

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES
MANAGER

TO: DEVELOPMENT MANAGEMENT COMMITTEE

DATE: 22nd February 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 22 FEBRUARY 2016

Application Ref: 13/15/0546P

Ref: 19122

Proposal: Outline: Erection of 4 dwellings with garages, (Access, Layout and Scale)

At: LAND OPPOSITE THE BARN BEN LANE BARNOLDSWICK BB18 6HR

On behalf of: Mr L Green

Date Registered: 10 November 2015

Expiry Date: 5 January 2016

Case Officer: Mubeen Patel

This item has been referred to Development Management Committee as West Craven Committee were minded to Refuse this application on the following grounds:

- Highway safety due to width of Ben Lane, lack of footpath and visibility splays; and
- Impact of flooding in the area.

These are not reasons that can be substantiated on appeal. There are no highways issues arising from this proposal and surface water run-off can be dealt with by an appropriate condition.

Site Description and Proposal

The application seeks outline consent (including means of access, layout and scale) for the erection of 4 dwellings with separate garages on land opposite the Barn, Ben Lane, Barnoldswick, field number 5467.

As present the site consists part of a large well maintained field mainly used for grazing sheep. The proposed site measures 0.19ha and is separated from Ben Lane by a 1.2m high stone wall. The site contains mature trees which have Tree Preservation Orders.

The land is immediately adjacent to, but outside of the settlement boundary of Barnoldswick and within the Open Countryside. Open fields are positioned to the rear of the site with detached dwellings to the front. Further residential properties are positioned along Skipton Road to the north.

Relevant Planning History

The site has no relevant planning history.

Consultee Response

Highways - The Highway Development Control Section does not have any objections regarding the proposed 4 dwellings and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

The site will be accessed via a new access on to Ben Lane. Ben Lane is an unclassified road and is categorised as a Local access road with a speed limit of 20mph. The planning application is for less than 50 new dwellings and as such the applicant does not need to provide a transport assessment.

TRICS is the national standard system used to predict trip generation and analysis of various types of development. Using a typical TRICS report for a privately owned housing development, the development will generate an estimated 25 vehicular movements a day with an estimated peak flow of 2 to 3 vehicles between 17:00 and 18:00.

The Highway Development Control Section is of the opinion that the proposed development should have a negligible impact on highway capacity in the immediate vicinity of the site.

The Lancashire County Councils five year data base for Personal Injury Accident (PIA) was checked on the 8th December 2015. The data based indicates there has been one incident near the proposed site access. The report indicates the accident is not related to the highway.

Whilst any accident is regrettable, the highway network surrounding the site is considered to have a good accident record and indicates there is no underlying issue which the proposed development would exacerbate.

Using table 7.1 from Manual for Streets and an estimated 85th percentile speed of 30mph the sight lines of 2.0 x 43m to be provided in both directions. The applicant has indicated 2.4 x 43m on plan.

The geometry and location of the proposed site access is acceptable.

The new site access will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Environment Directorate before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for 278 agreement.

The Highway Development Control Section recommends a 1.8m wide footpath for the full frontage of the site with Ben Lane to aid social inclusion and the promotion of social inclusion for the new residents with pedestrian gates onto Ben Lane. The footpath would also protect the sight lines from the site.

The recommended footpath to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Environment Directorate before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for 278 agreement.

The proposed development does not affect any public rights of way.

As the development is for less than 10 properties a section 106 transport planning contribution for the development is not required.

Based on the Joint Lancashire Structure Plan 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.

Building Regulations - Required.

Tree Officer - I have no objection in principle; however, there are two large mature TPO trees along Ben Lane which may be affected by this proposal. The tree to the south corner is shown on the drawing and referred to in the supporting text as being retained and the scheme is annotated as having a protective fence and area in accordance with BS 5837 (2012). However, there is a second tree on the verge to Ben Lane outside the adjacent dwelling to the west which is not shown

on the drawing and not referenced in the text.

It is important to ensure that these two trees are successfully protected and retained that the dimensions (trunk diameter) of the trees are given and the drawing shows that all construction is outside the calculated protection area.

Environmental Health - Environmental Health Services has considered the above-mentioned application and offers no adverse comments.

Public Response

Eight neighbours were notified by letter, 27 letters of objection had been received at the time of writing which state;

- This would be an eyesore in this pretty area;
- Ben Lane is a small poor quality road used mainly by children walking to school, dog walkers, cyclists and horse riders, this development would be dangerous and lead to congestion.
- Accidents will rise if there are more homes
- This will have a detrimental impact on the natural beauty
- This will have a detrimental impact on traffic flow
- This should be refused due to the dangerous access to the proposed properties
- Risk of flooding will be increased, we already have the problem of gardens being waterlogged
- Ben Lane is a single track lane; it is not suitable to be a major route for new properties.
- More properties will affect drainage
- Unnecessary to develop on a greenfield site when there are many brownfield sites available.
- Access from Ben Lane onto Skipton Road is a blind junction and at risk from accidents due to poor visibility.
- Trees around the site need to be protected.
- Ben Lane is not wide enough to accommodate the extra traffic
- No room for the lane to be widened or a footpath to be added
- The nearby culvert will not be able to cope with anymore excess water
- The area proposed is outside the settlement boundary and permission should normally only be given in exceptional circumstances
- The Strategic Housing Land Availability Assessment (SHLAA) states that as long as the area is meeting its housing targets then no permission should be given to any land outside these selected areas.
- The architect states that the development is 'rounding off', two thirds of the perimeter is not built up with consolidated development.
- The trees are to have serious root damage
- There is no farmhouse or barn to convert on the land
- There is poor street lighting in the area.

Relevant Planning Policy

Code	Policy
ENV 1	Protecting and Enhancing Our Natural and Historic Environments
ENV 2	Achieving Quality in Design and Conservation
LIV 1	Housing Provision and Delivery
LIV 5	Designing Better Places to Live
LP 31	Parking
SDP 1	Presumption in Favour of Sustainable Development

Officer Comments

The main issues to consider in assessing this application are policy compliance design, impact on amenity, pedestrian and highways safety, parking provision and flood risk.

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. In this case, for the purposes of section 38(6) of the TCPA 2004, the development plan comprises Pendle's Local Plan Part 1: Core Strategy.

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

Paragraph 55 of the National Planning Policy Framework states 'Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances'.

Paragraph 32 of the Framework states that decisions should take in to account whether safe and suitable access to the site can be achieved and should only be refused where residual cumulative impacts are severe.

Local Plan Part 1: Core Strategy

Policies SDP1, ENV1, ENV2, LIV1 and LIV5 of the Core Strategy Part 1 are all relevant in the determination of new housing applications.

Policy SDP1 (Presumption in Favour of Sustainable Development) is set out to secure development that improves the economic, social and environmental conditions in the area.

ENV1 addresses issues such as biodiversity, the protection of designated landscapes and impacts on open space.

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

LIV1 states that to encourage significant and early delivery of housing, proposals for new development will be supported on non-allocated sites within the Settlement Boundary which are sustainable. The Policy goes further to state that until the Council adopts the Pendle Local Plan Part 2 (Site Allocations and Development Policies) sustainable sites outside but close to a settlement boundary which make a positive contribution to the 5 year supply of housing land will be supported.

LIV5 advises that the types and sizes of new dwellings to be provided should help to diversify the existing housing stock and achieve a better, more balanced mixed of dwellings in the borough.

Policy 31 'Parking' which is a saved Policy within the Replacement Pendle Local Plan requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

This is addressed in the Highways section below.

Principle of Development

The site is located outside of a settlement boundary, with its south western front abutting the settlement boundary of Barnoldswick. The site therefore falls within the open countryside. Paragraph 55 of the NPPF states that 'Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances'. However, as the site is not an isolated one as it abuts the settlement special circumstances do not have to be demonstrated here.

The current position of the Council is that there is a 5 year supply of housing land. In this instance the Council has not yet adopted the Pendle Local Plan Part 2: (Site Allocations and Development Policies). This outline proposal for 4 dwellings would further encourage the early delivery of the housing requirement and is therefore supported by the aims of Policy LIV1. Policy LIV1 also states proposals for new housing development will be supported where they accord with other policies of the Core Strategy and are on sustainable sites outside of the settlement boundary.

The Council must therefore consider the sustainability of the site outside of a defined settlement boundary and support those which would not result in isolated or incongruous developments and provide links to existing services/facilities.

The site is within walking distance of public transport where regular buses travel along Skipton Road. The site also has easy access to essential services given its location near schools, major employment sites and its close location to Barnoldswick town centre. Taking in to account the edge of settlement characteristics of the site and its close relationship with existing development, it is not isolated for the purposes of Paragraph 55. Development in this location would not result in an unacceptable loss of open countryside.

Therefore, in terms of location, a site of this nature, which has clear and established links to Barnoldswick and associated services, would be sustainable and its development would help to ensure a five year supply. The proposed development would therefore accord with the NPPF and Policy SDP1 of the Local Plan Part 1.

Layout and Scale

Paragraphs 47 through to 68 of the NPPF contain guidance on providing a wide variety of homes and requiring good design. Policies ENV1 and ENV2 of the Local Plan Part 1 echo these points and are relevant in the determination of this application.

This application has been submitted in outline, with matters of appearance and landscaping reserved. Therefore at this stage, assessment of the application in terms of design is limited to layout and scale. It is sought to erect 4 dwellings. Currently there are no buildings on site, the proposed dwellings would be in the form of a terrace layout fronting Ben Lane. The housing type would have a mix of dwellings with Plot 1 mimicking the form of a barn conversion, Plots 2 and 3 positioned centrally will be more traditional cottage style, whilst Plot 4 will have an appearance of a farm house.

The development would be positioned well within Ben Lane and would not be readily seen from the main Skipton Road. The development would raise no significant concerns in terms of design or relationship with the highway frontage. Plots 1, 2 and 3 would have detached garages positioned towards the northern corner of the site, whilst Plot 4 would have a detached garage positioned to the rear of the dwelling, all will have parking spaces on their respective drives.

The architectural vernacular of the immediate area is mixed, populated by groups of older and

more modern properties. As such there is no clear or defined style to replicate. From a physical perspective, the application site would most closely replicate the dwellinghouse 'The Barn' opposite the site. The proposed development site would not project further north into the field than the proposed dwellings preventing any significant encroachment in to the Open Countryside.

In terms of scale, whilst there are a number of bungalows in the vicinity, the two storey dwellings proposed (with the plans and submitted information indicating stone walls and slates for the roof) would not appear incongruous or at odds with its surroundings. The immediate area is predominantly characterised by older and newer dwellings and due to its set back from the main highway on Skipton Road, wider public vantage points would be limited.

Policies ENV1 and ENV2 of the Core Strategy Part 1 and Paragraph 56 of the NPPF require good design. Whilst the individual appearance of the properties must be assessed through the submission of reserved matters, the form, scale and layout of the proposed development generates no adverse issues at this stage.

The details submitted are therefore acceptable and compliant with both Local and National requirements.

Amenity

In terms of residential amenity, the principle assessments to be undertaken are the potential impacts of the proposed two storey dwellings on the properties positioned opposite on Ben Lane and on the rear elevations of the dwellings positioned along Skipton Road. Open fields lie to the north east and south east of the site.

The proposed layout shows the dwellings would maintain a distance of approximately 35m to the bungalow properties opposite, it should be noted the proposed two storey dwellings are positioned on slightly lower ground level than these bungalows further reducing any impact. A distance of approximately 16m would remain between Plot 1 and the detached property 'The Barn' opposite, given this property would be positioned at an angle in relation to the front of these properties, the distance between these properties is seen to be acceptable.

The rear elevations of the properties on Skipton Road numbers 1 and 2 'The Elms' would be at a distance of approximately 30m from the side elevation of plot 1 which is sufficient. A distance of approximately 11m would be retained between the rear elevations of these properties and the proposed detached garages. Given the height of the 2m solid wall between these two sites, single storey height of the garages and their pitched roofed designs which would taper away from these properties, the layout of these garages would be acceptable.

The Council's Design Principles SPD advises that a minimum distance of 12m should be provided between principle windows and side elevations and 21m between principle windows which face each other. Whilst the final position of window openings in the new development will only become apparent on the submission of reserved matters, the layout of the scheme at present respects these separation distances. The style, size and type of any windows within the development can be suitably controlled in the subsequent application.

The separation, scale and massing of the dwellings would not lead to an unacceptable relationship. Additional natural landscaping will also assist in screening the development.

Policy ENV2 (Achieving Quality in Design and Conservation) states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets. In this case each property would have sufficient curtilage and the layout provides a good mixture of private and public areas without being overly cramped. The dwellings would be enclosed by 1.2m high stone

walls, which help to reflect the semi-rural character of the area.

Highways

The site will be accessed via a new access on to Ben Lane. Ben Lane is an unclassified road and is categorised as a Local access road with a speed limit of 20mph. An application for 4 dwellings does not require a transport assessment to be submitted.

It is considered the development will generate an estimated 25 vehicular movements a day with an estimated peak flow of 2 to 3 vehicles between 17:00 and 18:00. Given these details, the proposed development will have a negligible impact on highway capacity in the immediate vicinity of the site.

The five year data base for Personal Injury Accident (PIA) was checked on the 8th December 2015. This data indicated that there has been one incident near the proposed site access. This report also indicated the accident was not related to the highway. The data collected shows that the highway network surrounding the site is considered to have a good accident record and indicates there is no underlying issue which this proposed development would exacerbate.

For a road of this type sight lines of 2.0 x 43m need to be provided in both directions. The plans submitted indicate 2.4 x 43m sight lines would be provided which is sufficient and acceptable. Each property would have sufficient parking provision within its curtilage by way of driveways and garages along with room to manoeuvre and turn within the site. Highways Control have no objections to the development.

A condition requiring the formation of a footpath along only the front of the site which would end abruptly is not justified for a development of this size.

Therefore, the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site and would be in accordance with Policy 31 of the RPLP and Paragraph 32 of the NPPF.

Landscaping

Landscaping has been reserved for future approval, however, there are two large mature TPO trees along Ben Lane which may be affected by the proposal. The tree to the southern corner is shown on the drawing and referred to in the supporting text as being retained. However, there is a second tree on the verge to Ben Lane outside the adjacent dwelling to the west which is not shown on the drawing and not referenced in the text.

It is important to ensure that these two trees are successfully protected and retained and that the dimensions (trunk diameter) of the trees are given and any future drawings show that all construction is outside the calculated protection area for these trees. The Trees Officer has no objection in principle, however, a good landscaping scheme will be important to the quality of the development and would be assessed in more detail at the reserved matters stage.

Ecology

The land has no statutory designation in terms of ecology and would not affect any such designations.

Summary

The proposed development of this site for housing would make a positive contribution to the Councils housing supply and is within a sustainable location as encouraged by National guidance. Highways safety and the scale and layout of the dwellings in this location would be acceptable and

on balance, the application is recommended for approval.

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 development accords with the Local Plan and National Planning Policy 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. An application for approval of the reserved matters (namely the appearance and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 2604

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

4. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

5. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and a car parking and manoeuvring scheme shall be submitted to the Local Planning Authority for written approval. Each dwelling shall not be occupied unless and until the car parking spaces and manoeuvring areas for that dwelling have been marked out and surfaced in accordance with the approved scheme. The car parking spaces and manoeuvring areas shall thereafter at all times remain unobstructed and available for parking and manoeuvring purposes.

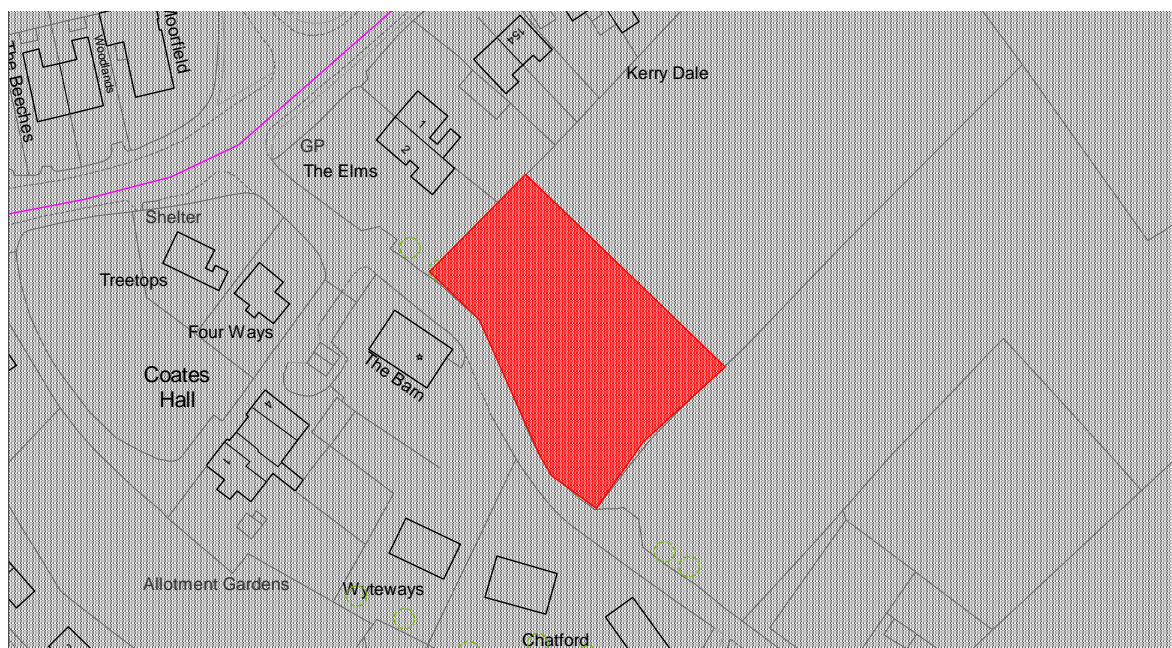
Reason: Vehicles reversing to and from the highway are a hazard to other road users.

6. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately surfaced in pavements, tarmac or other approved material.

Reason: To prevent loose surface material from being carried on to the public highway.

7. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.



Application Ref: 13/15/0546P

Ref: 19122

Proposal: Outline: Erection of 4 dwellings with garages, (Access, Layout and Scale)

At: LAND OPPOSITE THE BARN BEN LANE BARNOLDSWICK BB18 6HR

On behalf of: Mr L Green

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 22 FEBRUARY 2016

Application Ref: 13/15/0579P

Ref: 19167

Proposal: Full: Erection of single storey extension to rear and detached outbuilding to side.

At: THE STUDIO DAM HEAD BARN BLACKO BAR ROAD ROUGHLEE
NELSON BB9 6NX

On behalf of: Mr M Ford

Date Registered: 4 December 2015

Expiry Date: 29 January 2016

Case Officer: Neil Watson

This item has been referred to Development Management Committee as Barrowford and Western Parishes Committee were minded to Refuse this application on the following ground:

- Overdevelopment in the AONB, outside the settlement boundary and poor design.

This is not a reason that can be substantiated on appeal as the proposed extension would only be 4 sq.m. more than an extant approved extension and the outbuilding would result in separate footprint of 5.04 sq.m.

Site Description and Proposal

This application is brought to Committee at the request of Councillors and seeks to undertake extensions and alterations to 'The Studio' adjacent to Dam Head Barn in Roughlee.

The site has been subject to several applications in the past and permission was granted most recently to use the building as an independent dwelling, having previously been used as B&B accommodation associated with the adjacent property.

The site lies just outside the defined settlement boundary of Roughlee (circa 10m) and is within the AONB.

Relevant Planning History

13/15/0144P - Removal of Condition: Remove Condition 8 of Planning Permission 13/14/0209P to allow property to be used as a dwelling house all year round - **Approved**

13/14/0209P - Extension and change of use of garage/ancillary B & B accommodation to form a holiday cottage - **Approved**

13/10/0375P - Erect detached building for use as garage and bed & breakfast accommodation - **Approved**

Consultee Response

LCC Highways; no comments received.

Roughlee Booth PC; object;

The proposed size of the development is greater than previously requested, with the new foot print appearing to be larger, the size of this building is something that has been raised historically as it makes it outside of the settlement boundary.

The "new Stone outbuilding" is an addition to previous plans and proves that the site is expanding with its proposed positioning being on the south elevation and easily visible from the road. (i.e. not compatible with an A.O.B).

The proposed positioning of the oil tank which will be visible in front of the building is also expanding the footprint of this property and once again is not in keeping with an A.O.B and due to its proximity a listed building.

Public Response

Nine neighbours notified, site notice also displayed; no comments received.

Relevant Planning Policy

Code	Policy
ENV 1	Protecting and Enhancing Our Natural and Historic Environments
ENV 2	Achieving Quality in Design and Conservation

Officer Comments

The main issues to consider in this application are design, amenity, impact on the AONB and impact on the adjacent Listed Building.

Policy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) of the Local Plan Part 1 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. Developments should be in scale with, and have respect for their surroundings.

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.

Design and the AONB

The Planning Statement submitted with the application advises that the proposal is made in response to concerns raised by the Committee previously in relation to the 'poor' appearance of the existing structure. This revised design is sought as a preferred option to a scheme approved under ref - 13/14/0209P, which remains extant at the time of writing.

In the main, alterations and extensions would be confined to the rear of the site, replacing the existing car port. The extension would be single storey but would stand higher than the host building by 1.4m. The overall form/shape would replicate that of the existing building and whilst the massing would be greater, the impact would be negated to a degree by the presence of the original structure. It would also remain as a lesser feature in the cluster of buildings, when seen in the context of the two storey buildings adjacent.

The footprint to be created is not significantly different to that approved under the 2014 consent (approx. 4 sq m larger) and whilst the building would be taller, its overall appearance and style is less convoluted. In the earlier permission the Agent had sought to rigidly stick to the 25% volume increase threshold in Policy 2 of the former Local Plan, which in turn had created compromises in the design, such as the use of hipped and complicated roof configurations. Therefore when considering the application against current Policy, this proposed design would be more fitting in terms of the conservation of the natural beauty of the landscape.

Key views of the development would be from the highway to the east and west, when passing through the village. More intimate views would also be possible from the public footpath to the rear.

The design seeks to include traditional features, with heavy duty oak framed openings to each gable, random natural stone to the more visible walls and grey slate to the roof. This simple approach to the design would be suitable and would not detract from the appearance of the area, especially in this location which is characterised by built form within and immediately adjacent to the settlement boundary.

Concerns have been raised by the Parish in relation to the addition of further structures, namely the 'tractor hut' - a small outbuilding to be used as a store and the relocated oil tank. The would be located to the front of the site, immediately adjacent to the original building.

Almost half of the proposed oil tank would be below ground. The area projecting (some 560mm) would be located within a planting area to the front and enclosed by a low timber fence. As such the wider landscape impacts are negligible.

The 'tractor hut' would measure 2.1m by 2.4m and stand 2.7m high with a pitched roof. It would be located to the south west of the original building, within 1m at the nearest point. Owing to its modest and ancillary scale, it raises no adverse issues in terms of landscape impact, nor does it cause harm to the AONB.

Impact on the Listed Building

The development is located to the west of the Listed Buildings at Dam Head.

Policy ENV2 of the Local Plan and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seek to preserve the building and its setting or any features of special architectural or historic interest which it possesses. This approach is emphasised in the NPPF, with paragraph 133 of the Framework indicating that where there would be substantial harm or total loss of significance to a designated heritage asset, Local Authorities should refuse consent.

The proposed design raises no adverse issues with the Grade 2 Listed Buildings and would not impinge on their special quality, with the development being predominantly located to the rear of the structure.

An open aspect remains to the front of the site and enables views of the barn from the public highway when approaching from Ridge Lane and Barley New Road.

As such there is no substantial harm or loss of significance as a result of the development and the proposal therefore complies with the Local Plan.

Amenity

The proposal retains sufficient separation to existing properties and despite the increase in height, would not appear overly large or incongruous when seen from those dwellings.

Highways

Two parking spaces are to be provided, which is sufficient provision for a dwelling of the size proposed. The access remains as existing and raises no adverse highway safety issues.

Trees

TPO No,9, 2001 exists to the north of the application site. It has previously been determined that development in this location would be acceptable providing that a 12m zone is provided around the tree. The existing stone wall which forms the boundary of the site lies between the proposed extension and the tree and therefore demark the necessary separation zone.

Summary

The proposed extensions and alterations are acceptable in terms of scale, design and amenity. It would not have an adverse impact on the setting of the Listed Building or affect the character of the AONB.

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 extension is acceptable in terms of scale, design and amenity, thereby complying with Policies ENV1 and 2 of the Local 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 proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 location plan, DB23/1, DB23/2, DB23/3, DB23/4,

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

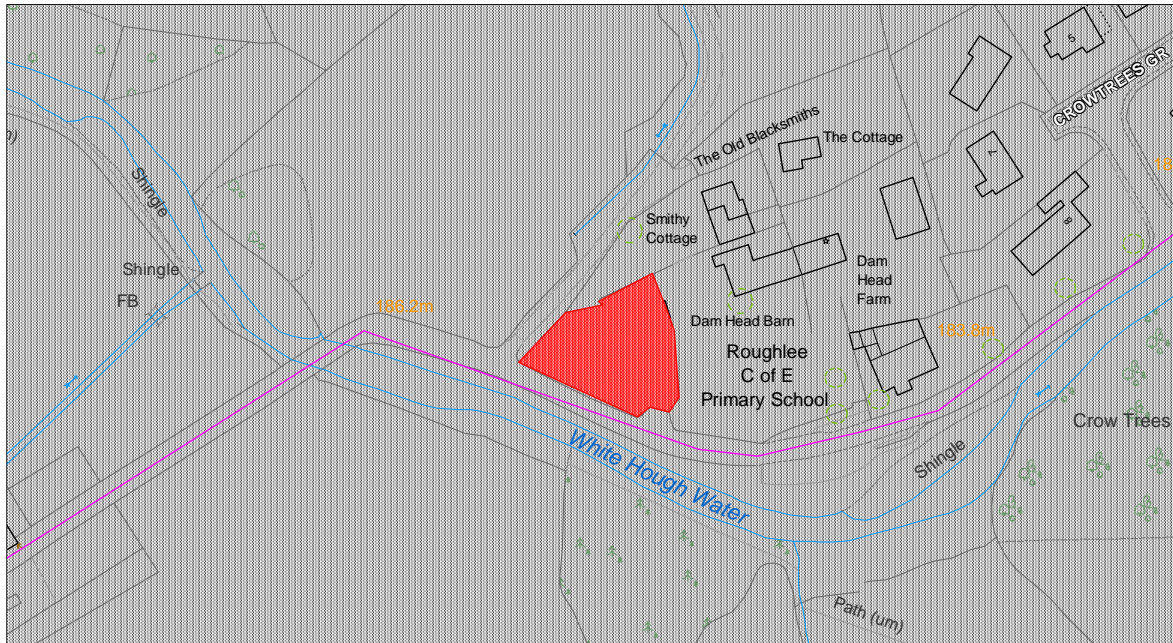
4. Unless approved in writing by the Local Planning Authority no ground clearance, construction

work, development or development-related activity of any description, including the deposit of spoil or the storage of materials shall take place within a 12m radius of TPO No.9, 2001.

Reason: In order to ensure protection of the tree during construction.

5. Prior to the first use of the extension hereby approved, the car parking spaces within the curtilage of the dwelling shall be surfaced and laid out in accordance with drawing DB23/1. The areas shall remain available for parking thereafter.

Reason: To ensure suitable parking provision within the site.



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NELSON BB9 6NX

On behalf of: Mr M Ford

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 22 FEBRUARY 2016

Application Ref: 13/15/0611P

Ref: 19202

Proposal: Full: Erection of a single storey link extension between the dwelling house and detached garage (re-submission)

At: STAG HOUSE RED LANE COLNE BB8 7JW

On behalf of: Mr & Mrs A Clark

Date Registered: 15 December 2015

Expiry Date: 9 February 2016

Case Officer: Mubeen Patel

This item has been referred to Development Management Committee as Colne & District Committee were minded to Approve this application. The approval of this proposal would be a significant departure from policy .

Site Description and Proposal

The site is located within the Green Belt. The cumulative size of the existing extensions and the proposed development would result in a disproportionate addition over and above the size of the original building which would detract from the openness of the Green Belt and thus would be inappropriate development in this location. Furthermore, there have been two previous applications at the site which were refused and which were of a similar size and design to this proposal.

The application site is a large detached house with a two storey detached garage/annex located within the Green Belt. To the south and west is open land, Red Lane passes the site to the north and Bridleway 229 to the east. The house and garage are constructed from rendered stone with natural slate roofs and timber fenestration.

The proposed development is for the erection of a single storey extension to link the main house to the detached garage/annex. The link would mainly be in the form of an orangery with glazed walls and lantern roofing. The extension will include a link corridor and sitting area, externally a small terrace has been proposed with landscaping adjacent. The development would have an overall footprint of approximately 57sqm; have a flat roofed design with the main corridor being 3m in total height. The walls of the proposed extension will be finished in render with painted dressed quoins, heads and cills.

This application is similar to two previous proposals at the site for the erection of a single storey link extension between the main house and the garage/study. Both these applications were refused as the proposed development would result in disproportionate additions over and above the size of the original building in this Green Belt location. The first application (13/13/0140P) was refused by Committee decision in June 2013, the second application was refused in April 2015 under delegation.

Relevant Planning History

13/96/0022P - Erect two storey side extension. Approved, 29/02/1996.

13/99/0085P - Demolish existing front extension and erect conservatory to the front. Approved, 12/02/1999.

13/99/0147P - Extend garden into part of field. Approved, 13/05/1999.

13/03/0143P - Demolition and rebuild of detached garage. Approved, 09/04/2003.

13/12/0380P - External alterations to detached domestic garage including the insertion of a velux window in the rear roof slope. Approved, 16/10/2012.

13/13/0140P - Erection of a domestic single storey link extension between the house and detached annex/ garage - Refused - 07/06/2013.

13/15/0123P - Erection of a single storey link extension between dwelling house and detached garage/flat building - Refused - 23/04/2015.

Consultee Response

Highways - The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway safety grounds.

Public Response

Four neighbours were notified by letter, no comments have been received.

Relevant Planning Policy

Code	Policy
ENV 1	Protecting and Enhancing Our Natural and Historic Environments
ENV 2	Achieving Quality in Design and Conservation
SPDDP	Supplementary Planning Document: Design Principles

Officer Comments

The adopted Part 1 Local Plan (“the Local Plan”) has several policies directly relating to the development. Policies ENV1 (Protecting and Enhancing Our Natural and Historic Environments) and ENV2 (Achieving Quality in Design and Conservation) require that developments should make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

In relation to Green Belt Policy ENV2 requires development to maintain the openness of green belt and protect or enhance the natural environment.

The National Planning Policy Framework considers green belts in section 9. It places an automatic policy presumption that any inappropriate development is by definition harmful to Green Belt. New building is inappropriate development unless it is one of the exceptions listed at paragraph 89. In relation to this development the only exception that could apply is that for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Paragraph 87 states that inappropriate development should not be approved unless in “very special circumstances”.

The design principles SPD contains further advice. With reference to impact on neighbours it states 'Extensions must adequately protect neighbours enjoying their own home. Extensions must not overshadow to an unacceptable degree or have an overbearing effect on neighbouring

properties. Windows in extensions should not directly and inappropriately overlook adjacent properties'.

Impact on Green Belt

The property has been significantly extended in the past, almost doubling its original size by way of a two storey extension and conservatory in the 1990s. This resulted in an approximate increase of 89% over the original dwelling. The proposed extension would increase this to approximately 145% which would increase this by almost half again.

The increase in the size of the original building to circa 145% of its original size would result in a development wholly disproportionate to the size of the original building. The development would by definition be inappropriate. As such, in accordance with Paragraph 87 of the Framework permission should only be granted if there are very special circumstances.

Although the extension would be somewhat screened by the proposed landscaping, given the height and positioning of the extension it would still be visible from bridleway 229 running to the east of the site and Red Lane to the north, the extension would increase the bulk and mass of the building when viewed from public vantage points along the bridleway and road. Taking this into account it is concluded that the proposed development, cumulatively with the existing extensions, would result in disproportionate additions over and above the size of the original building which would not protect or enhance the openness of the Green Belt by way of its siting and size contrary to Policies ENV1 and ENV2 of the Core Strategy Part 1 and the NPPF.

No circumstances have been advanced by the applicant to justify a development that falls squarely contrary to local and national planning policy. In the absence of anything to consider as being very special circumstances the development would be harmful to the Green Belt and should be refused.

Design

The proposed extension would be sympathetic to the design and materials of the existing buildings and would be acceptable in terms of design in accordance with Policy ENV2 and the guidance set out in the Design Principles SPD. However, the proposed extension would have a detrimental impact on the open character of the Green Belt.

Amenity

The proposed extension would raise no adverse residential amenity issues and is therefore acceptable in terms of amenity in accordance with policy ENV2 and the guidance set out in the Design Principles SPD.

Highways

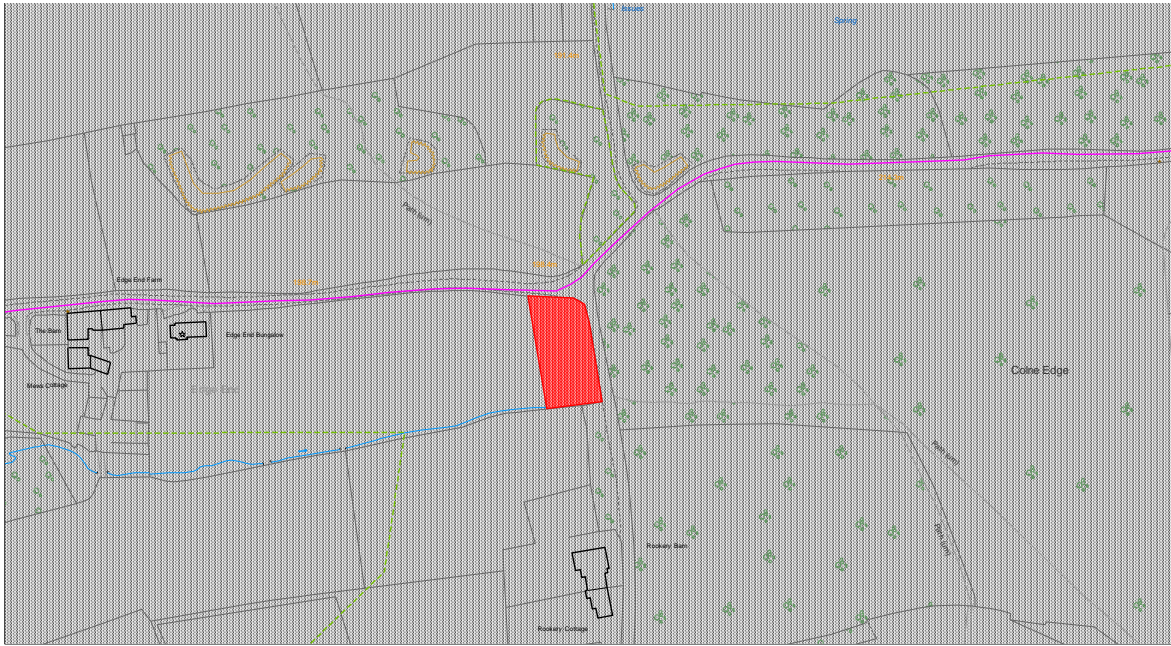
The proposed extension raises no adverse highway safety issues.

RECOMMENDATION: Refuse

For the following reasons:

1. The site is located within the Green Belt. The cumulative size of the existing extensions and the proposed development would result in a disproportionate addition over and above the size of the original building which would detract from the openness of the Green Belt and thus would be inappropriate development contrary to Policy ENV2 of the Local Plan Part 1 and the guidance policies set out in the National Planning Policy Framework specifically paragraph

87.



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LIST OF BACKGROUND PAPERS

Planning Applications

NW/HW

Date: 10th February 2016