



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

DATE: 9th June 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 9 JUNE 2016

Application Ref: 16/0123/HHO

Proposal: Full: Erection of single storey extension to the front.

At: 5 Holt Square, Barrowford BB9 6JJ

On Behalf of: Mrs Lesley Martin

Date Registered: 29th March, 2016

Expiry Date: 24th May, 2016

Case Officer: Kathryn Hughes

Site Description and Proposal

The application site is a back-to-back terraced dwellinghouse located within the settlement boundary of Barrowford and Higherford Conservation Area. No.'s 2, 4 and 6 Holt Square, located 15m to the north of the site, is a Grade II Listed Building.

The proposal is to erect a single storey extension to the front elevation.

The extension would measure 4.18m x 4m x 3.687m to ridge (2.391m to eaves) finished in stone and natural grey slate to match the existing.

Planning History

None.

Consultee Response

LCC Highways – No objection.

PBC Conservation Officer – raises concerns over the size and bulk of the proposed extension and its potential to dominate the front elevation of the cottage and the row. Amended plans have been submitted to address these comments.

PBC Environment Officer – TPO No. 1, 1974 is extant nearby of land to the west. There is sufficient distance away as to be unaffected by this proposal. No objections.

Barrowford Parish Council

Public Response

Site and press notices posted and nearest neighbours notified by letter without response.

Officer Comments

The main considerations for this application are policy, impact on conservation area, impact on amenity, design and materials and highway issues.

1. Policy Issues

The relevant policies are:

ENV1 covers protection and enhancement of the natural and historic environment including biodiversity, ecology, trees, landscapes, open space and green infrastructure and historic environment.

ENV2 sets out general design principles, historic environment and climate change.

Supplementary Planning Document: Conservation Design and Development Guidance provides guidance on design and materials on sites within conservation areas. This is addressed in the Impact on Conservation Area section.

The Design Principles SPD applies to extension and sets out the aspects required for good design.

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

2. Impact on Conservation Area

Local Authorities have a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve and enhance the appearance and character of Conservation Areas.

No 5 Holt Square is one of a row of small back to back cottages dating from around 1830, probably built to house workers at Higherford Mill. It incorporates a small part of an adjacent former barn. The barn is earlier in date, being related to the late 16th century farmhouse at Holt Square, now cottages, listed Grade II. The barn and back to back cottages are not listed but lie within Higherford Conservation Area. The cottages are simply constructed of local stone and stone slate with square stone window and door surrounds; they are unusual within Pendle for still retaining their original back to back form and occupation. Though not listed these cottages have their own heritage significance which derives from all these elements. They also make an important contribution to the character and appearance of the Higherford Conservation Area. The listed building at 2, 4, and 6 Holt Square is set at 90 degrees to the cottage row and faces onto their gardens. Although there is some intervening screening from greenery and garden sheds, the fronts of the cottages do contribute to and enclose the immediate setting of the listed building.

Because the cottages are back to back, the proposed extension would be to the single front elevation of the cottage. The extension would project 4m from the front façade, also overlapping part of the frontage to the barn. The 4.18m width means that the ridge of the pitched roof would extend above the sill level of the first floor windows. Whilst the proposed extension would be visible from the listed building and its immediate surroundings it would not be so prominent or in such close proximity as to adversely affect the relationship between the listed building and its setting, and the character and appearance of the conservation area.

No 1 Holt Square has a smaller front extension in a gabled form which due to its smaller size does not dominate the original cottage and can clearly be seen as an extension to the historic back to back cottage form.

The amended plans reduce the size and prominence of the proposed extension and this assists in preserving its significance, the setting of the listed building and the character and appearance of the conservation area to an acceptable degree.

The proposal therefore accords with ENV1.

3. Impact on Amenity

The extension would retain adequate separation distances between the adjoining properties.

The proposed extension would be acceptable in this location and would not unduly impact on amenity due to the property's location and its position at the end of the road with limited public viewpoints.

The proposal therefore accords with policy ENV2.

4. Design and Materials

Materials in natural stone and surrounds and natural grey slate to match the existing dwelling are proposed. These are acceptable subject to samples being submitted.

The design and materials proposed are acceptable in this location and are similar to other properties in the area.

The proposal therefore accords with policy ENV2.

5. Highway Issues

At present the dwelling has no off street parking provision but as this proposal would not increase the number of bedrooms this is acceptable.

This is acceptable and accords with policy 31.

6. Summary

The scheme as proposed is acceptable in terms of design and materials, impact on the conservation, nearby Listed Building and amenity and therefore accords with policy.

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 proposal is acceptable in terms of design and impact on the conservation area and would not impact on amenity or raise highway safety issues. 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 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.

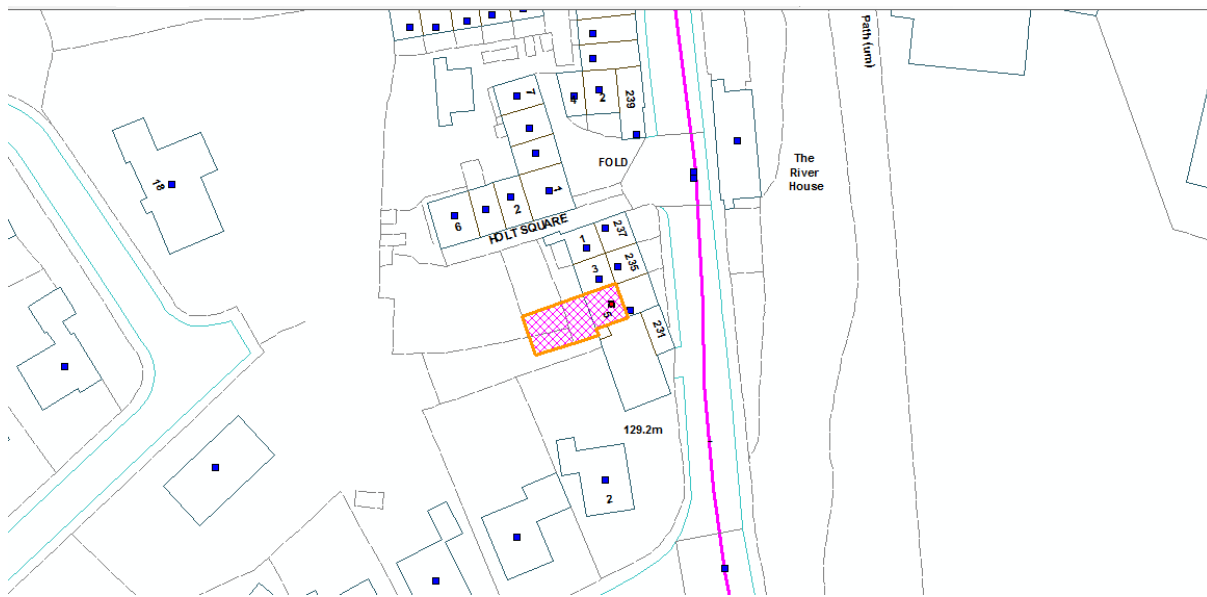
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

2016/3/1A.

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

3. Prior to the commencement of development samples of the proposed materials shall have been submitted to and approved in writing by Local Planning Authority. A sample panel of the approved stone coursing and pointing shall be erected on the site for approval by the Local Planning Authority prior to the extension being commenced. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: In order to ensure that the materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.



Application Ref: 16/0123/HHO

Proposal: Full: Erection of single storey extension to the front.

At: 5 Holt Square, Barrowford BB9 6JJ

On Behalf of: Mrs Lesley Martin

COMMITTEE REPORT TO BARROWFORD COMMITTEE 9th JUNE 2016

Application Ref: 16/0277/HHO

Ref: 19176

Proposal: Full: Lift roof of property to create first floor, erection of two storey extension to front and associated external alterations.

At: 4 SANDY HALL LANE BARROWFORD NELSON BB9 6QH

On behalf of: Mr A Leach

Date Registered: 4 April 2016

Expiry Date: 30th May 2016

Case Officer: Neil Watson

Site Description and Proposal

The site is located outside the settlement boundary and falls with the Open Countryside and Green Belt. It is also within the boundary of the Carr Hall and Wheatley Lane Road Conservation Area.

The building is a single storey bungalow with accommodation built into the roof space. There is a dormer on the front and rear elevations, the rear one being large and modern in nature.

There is a single storey flat roof extension which at the rear.

The property to the south east is screened from the site by a hedge circa 2m in height and there are some mature trees also between the two.

The property to the north west is a two storey building separated from the site by a conifer hedge which is circa 2.5m in height.

Relevant Planning History

The porch extension to the front of the building and the rear extension gained planning permission under applications 1365 and 75/9050 respectively.

Consultee Response

LCC Highways; no objections subject to a condition.

PBC Trees; some trees within the site would have to be removed, however these are not TPO worthy and are of low merit.

Barrowford Parish Council: Objection. The design scale and massing of converting a bungalow into a two storey dwelling would adversely affect the setting and character of the Carr Hall conservation area and reduce the visual amenity and setting of the adjacent greenbelt.

Public Response

Four neighbours notified, site and press notice displayed; responses have been received from two consultees. One letter asks for clarification and the other objects to the development for the reasons specified below:

- Would like to know the percentage increase proposed
- Agree with the previous report
- Development not proportionate
- There is a blind bend with awkward junctions with commuter traffic travelling at speed.
- Requests that comments reported verbatim (comments are available but have been précised)
- Development still at least 2m higher than existing property.
- All roof lines have been affected and there are material additions on all elevations.
- The volume remains almost double the size of the original house.
- The combination of the size increase and the significant increase in the scale and massing could not be described as being proportionate increases to the existing dwelling.
- I can find nothing in the modifications which have been contrived which should on the facts in any way substantially or materially affect your original finding.
- Plastic cladding is out of place.

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

For the reasons outlined below the main issue here is the impact on the green belt and the policy implications for that. All other issues are acceptable.

Policy

Policies ENV1 and ENV2 of the Local Plan Part 1 states that new development should protect and enhance the environment by way of their design, whilst maintaining the openness of the Green Belt.

ENV1 also states that heritage assets will be conserved/enhanced in a manner appropriate to their significance. Proposal should ensure that the harm is not caused without clear and convincing justification.

The Design Principles SPD explains that raising the ridge level of a property is not normally acceptable unless it would not have an adverse impact on the character of the building or the street scene.

The National Planning Policy Framework ('the Framework') constitutes the Government's view of what sustainable development in England means in practice for the planning system. With regard to Green Belt, paragraphs 79 - 92 are relevant.

Paragraph 87 states that inappropriate development should not be approved except in very special circumstances. Paragraph 89 advises that amongst others, the following is deemed to be an exception to the definition of inappropriate development;

"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"

Therefore the primary assessment to undertake in an application of this nature is whether the development meets the defined exception above and whether harm is caused to the character or appearance of the Conservation Area.

Design

Poor design is not acceptable both in terms of policy ENV1 of the Local Plan and paragraph 64 of the Framework.

The existing development is a bungalow that has been added to by the erection of unsympathetic dormers to both front and rear and the additional of a flat roofed rear garage extension. It is not of a good design quality in its existing form.

The proposal seeks to extend the structure by lifting the roof. The height of this is kept lower by the use of a series of pitched roofs. All elevations except the rear one are not visible from public vantage points. The rear elevation would appear simple in form and would use a combination of render and cedar cladding. The predominant materials that can be seen on the rear of dwellings in the row is white render, although there are other materials present. The use of white render and cedar cladding would be an acceptable material combination.

Precise details of the materials should be required by condition.

Impact on the Green Belt

The application site lies in the Green Belt and as such is the subject of the provisions of section 9 of the Framework and policy ENV 1 of the adopted Core Strategy. The Framework sets out that inappropriate development is by definition harmful to Green Belt. Where development is inappropriate then very special circumstances need to be demonstrated for the development to be allowed. The applicant is not relying on any very special circumstances to justify the development.

Paragraph 89 of the Framework sets out what is not inappropriate development. The third bullet point is relevant for this application which states that inappropriate development is not:

- "the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building"

There is no definition of what is or is not a disproportionate extension. The merits of each case therefore need to be assessed.

There has been discussions with the applicant on the % increase of what is now proposed vis-à-vis the size of the original property. This is one measure to gauge if a development is disproportionate. The initial figures stated in the application were that the extension would be 32%.

This was questioned by us and we have now agreed that the proposals would result in a 46% increase.

The property is well screened from all public vantage points except that to the north east. Here the property is seen from the public footpath located two fields away. It is however clearly seen from there and this is the direction that would have the main impact on the openness of the green belt.

Comments have been received indicating that the height of the property has been increased by more than 2m above the existing building. The highest part of the new roof would however be 0.9m above the existing roof. The width of the property has not been extended but the hips on either side have been built up to include pitched roofs.

Whilst the overall massing of the building will increase the issue is whether this is disproportionate to the original building. The modest increase in height and the containment of the width of the building to the existing width, coupled with the overall increase in volume of 46% would not in this case result in a development that would be disproportionate to the existing property and therefore is in line with the policies outlined above on green belt.

Impact on the Conservation Area

The site is within the Carr Hall and Wheatley Lane Road Conservation Area and Sandy Hall Lane is mentioned in the Appraisal document as contributing in various ways. This section is not however identified as forming part of a key vista or of the buildings making a special contribution to the area.

The site itself does not play an important role in the overall significance of the designated heritage asset. The significance of the asset in this location is low.

The impact the development would have on the asset would lead to less than substantial harm to it. There would be a public benefit of investing in the site which would outweigh any harm on the significance of the asset.

Highways

Access arrangements from the lane are to remain as existing with some works within the curtilage to increase the width of the driveway to improve manoeuvring space. An existing garage is also to be retained at the rear of the plot.

LCC have assessed the scheme and raise no objections in terms of highway safety and capacity.

Amenity

There would be openings in the south east side of the dwelling. Due to the design of the property next door and the high hedge and trees in situ there would be no loss of privacy.

The north west elevation similarly would face a high hedge. The ground floor window in the play room (indicated as opaque to bathroom on the plans) would have an acceptable relationship with the house next door. The bay windows and side windows on the rear elevation would not cause any loss of privacy due to their angle, distance and vegetation in between the two properties.

Comments have been received regarding how the site will be developed and how deliveries etc would be controlled. A condition requiring details of this to be approved would be appropriate.

Trees

.There would be no adverse impacts on any trees.

Drainage

No comments or objections have been received from statutory drainage bodies.

RECOMMENDATION: Approve

For the following reasons:

1 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall not be commenced unless and until details of types and colours of all the facing materials have been 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 details.

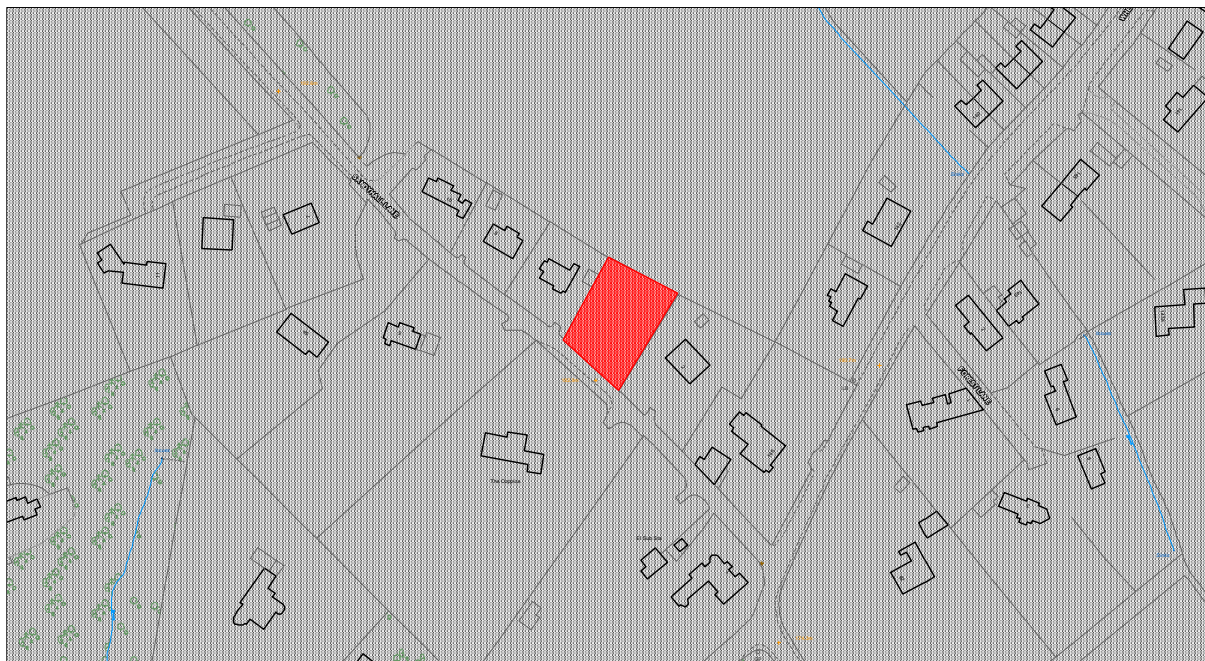
Reason: To ensure that the external appearance of the development is satisfactory.

3 No part of the development shall be commenced unless and until a construction statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the measures to be undertaken during construction to manage and mitigate the main environmental effects of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- d) Methods for dust control and suppression including asbestos controls and undertaking of regular dust monitoring including when dust monitoring and dust control/suppression are to be implemented.
- e) Measures to minimise noise disturbance to neighbours.

All works agreed as part of the statement shall be implemented at all times during the construction of the development hereby authorised.

Reason: In order to ensure the orderly development of the site and to prevent a detrimental impact on the amenity of adjoining residents.



Application Ref: 16/0277/HHO

Proposal: Full: Lift roof of property to create first floor, erection of two storey extension to front and associated external alterations.

At: 4 SANDY HALL LANE BARROWFORD NELSON BB9 6QH

On behalf of: Mr A Leach

COMMITTEE REPORT TO BARROWFORD COMMITTEE 9th JUNE 2016

Application Ref: 16/0316/FUL
Proposal: Full: Erection a building for the sale of canine products
At: Douglas Hall Cottage, Spenbrook
On behalf of: Mr Lancaster
Date Registered: 3rd May 2016
Expiry Date: 28th June 2016
Case Officer: Neil Watson

Site Description and Proposal

The application site is located in an Area of Outstanding Natural Beauty. It is situated in an elevated location on the eastern side of the site with a newly constructed track to the north of it.

The building has been constructed and sits next to a single storey stone structure which in turn sits next to a traditional row of cottages.

Two buildings have been built to the rear of the site with a further unauthorised building erected to the rear. These latter structures are the subject of a separate report.

Relevant Planning History

The site has several planning permission granted for it that are relevant:

13/14/0442P Erection of an extension and creation of a granny annex.

13/14/0052P Formation of an access and track (Part Retrospective).

13/15/0110P Retention of a dog breeding kennel (retrospective)

13/15/0516P Erection of an agricultural building – Refused and at appeal.

13/15/0581P Erection of a stable and change of use of land - Approved

Consultee Response

LCC Highways; no objections.

Goldshaw Booth Parish Council: Objection. It states in the forms that the site cannot be seen from a public road or public footpath but this is factually incorrect. Point to a previous letter from the application which indicates that the site will be less commercialised and will be run as a hobby business. The Parish feel that an out of town pet store is not in keeping with the AONB.

Public Response

No comments have been received on the application

Officer Comments

This application has been made retrospectively as the building has been erected. The application has not been accompanied by a supporting statement. The description of development is for the “retention of a building for the sale of canine products”. The proposal is for an A1 retail development. No details of the nature of the products proposed to be sold have been provided although the description says the development is for the sale of canine products. The applicant has been asked whether they wish to supply a supporting statement but nothing has been received at the time of writing this report.

The application is to retain a single storey building. The building however sits on top of a wall and this has an impact in terms of the how the mass of the building appears. It has been erected and is coloured white under a roof.

Planning permission has been granted for the erection of one modest building to be used for kennels. However another structure has been erected which is also being used by dogs. This building sits to the rear of the application site.

National Planning Policy Framework

Planning policy nationally is set out in the National Planning Policy Framework (“the Framework”). This sets out the economic, social and environmental role that planning has.

Part 3 deals with supporting a prosperous rural economy. It supports sustainable growth and expansion of all types of businesses. It also supports the diversification of agricultural and other land based rural businesses as well as retaining local services and rural communities. The encouragement of growth is predicated on the conversion of existing buildings and well-designed new buildings.

Paragraph 24 states that local planning authorities should apply a sequential test for main town centre uses that are not in an existing town centre. It indicates that main town centre uses should be located in town centres and only if suitable sites are not available should out of centre locations be considered.

Paragraph 64 states that planning permission should be refused for poor design.

Paragraph 115 requires great weight to be given to conserving the landscape and scenic beauty in, amongst others, Areas of Outstanding Natural Beauty.

Adopted Core Strategy

Policy ENV1 requires great weight to be given to the landscape and scenic beauty of the AONB. Proposals are to be considered on a needs basis and be in scale and respect for their surroundings.

Policy WRK 4 requires retained developments to support the spatial development strategy of the CS and to follow a sequential approach to site locations. For out of centre locations sites should be well served by a choice of means of transport and have higher likelihood of links with a nearby centre.

For rural Pendle the focus of retail development should be to serve the needs of the rural community.

As outlined in the appeal at Boothman Wood (APP/E2340/A/12/2186941) the AONB has special qualities and character. Development within it needs to be sensitively designed and located.

Landscape Impact and Design

The location of the site chosen is to extend the linear form of the traditional buildings. This is juxtaposed to the location of the new buildings which have been listed so as to be masked by existing vegetation and buildings.

The site is highly conspicuous from wide vantage points across the valley.

The building bears no relationship in terms of design with its surroundings and is poorly related in design to the existing structures.

The combination of the poor design and the conspicuous location of the site results in a development that is highly intrusive and detrimental to the landscape and considerably harms the AONB. The development is unacceptable in terms of its landscape impact.

Retail Development

As outlined above new retail development should be located in accordance with a sequential approach to the location of retail developments. Rural business can be supported by retail developments but these need to be justified on a needs basis, serve the needs of the rural community and be well served by a choice of means of transport.

No justification statement has been submitted to support the application. The development of a retail unit for sale of canine items serves a generic retail function and is not specific to a rural location. The site is isolated and not well served by a choice of transport.

No needs assessment has accompanied the application and the development therefore would not comply with policy ENV 1.

In conclusion the development is not sustainable development and the location is not acceptable for an open A1 retail use.

RECOMMENDATION: Refuse

For the following reasons:

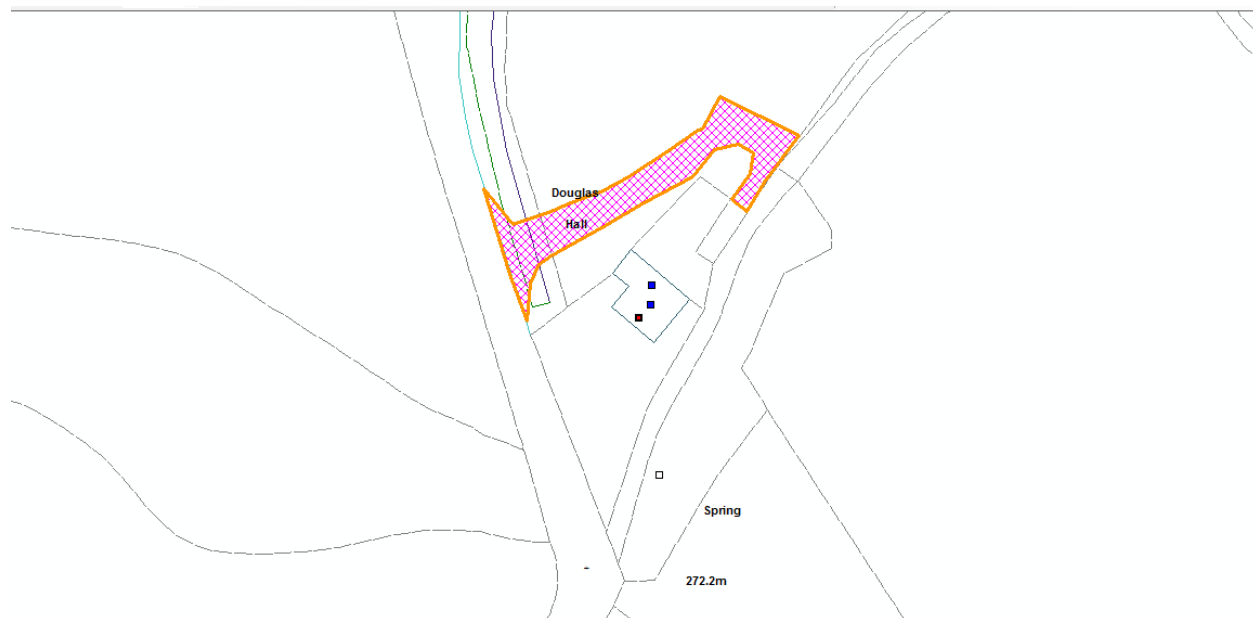
- 1 The development is poor in design and is highly conspicuous in the landscape. It results in a significant and detrimental impact on the Area of Outstanding Natural Beauty contrary to the policy ENV 1 of the adopted Core Strategy and the policies in the National Planning Policy Framework.
- 2 The retail development is located in an isolated location in the open countryside outside of a town centre. It is poorly served by public transport, does not serve the rural community and would not have any links with any nearby centre. The proposal would not result in sustainable development and would be contrary to Policies ENV 1 and WRK 4 of the adopted Core Strategy and to the National Planning Policy Framework.

Enforcement

The planning application has been made in retrospect with the full knowledge of the developer that planning permission was needed for the development.

The development significantly harms the AONB for the reasons set out in the recommendation to refuse planning permission.

In the circumstances it is recommended that an Enforcement Notice is served to require that the building is demolished, removed from the land and the site restored to its former condition.



Application Ref: 16/0316/FUL
Proposal: Full: Erection a building for the sale of canine products
At: Douglas Hall Cottage, Spenbrook
On behalf of: Mr Lancaster

LIST OF BACKGROUND PAPERS

Planning Applications

NW/HW

Date: 31st May 2016