

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

DATE: 7th September 2017

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 07 SEPTEMBER 2017

Application Ref: 17/0301/FUL

Proposal: Full: Change of use of children's farm building (use class D2) to a dwelling house (C3), demolition of attached building and external alterations (re-submission).

At: Rigg Of England Farm, Heights Lane, Fence

On behalf of: Mr Jake Sanderson

Date Registered: 26/06/2017

Expiry Date: 21/08/2017

Case Officer: Alex Cameron

This application has been brought before Committee at the request of a Councillor.

Site Description and Proposal

The application site is a former farm building with extant planning permission for use as a mixed educational / recreational childrens' farm visitor centre and ancillary café. The building is located within an elevated position within the open countryside and AONB. The building is clad in natural stone with a poly-coated sheet roof and timber fenestration and there is an attached timber clad agricultural livestock building.

The proposed development is the change of use of the main building to a three bedroom dwelling, the demolition of the attached livestock building and formation of a garden to the rear. The external alterations would comprise the insertion of three windows in the side elevations and four rooflights.

Relevant Planning History

13/11/0624P - Full: Change of use from agriculture to a mixed educational and recreational use as a childrens farm and farm visitor centre with ancillary coffee shop, partial demolition and external alterations including stone cladding and formation of window and door openings (Re-Submission). Approved.

17/0122/FUL - Full: Change of use of children's farm building (use class D2) to a dwelling house (C3), demolition of attached building and external alterations. Refused, 16/05/2017.

Consultee Response

LCC Highways – Having considered the information submitted for the above application, based on the car parking recommendations in the 'Replacement Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards' the applicant has provided adequate parking provision for this type and size of development.

However, I've noted that there's unlikely to be adequate manoeuvring space behind the back edge of the parking spaces, particularly as the central, ramped pathway is bounded by low level walls and there is a difference in ground levels as shown in the 'Planning Statement' photos 2 and 3. Ideally there should be 6m behind the parking spaces to allow manoeuvring. The applicant should, therefore, ensure that, in particular, a vehicle using the parking space to the south of the pathway can properly manoeuvre into/out of and park in it.

Public Response

Nearest neighbours notified. One response received from the National Farmers Union in support of the proposed development.

Officer Comments

Policy

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework must be given full weight in the decision making process. Other material considerations may then be set against the Local plan policies so far as they are relevant.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

National Planning Policy Framework (The Framework)

Paragraph 32 of the Framework states that decisions should take account of whether safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 47 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements.

Paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The Council's Annual Monitoring Report for 2016 demonstrates a 5.1 year supply of housing in accordance with the requirements of paragraph 47.

The site is located outside of a settlement boundary. Paragraph 55 of the Framework states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".

Section 7 of the Framework deals with design and makes it clear that design is a key aspect of sustainable development. Paragraph 64 of the Framework states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 sets out the presumption in favour of sustainable development which runs through the plan.

Policy SDP2 states that new development should be within settlement boundaries unless it is an exception outlined in the Framework or elsewhere in the LPP1.

Policy LIV1 sets out the Council requirement to deliver new housing at a rate of 298 dwellings per annum.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG, or its replacement. In determining proposals which affect the Forest of Bowland Area of Outstanding Natural Beauty (AONB) great weight will be given to conserving its landscape and scenic beauty.

Policy ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets.

Principle of the development

The application site is located over 1.2km walking distance from the settlement boundary of Fence and 1.3km walking distance to the nearest bus route along narrow national speed limit roads with no pedestrian footway or unmade public rights of way across agricultural fields. It does not have adequate access to essential services and facilities such as shops, schools and medical services without an unacceptable level of reliance on private motor vehicles. This is an isolated countryside location for the purposes of paragraph 55 of the Framework.

Paragraph 55 states that Local planning authorities should avoid new isolated homes in the countryside unless they meet one of the following special circumstances:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.

This application has not been made on the basis that the dwelling would meet an essential need for an agricultural worker's dwelling.

- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

The building proposed for conversion to a dwelling is not a heritage asset; prior to its recladding in stone under planning permission ref: 13/11/0624P it was a steel portal framed concrete block and timber clad agricultural building.

- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

Although the building is not in use, this does not in itself result in harm to the immediate setting. In addition, the domestic character and paraphernalia associated with a domestic use would itself cause some level of harm to the rural character of the immediate setting. Therefore, the proposed use as a dwelling would not enhance the immediate setting.

The permitted use of the building may result in similar impacts in terms of outdoor paraphernalia and potentially a greater number of vehicular journeys to and from the site than a single dwelling. However, the permission is for a mixed educational / recreational use as a children's farm with

ancillary coffee shop which was justified under local and national policy as an appropriate use in this location.

In addition, bullet point 3 of paragraph 55 requires that the conversion is of a redundant or disused building and therefore the impacts of the potential use of the building are irrelevant to the assessment of compliance with this part of paragraph 55. It is only the impact of the building in its current unused status that is relevant.

- the exceptional quality or innovative nature of the design of the dwelling.

The proposed conversion of the building would not result in a dwelling of exceptional quality or innovative nature.

The proposed development therefore does not meet any of the circumstances for allowing a new dwelling in an isolated countryside location set out in the Framework and is therefore contrary to paragraph 55 and SDP2.

Design

The proposed external alterations to the building would be relatively minor and would have no adverse visual impact and the adjoining building to be demolished is of no visual amenity value.

The conversion of the building to a dwelling would include the formation of a domestic curtilage, with domestic paraphernalia associated with domestic use. This would not be in keeping with the rural character of its setting.

Amenity

The proposed development would not raise any adverse residential amenity issues and is therefore acceptable in terms of amenity.

Highways

Adequate parking provision could be provided within the site and with a condition to ensure that the proposed passing places are formed the access would be acceptable to accommodate the proposed dwelling. The proposed development is therefore acceptable in terms of highway safety.

RECOMMENDATION: Refuse

For the following reasons:

The proposed dwelling would be in an isolated and unsustainable countryside location and would not meet any of the special circumstances for the erection of new dwellings as set out in paragraph 55 of the National Planning Policy Framework. Therefore, the proposed development would be contrary to policy SDP2 of the Pendle Local Plan Part 1: Core Strategy and paragraph 55 of the National Planning Policy Framework.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 07 SEPTEMBER 2017

Application Ref: 17/0355/FUL
Proposal: Full: Change of use of stone barn to four bedroom dwellinghouse (C3)
At: Admergill Pasture, Gisburn Road, Blacko
On behalf of: Mr John Kay
Date Registered: 06/07/2017
Expiry Date: 31/08/2017
Case Officer: Alex Cameron

Site Description and Proposal

The application site is a barn located adjacent to a small cluster of dwellings within the open countryside. The original building was a breeze-block asbestos clad pole barn with two breeze-block extensions. In 2011 the walls of the building were re-built in stone and it was re-roofed in slate.

The proposed development is the conversion of the building to a four bedroom dwellinghouse.

Relevant Planning History

13/04/0704P - Convert barn to single dwelling – Refused & Appeal Dismissed

13/15/0497P - Certificate of Lawfulness (Section 191): External alterations to farm building – Approved.

16/0354/FUL - Full: Change of use of stone barn to four bedroom dwellinghouse (C3) – Refused.

Consultee Response

LCC Highways - The proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

Based on the car parking recommendations in the Replacement Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards the Highway Development Control Section is of the opinion that the applicant has provided adequate off road parking provision for this type and size of development, including secure cycle storage.

Footpath 10 and 11 (Pendle – Brogden) run along the access track (FP10) and adjacent to the proposed development site (FP11). From a site visit I noted that there was a redundant cattle grid at the bottom of the access track near the junction with Gisburn Road. We would ask the applicant to remove this and make good the surface to provide a larger and safer manoeuvring area.

The access track being used by large, agricultural machinery. As the lane is single track there was no room for passing by another vehicle. Therefore I would ask for the provision of two passing places on the lane should planning approval be granted - one on the lower section, the other on the upper section – to provide improved access along the track.

Please attach the following conditions: removal of cattle grid, passing places, turning space. Please attach a note relating to the footpath.

Environmental Health – Attach the following note: The development is located within a rural area, which appears likely to be served by a private (i.e. non-mains) water supply. The applicant is advised to ascertain the quality and sufficiency of the water supply. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.

Blacko Parish Council - In light of the positive comments from Residents and LCC Highways, Blacko Parish Council support this application.

Public Response

A press and site notice were posted and nearest neighbours notified. :

In its present state the barn does not provide any visual amenity to the surrounding countryside and is, in effect, something of an eyesore.

It appears to be redundant as an agricultural barn and risks falling into disrepair.

I would support its sympathetic conversion to a single private dwelling.

That would have minimal visual impact from a distance due to the location of the site and would serve to enhance the site when viewed from the adjacent footpath.

It would also fit in with the existing residential development in the immediate vicinity, all the other buildings having previously been converted to residential use.

Officer Comments

Pendle Local Plan Part 1: Core Strategy

Policy SDP2 states that proposals for new development should be located within a settlement boundary as defined on the Proposals Map(73). These boundaries will be reviewed as part of the preparation of the Pendle Local Plan Part 2: Site Allocations and Development Policies in order to identify additional sites to meet development needs where necessary. Proposals to develop outside of a defined settlement boundary (i.e. within the open countryside) will only be permitted for those exceptions identified in the Framework, or policies in a document that is part of the development plan for Pendle

Policy ENV1 seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy LIV5 states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties.

Replacement Pendle Local Plan

Policy 4D (Natural Heritage - Wildlife Corridors, Species Protection and Biodiversity) States that development proposals that would adversely impact or harm, directly or indirectly, legally protected species will not be permitted, unless shown to meet the requirements of The Conservation (Natural Habitats, &c.) Regulations 1994.

Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Paragraph 55 of the Framework states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. These include the conversion of buildings where it would represent the optimal viable use of a heritage asset or would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

Principle of the Development

The main consideration in terms of the principle of the development is whether it would accord with paragraph 55 of the Framework. The first consideration in relation to paragraph 55 is whether the location is an isolated or a sustainable one in terms of access to essential services and facilities and public transport.

The statement submitted with the application references a nearby bus service and primary school in justification. The nearest bus stop for this service is approximately 1.8km by foot away. Blacko Primary School is approximately 2km away, (not 500m as stated). The site is not within walking distance of essential services and facilities such as shops, schools, medical facilities and public transport links, it is inevitable that residents would use motor vehicles to access these facilities. The site is an isolated and unsustainable location for the purposes of paragraph 55 of the Framework.

The second consideration is whether the proposed development meets one of the special circumstances for allowing a new dwelling in an isolated location in the open countryside set out in paragraph 55. These special circumstances are:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.

No justification has been made of there being an essential need for an agricultural worker's dwelling.

- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

The building has no heritage value as it was an asbestos/concrete block barn that has recently been re-clad in stone and slate.

- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting;

The building itself is in good condition having been recently re-clad in stone and slate. There are currently building materials and machinery stored on the site, it is therefore not disused. Any adverse impact of this storage is a consequence of how the site is being operated rather than an issue of the building itself harming the immediate setting. It should be noted that the Council has powers under Section 215 of the Town and Country Planning Act to take action against untidy buildings and land which are causing harm to the amenity of an area if necessary.

Furthermore, the proposed conversion to a dwelling would not lead to an enhancement in the immediate setting as it would introduce additional domestic character and paraphernalia in a rural setting. In support of this conclusion an appeal decision for a similar proposal at Higher Graystones Barn in Roughlee was dismissed with the Inspector stating that:

“I agree with the Council that the use of the building as a dwelling would inevitably result in the domestication of the new curtilage, introducing an inappropriate suburban feature in the landscape, albeit one that is relatively small in scale which is likely to have only a limited harmful impact in views from within the public realm. In this respect, the consequential removal of existing materials etc associated with the appellant’s building business would produce little net gain.”

In addition, the Inspector in dismissing the previous appeal for conversion of the building to a dwelling in 2005 stated that:

“the appeal proposal would contribute to an extension and consolidation of the existing scatter of dwellings across the open countryside in the surrounding area. In these circumstances I conclude that the appeal proposal would have a materially harmful effect upon the character and appearance of the area.”

- the exceptional quality or innovative nature of the design of the dwelling.

The proposed dwelling would not be of exceptional quality or innovative nature.

Therefore, the proposed dwelling does not meet any of the special circumstances for allowing a new dwelling in an isolated unsustainable location and is contrary to policy SDP2 and paragraph 55 of the Framework.

Design

The proposed conversion would involve few external alterations to the existing building given that many of the window openings are already in place. The proposed conversion is acceptable in terms of design and visual amenity in accordance with policy ENV2.

Amenity

The proposed development would provide an adequate level of privacy and residential amenity for the occupants of the dwelling and would raise no adverse residential amenity issues in accordance with policy ENV2.

Highway Safety

Subject to conditions requiring passing places, parking and turning provision and the removal of the cattle grid the proposed development is acceptable in terms of highway safety.

Ecology

A bat survey has been submitted and found no evidence of use by bats, it concludes that no further survey work or mitigation is required. Therefore, the proposed development is acceptable in terms of its ecology impact.

RECOMMENDATION: Refuse

For the following reason:

1. The building is located in an unsustainable isolated location that would result in residents being reliant on private vehicles to access essential services and facilities. The proposed development does not meet any of the special circumstances for allowing a new dwelling in such a location and therefore the proposed development is contrary to Policy SDP2 of the Pendle Local Plan Part 1: Core Strategy and paragraph 55 of the National Planning Policy Framework.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE 7th September, 2017

Application Ref: 17/0410/FUL

Proposal: Full: Erection of one detached bungalow and one pair of two-storey semi-detached dwellings (resubmission)

At: Land Adjacent Number 30 Dixon Street, Barrowford.

On behalf of: Robert Little Associates LTD.

Date Registered: 17/07/2017

Expiry Date: 11/09/2017

Case Officer: Charlotte Pinch

Site Description and Proposal

The application site is an empty, previously un-developed site within the settlement of Barrowford. The site is located in a residential area, which is surrounded by dense semi-detached and terraced two storey properties, with a detached bungalow to the north east.

This application is for the erection of two semi-detached dwellings, comprising of three bedroom properties, one with an attached single garage. In addition, a detached single storey bungalow is proposed to the west of the site, all would have direct access onto Dixon Street. All three properties would be externally constructed of concrete roof tiles and artificial coursed stone with dressed stone surrounds.

Relevant Planning History

16/0595/FUL

Full: Erection of 4 three bedroom dwellinghouses.
Withdrawn.

Consultee Response

LCC Highways – There are no objections in principle regarding the proposed erection of three, three bedroom dwellings on this site. However, there are some concerns regarding the proposed access and layout of the site, if these cannot be addressed satisfactorily, then I would object to this application on highway safety grounds.

Dixon Street is adopted highway for only part of its length, with the final upper section unadopted. Therefore, the developer should take steps to ensure future maintenance of this section.

Furthermore, the proposed pavement would partially encroach into the adopted highway network. This would not be acceptable as it would narrow the remaining carriageway and restrict the manoeuvring of vehicles. This would need to be deleted from the plans.

There is an existing telegraph post in the southern boundary of Plot 3 which would restrict access onto the drive, which would need to be moved.

Access to the site is through a number of residential streets, therefore careful consideration would need to be given to the route for construction traffic.

As a result, amendments to the plans were received from the agent on 24th August 2017, making the advised alterations.

LCC Highways were re-consulted and confirmed in light of the amendments no objections are raised on highway safety grounds. However, to note that as the developer proposes to re-locate the existing telegraph post along the boundary of Plot 3, they should be aware that this would be at their expense.

United Utilities - No Objection, please attach foul and surface water conditions.

Barrowford Parish Council – No objection.

Public Response

The nearest neighbours were notified by letter. Four responses were received objecting to the scheme on the following grounds:

- The development would add to an already high density of housing in the area.
- Use of white windows and roof lights would not be in keeping with the character of the area.
- Overlooking and loss of natural sunlight to neighbours from the two storey properties.
- Increase in traffic, causing highway safety issues.
- Inadequate parking and increase pressure on existing parking problems in the area.
- Ownership conflicts of land on Dixon Street.
- Detrimental loss of wildlife habitat and hedgerows.
- Risk to child safety.
- Light pollution from additional street lights
- Increased litter and waste issues.
- Detrimental impact on the care to be provided to disabled occupants at neighbouring properties.

Officer Comments

The main issues to consider in assessing this application are impact on amenity, design, materials and parking provision.

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework must be given full weight in the decision making process. Other material considerations may then be set against the Local plan policies so far as they are relevant.

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP2 sets out the roles each settlement category will play in future growth. Barrowford is a local service centre which will provide a supporting role to the Key Service Centres and accommodate levels of new development.

Policy SDP3 identifies housing distribution in the M65 Corridor as 70%. The total housing requirement for Pendle at the present time is 5662. The amount of development proposed here is not disproportionate to the amount Colne could expect to accommodate over the 15 year plan period.

Policy ENV1 of the Pendle Local Plan Part 1 seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 of the Pendle Local Plan Part 1 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy LIV1 sets out the Council requirement to deliver new housing at a rate of 298 dwellings per annum.

Policy LIV4 sets targets and thresholds for affordable housing provision. For less than 15 dwellings in the M65 Corridor this is 0%.

Policy LIV5 states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties. Provision for open space and/or green infrastructure should be made in all new housing developments.

Replacement Pendle Local Plan

Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Paragraph 47 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements. Paragraph 49 states that where a Council cannot demonstrate a five year supply of land policies that relate to the supply of housing will be considered out of date. The Council's latest Annual Monitoring Report demonstrates a 5.1 year supply of housing in accordance with the requirements of paragraph 47.

Principle of the Development

The application site falls within the settlement boundary of Barrowford, this is a sustainable location for the proposed housing development.

Visual Amenity

Paragraphs 47 through to 68 of the NPPF contains guidance on providing a wide variety of homes and requiring good design. Policies ENV2 of the Local Plan Part 1 reiterates these points and are relevant in the determination of this application.

The proposed dwellings are of a simple design, with modest pitched roof and small, uniform fenestration features. The properties retain at least a 1 metre separation distance with the side boundaries, which is in keeping with the relatively dense form of development in the area.

The properties would be externally constructed of artificial coursed stone with dressed stone surrounds, concrete roof tiles and windows with white UPVC frames. These materials are appropriate for this development, reflecting those used in the existing terraced properties on Dixon Street, which is typical of the area. Samples of materials can be controlled by an appropriate condition.

Residential Amenity

The proposed layout shows all three properties would be sited 18 metres from the front elevation of neighbouring dwellings, located to the south west of Dixon Street. Although this does not directly conform with the 21 metre separation distance guideline set out in the Design Principles SPD, it further states that 'Regard must however be had to existing street patterns and the existing interface distances between properties characteristic in an area.' The 21m would be broken by a road where people can freely pass within 3m of the existing windows. As such privacy has already been reduced. With the public road between the two having a reduced window to window distance of 18m is acceptable and would not lead to an increased loss of privacy over and above that which is currently experienced.

To the rear each dwelling proposes a single bedroom window and single bathroom window at first floor level. Having analysed the original plans for No.2 Burnsall Place, it is noted that a small secondary living room window on the south west side elevation would be closest to the proposed dwellings. This window would be sited approximately 16 metres from the closest habitable room window in Plot 2, which is less than the recommended 21 metres stated in the Design Principles SPD.

However, both Plot 2 and 3 are off set to the south east from No.2 Burnsall Place, so do not have direct visibility into the property. The application site is located in a slightly elevated position, therefore views from the first floor windows would be of the rooflines of neighbouring properties to the rear, not directly into their habitable rooms. Surrounding properties to the rear have high boundary fencing and the area is heavily screened with mature vegetation, which substantially obscures views between properties. Therefore the overall relationship would be acceptable.

Given the single storey nature of the bungalow on Plot 1, in addition to the change in levels, existing fencing and mature boundary screening, the development would not have a detrimental overbearing impact or cause a loss of privacy to neighbouring occupiers.

Therefore, the proposed development is acceptable in terms of residential amenity in accordance with policies ENV2 and LIV5.

Highways and Parking

Following amendments to the Proposed Site Plan no objections are now raised by LCC Highways with regards to highway safety.

The development provides adequate external parking spaces for each property. With the inclusion of appropriate conditions attached to this permission, this accords with Policy 31.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (As Amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 5131-01, 5131-05C, 5131-06B, 5131-07A

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

3. Prior to the commencement of development samples of all the external materials to be used in the construction of the roofs, walls, boundary/retaining walls and paving together with samples of the colour and finish of windows and doors of the development hereby approved, together with details of proposals for the reuse of existing materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved materials and details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E of Part 1 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Part 1

- A) no extensions shall be erected

B+C) no alterations to the roof of the building shall be carried out

D) no porches shall be erected

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties and in order to ensure the protected trees on the site are not adversely affected.

5. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to ancillary accommodation/offices or used for storage without the prior written approval of the Local Planning Authority

Reason: In order to ensure that sufficient off-street parking can be accommodated within the site.

6. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Works shall include:

- re-surfacing and kerbing the footway from the end of the adopted section to the western edge of No 59 Dixon Street. A measurement of 5.5m from this kerb edge should be taken, which will be the minimum carriageway width.
- Upgrading and re-surfacing the carriageway from the edge of the adopted section to the western boundary, ie opposite No 59 Dixon Street, to include a surface water gully.
- Provision of a new street lighting column, exact position to be agreed with Lancashire County Council's Street Lighting section.

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

7. No development shall take place, including any works of demolition/clearance, 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.

No deliveries shall be made before 9.00 am and after 3.00pm to avoid conflict with traffic (vehicular or pedestrian) attending the local primary school and/or entering/leaving the estate.

Reason: In the interest of highway safety.

8. Before the development hereby permitted becomes operative, the existing boundary to the east and west of the site shall be reduced to and be permanently maintained henceforth at a height not greater than 900mm above the crown level of the adjacent carriageway/Public Footpath, and shall include any new, internal boundaries in the front section of the site, in accordance with the approved plan, before the first occupation of any dwelling.

Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving the site.

9. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 6 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

10. The car parking areas shall be surfaced or paved in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the dwellinghouses being occupied and shall thereafter at all times be made available for the parking of vehicles associated with the dwelling.

Reason: To allow for the effective use of the parking areas.

11. The cycling facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the first occupation of any dwelling.

Reason: To allow for the effective use of the parking areas.

INFORMATIVES

1. The grant of planning permission will require the applicant to enter into a Section 278 Agreement, with Lancashire County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, Highway Development Control by e-mail on lhscustomerservice@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided. They should quote the planning application reference number.
2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 30 (Barrowford) may be affected by this development.

LIST OF BACKGROUND PAPERS

Planning Applications

NW/KH

Date: 30th August 2017