereafter, the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to future users of the land and neighbouring land are minimised, together with risks to controlled waters, property, and ecological systems, and to confirm that the development as constructed is compliant with the requirements of Paragraphs 181 and 182 of the National Planning Policy Framework and Standard 7 of the National Standards for Sustainable Drainage Systems.

Contamination

36. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

Archaeology

37. A programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the local planning authority, shall be undertaken and submitted to the local planning authority as part of any reserved matters application. This programme of works shall include an initial phase of geophysical survey and trial trenching, as well as the compilation of a report on the work undertaken and the results obtained. These works should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance.

If archaeological remains are encountered then a subsequent phase of impact mitigation and a phase of appropriate analysis, reporting and publication shall be developed and implemented. A written scheme of investigation for that mitigation phase along with a timetable for its implementation shall be submitted for approval to the local planning authority. All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA) and include the appropriate deposition of archives. The development shall be carried out in accordance with the agreed details.

Reason: To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

The Town and Country Planning (Consultation) (England) Direction 2021 sets out the circumstances when a local planning authority must consult the Secretary of State on a planning application that they do not propose to refuse. When a development falls within a category of application within the Direction, the Council cannot issue an approval before the Secretary of State has confirmed that they do not wish to call in the planning application. For the purposes of the Direction, “*Green Belt development*” means development which consists of or includes inappropriate development on land allocated as Green Belt in the development plan and which consists of or includes:

- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

For the reasons given in the Committee Report, planning officers do not consider the proposal would be inappropriate development in the Green Belt such that a requirement to consult the Secretary of State would not exist.

However, if members considered the proposal to be inappropriate development in the Green Belt issue and to have a significant impact on openness, but were minded to approve the application anyway, then there would be a requirement to consult the Secretary of State.

Item 6 – 11/26/0055 - Land off Crown Street, Accrington

An additional objection has been received. This raises the following grounds of objection:

- There are more suitable alternative parking options available

Response: There is no requirement to demonstrate that no suitable alternative sites are available. The application must be dealt with on its merits.

- The site is an opportunity for the provision of community green space and a children's playground.

Response: The proposed development is not for the provision of community green space and a children's playground. The planning application must be determined based on the development for which permission is sought.

End.