

<b>REPORT TO:</b>	<b>Planning Committee</b>
<b>APPLICATION REF:</b>	<b>11/24/0506</b>
<b>APPLICATION ADDRESS:</b>	<b>Land off Blackburn Road, Oswaldtwistle, BB5 4NA</b>
<b>DEVELOPMENT DESCRIPTION:</b>	<b>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.</b>
<b>DATE REPORT WRITTEN:</b>	<b>3 March 2026</b>

### **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 2020<sup>1</sup>. 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 2023<sup>2</sup>. 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:

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<sup>1</sup> Application Reference P/20/0211 or P.20.028.

<sup>2</sup> 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#>