



**REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER**

**TO: COLNE & DISTRICT COMMITTEE**

**DATE: 12<sup>th</sup> JANUARY, 2017**

**Report Author: Neil Watson**  
**Tel. No: 01282 661706**  
**E-mail: [neil.watson@pendle.gov.uk](mailto:neil.watson@pendle.gov.uk)**

## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## REPORT TO COLNE & DISTRICT COMMITTEE 12<sup>th</sup> JANUARY, 2017

**Application Ref:** 16/0759/HHO

**Proposal:** Full: Demolition of existing extension and erection of two storey extension to rear.

**At:** Claines Skipton Old Road Colne

**On behalf of:** Mr John Macbeth

**Date Registered:** 23 November 2016

**Expiry Date:** 18 January 2017

**Case Officer:** Kathryn Hughes

### **Site Description and Proposal**

The application site is a detached stone built house located within the settlement boundary of Colne. The house sits raised above Skipton Old Road in a large plot. It is constructed from natural stone with natural blue slate roof and upvc fenestration.

The site lies within the Lidgett & Bents Conservation Area for which a conservation appraisal was carried out in March 1999.

The proposed development is to demolish the existing single storey rear extensions and the erect a two storey extension to the rear which encompasses the existing two storey rear extension. The proposed two storey extension would measure 3.912m x 3.404m (x 2) with a height of 7.79m (5.823m to eaves). The extension would be constructed from natural stone with slate roof and upvc fenestration.

### **Relevant Planning History**

16/0563/HHO - Full: Demolition of existing extension and erection of two storey extension to rear – Withdrawn.

### **Consultee Response**

LCC Highways – There would be no loss of off-road parking provision or manoeuvring area the proposal raises no highway concerns. Therefore I would raise no objection to the proposal on highway safety grounds.

Colne Town Council

### **Public Response**

Nearest neighbours notified by letter. Publicity expires on the 11<sup>th</sup> January any comments received will be reported to the meeting.

### **Officer Comments**

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

#### 1. Policy

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.

The Design Principles Supplementary Planning Document applies to extensions and set out the aspects required for good design whilst the Conservation Area Design and Development Guidance Supplementary Planning Document applies to development within Conservation Areas.

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

## 2. Impact on Residential Amenity

The two storey rear extension would retain adequate separation distances between the nearest properties.

The proposed extension would be acceptable in terms of impact on residential amenity.

## 3. Impact on the Conservation Area and Amenity

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.

The site is prominent in the streetscene and the side elevations of the two storey extension would be visible from public vantage points along Skipton Old Road and the adjacent footpath which runs to the side onto Bents and allows view of the side and rear elevations.

The building is a simple pitched roof stone dwelling of the late 19<sup>th</sup> century.

The Conservation Area Design and Development Guidance SPD states that extensions should not dominate the existing building in their position, size or scale and should be well designed and detailed.

Extensions should be subservient to the original building with rear extensions respecting the architectural form and roof slopes. Extensions which extend across the full rear width of a building are likely to be difficult to accommodate without affecting the character and form of a building particularly rear extensions of two storey or above.

The large overall width of the proposed extension along the rear elevation of the house would result in an oversized roof of shallower pitch than that of the existing main building. This emphasises the bulk of the extension in comparison to the main house and the overall scale of the extension therefore does not relate well to the existing building and roof form. The proportions of the gable when seen from the rear would be out of character with the typical vernacular roof forms of both the house itself and those of the surrounding vernacular buildings.

This proposal does not respect the architectural form and would submerge the existing rear elevation and outrigger and replace this with a large mass of building which would dominate and erode the historic character of this attractive detached property.

In terms of scale, design and massing it would have a negative impact on the conservation area.

The proposed extension would have a significant impact on the Lidgett and Bents Conservation Area and fails to accord with policy ENV2 of the Pendle Local Plan in this respect.

#### 4. Design and Materials

These plans propose a single two storey pitched roof extension encompassing the original two storey outrigger.

This is not an appropriate design and would result in a large, overbearing extension that would submerge and the original

In relation to two storey rear extensions the Design Principles SPD states these should not breach the 45 degree rule and have a pitched roof. This development complies with this.

Materials in natural coursed stone and blue slate to match the existing house are proposed. The forms and plans state that the fenestration would be white upvc with stone surrounds to match existing. The windows in the front elevation have recently been replaced with brown upvc which as a domestic property with no restrictions in place is accepted. Whilst the windows in the proposed extension could be controlled as timber or white upvc this would not be reasonable given that the front elevation is more prominent and can and has been changed under permitted development rights.

The materials proposed are acceptable in this location and are similar to other properties in the area. However, the large two storey rear extension would appear as a large mass on the rear elevation and envelope the original two storey outrigger. The shallow pitch roof gable roof would be out of character on this property in this area.

The proposal therefore does not accord with policy ENV2 of the Pendle Local Plan in this respect.

#### 5. Highway Issues

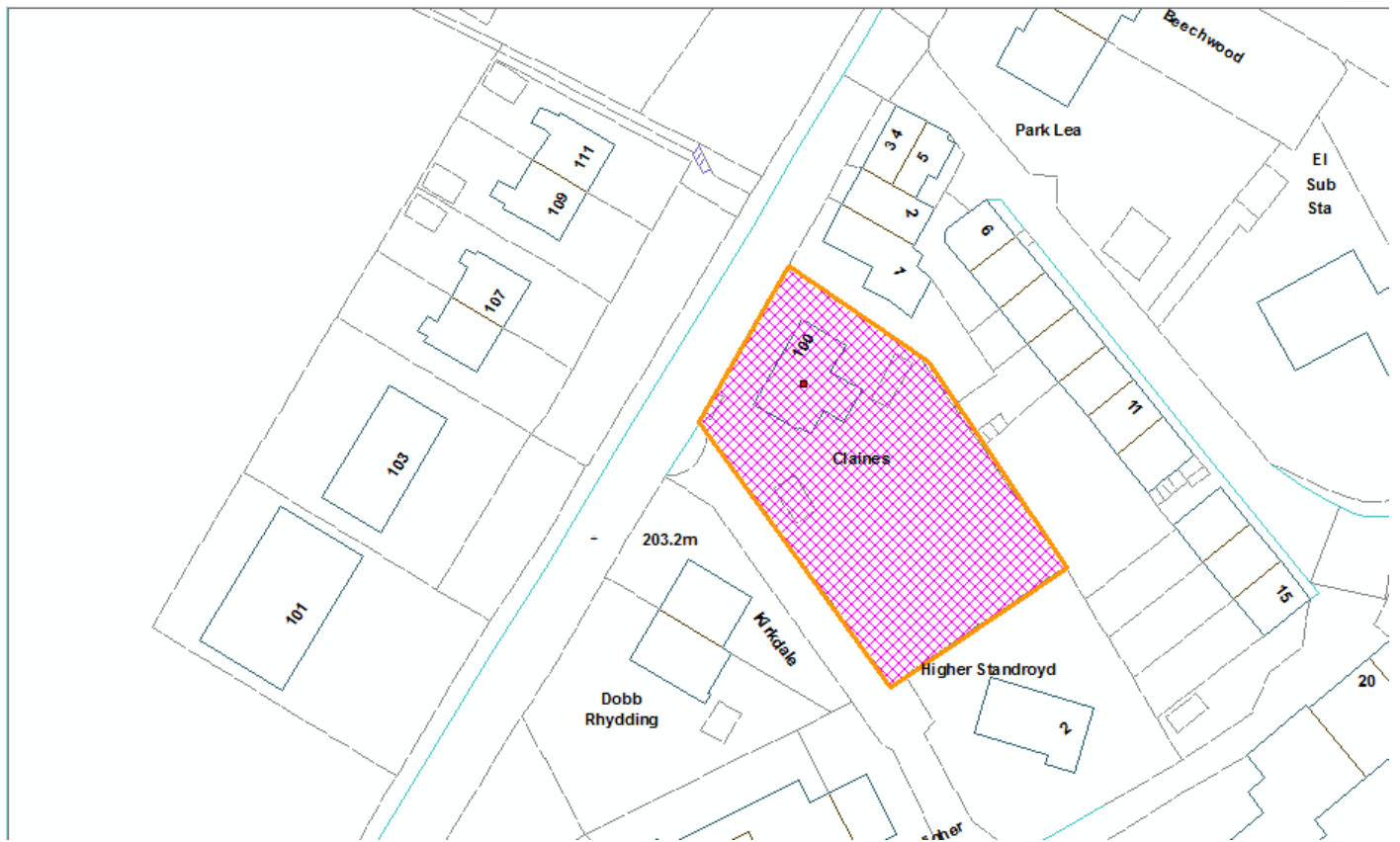
At present the dwelling has three bedrooms and has off street parking provision for more than three vehicles. The proposal would not increase the number of bedrooms and therefore this is acceptable and accords with policy 31.

#### 6. Summary

The scheme as proposed would fail to preserve or enhance the appearance and character of the conservation area and would have an unacceptable impact in terms of scale, design and massing on the Lidgett and Bents Conservation Area and does not therefore accord with policy ENV2 of the Pendle Local Plan and the Conservation Area Design and Development Guidance SPD.

### **RECOMMENDATION: Refuse**

The scheme as proposed would result in unacceptable harm to the conservation area by virtue of its scale, design and massing to the detriment of the Lidgett and Bents Conservation Area and would fail to preserve and enhance the appearance and character of the conservation area and therefore does not therefore accord with policy ENV2 of Pendle Local Plan Core Strategy: Part 1 and the Conservation Area Design and Development Supplementary Planning Document.



**Application Ref:** 16/0759/HHO

**Proposal:** Full: Demolition of existing extension and erection of two storey extension to rear.

**At:** Claines Skipton Old Road Colne

**On behalf of:** Mr John Macbeth

## REPORT TO COLNE AND DISTRICT COMMITTEE 12 JANUARY 2017

**Application Ref:** 16/0768/FUL

**Proposal:** Full: Erection of two kiosks on forecourt (532 Sq. m) and demolition of existing kiosks (110 Sq. m).

**At:** Boundary Mill, Vivary Way, Colne

**On behalf of:** Libra Textiles Ltd

**Date Registered:** 30 November 2016

**Expiry Date:** 25 January 2017

**Case Officer:** Lee Greenwood

### **Site Description and Proposal**

This application seeks to erect two new extensions to the front elevation of the existing Boundary Mill store in Colne. The additions would be single storey and located at either side of the main entrance to the building. One would house a new café (A3) and the other a farm shop (A1).

Unlike the existing free standing units they are to replace, the additions would have direct access to and from the main store, along with external access from the forecourt area.

The site is within the settlement boundary and of no special designation in the Local Plan.

### **Relevant Planning History**

**13/06/0203P** – erection of retail store, warehouse, offices and restaurant - **Approved**

### **Consultee Response**

**LCC Highways;** no objections.

**PBC Trees/Environment;** no objections

**Lancs Constabulary;** no comments received at time of writing

**National Grid;** no comments received at time of writing

**Colne Town Council;** no comments received at time of writing

### **Public Response**

**Eighty Five neighbours notified, site and press notices also displayed;** no comments received at time of writing – any responses will be reported by way of an update.

### **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 (the 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.

## **Local Plan Part 1: Core Strategy**

The following Local Plan policies are relevant to this application:

Policy ENV2 encourages 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 ENV4 advises that development should have regard to the potential impacts they may cause to the highway network. Where these impacts are severe, permission should be refused.

Policy WRK4 advises that town and local shopping centres will be the primary focus for new retail development in Pendle. It also details the sequential site selection approach which should be taken for development outside of these centres. Borough wide, the M65 corridor will be the main focus for new retail development.

Policy 31 'Parking' requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

## **National Planning Policy Framework**

In national terms the National Planning Policy Framework ("the Framework") provides guidance on retail uses, design and sustainable development which is relevant to this proposal. Additional information is also found within the Planning Practice Guidance (PPG) document which supports the Framework.

Paragraph 24 details the sequential approach to out of centre uses, as referred to in Policy WRK4. The PPG (paragraphs 006 – 012) advises that uses outside existing centres should ensure that no likely significant adverse impacts arise on those centres. Beyond centre (and edge of centre) sites, those in accessible locations will be prioritised.

Paragraph 32 advises that new development should only be refused on highway grounds where residual cumulative impacts of the development are severe.

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

## **Officer Comments**

### **Principle of Development & the Sequential Test**

Both Policy WRK4 and paragraph 24 of the Framework are clear in requiring a sequential test for planning applications which propose main town centre uses which are outside of those defined areas. Here the scheme seeks to create A1 and A3 uses beyond the Colne Town Centre boundary (which is circa 350m away as the crow flies to the east) as extensions to the existing Boundary Mill store.

As such the applicant has provided an assessment which looks at available alternative sites within or adjacent to Colne town centre. The test relates to the A1 use only as the original consent for the store limited activities to non-food retail only. The A3 element seeks to provide an addition to existing ancillary facilities within the store and is therefore site specific.

The A1 aspect of development seeks to provide a 'farm shop', measuring 266 sq m in floor area. Back of house assistance and storage requirements for both uses are to be met within the existing store.

The alternative site search takes in 5 possible locations, set within certain parameters (size, location, ground floor units, access to parking etc) and is formulated via desk top review, site visits and engagement with local property agents.

Of those identified as broadly fitting these thresholds, none were deemed to be suitable either by way of their size, tenure or wider redevelopment plans. Based on information held by the Council, the vacancy rate of town centre units is roughly 10% of all commercial properties, which in itself provides limitations on availability.

The PPG (para 010) advises that the application of the test should be proportionate and appropriate to the development in question. It also sets out the criteria which should be covered in the sequential approach. Here the applicant has considered both centre and edge of centre sites as required and set out reasoning for each. The test is proportionate for the scale of development and its findings accepted.

Subsequently, the impact of the proposed development and its location at this site must be assessed in the absence of a suitable alternative. A retail use of this scale (which does not require an impact assessment) and in this location would not have a significant or unacceptable impact in the vitality of Colne Town Centre. The development is to act as an integral part of the existing store and users of the facilities are highly likely to be those already making visits to the site as a whole, rather than generating individual journeys. Because of this it is unlikely to draw specific custom away from the town centre.

The site is within an accessible location and can be reached by private vehicle, a network of adjacent paths which link to the town centre and bus service.

The use and activities within the proposed extensions can be controlled by condition. As such, in light of the issues above, the development does not conflict with the aims of the Local Plan, the Framework or Planning Practice Guidance.

## **Design**

The proposed extensions would replace two free standing kiosks to the main elevation of the site. The design proposed is coherent in this context and the additions will be seen as ancillary features when set against the larger main store and warehouse.

The external materials would include stone and glazing to the walls and blue slate to the roof, similar to the units in situ.

The design is therefore acceptable and compliant with Policy ENV2.

## **Highways**

The proposed development would increase floorspace at the site but would not lead to unacceptable access or parking issues. As complimentary and ancillary elements to the larger store a significant increase in the number of vehicles visiting the site is unlikely.

There are a total of 889 spaces available on the site as a whole. LCC Engineers have assessed the proposal and raise no objections in terms of highway safety, existing parking capacity or the need for additional provision.

## **Residential Amenity**

Accounting for the scale of development and proximity of the nearest dwellings, the proposal raises no undue concerns.



## Summary

The proposed development is acceptable in terms of location, design, highway safety and impact on the town centre. It therefore complies with the Local Plan Part 1 and the National Planning Policy Framework.

### **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: BMS010-01, 2662.1B

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

3. All materials to be used in the proposed development shall be as stated on the approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

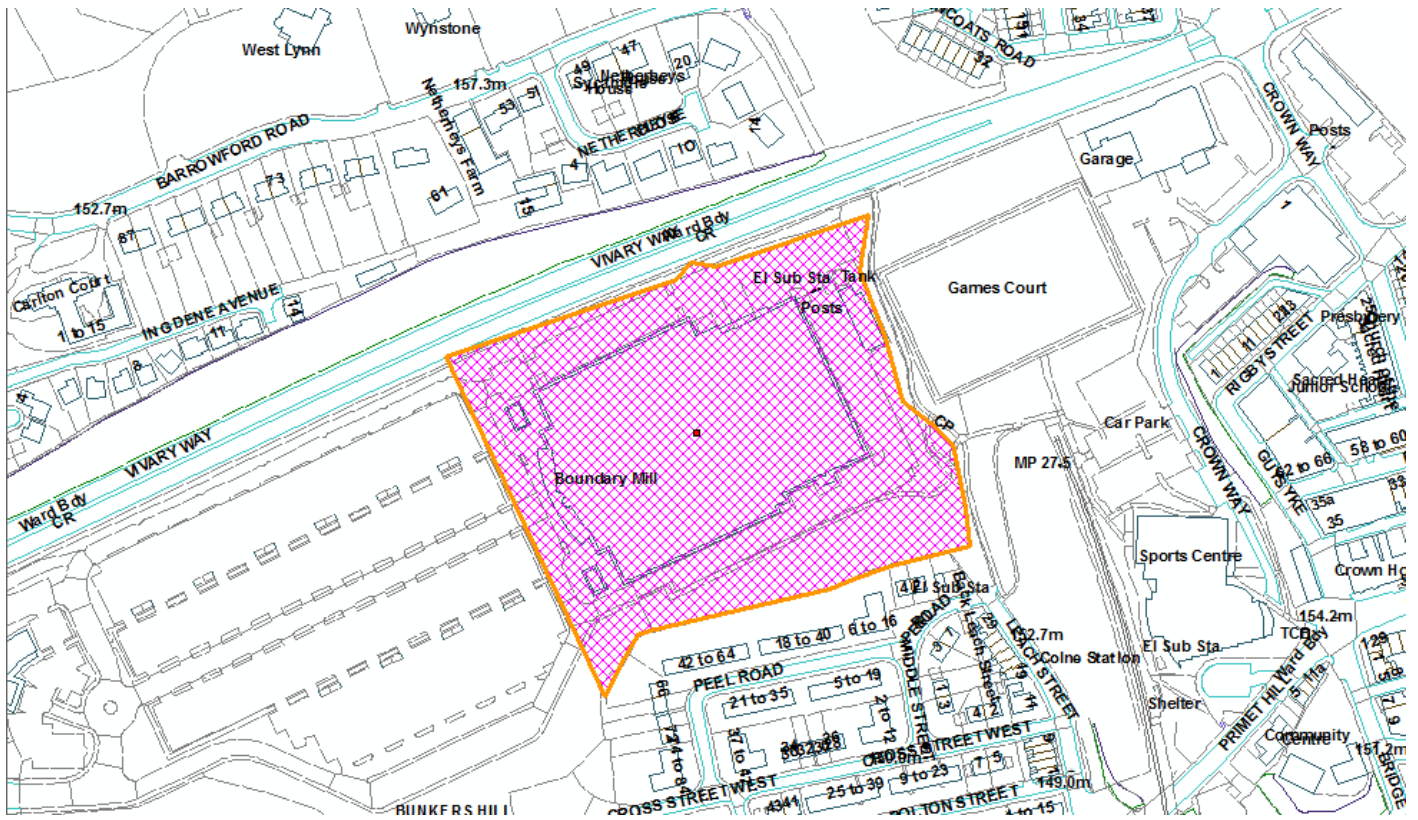
**Reason:** These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The extensions hereby approved shall, as detailed in the Sequential Assessment report dated November 2016, be used in conjunction with and ancillary to the existing store and shall not be used as independent units at any time. As shown on the approved plans, they shall be used for Use Classes A1 (food and non-food retail) and A3 (café) of the Schedule to the Town & Country Planning (Use Classes) Order 1987 and for no other purposes.

**Reason:** The proposal has been assessed against the above criteria and to ensure that there is no adverse impact on the vitality and viability of the existing town centre.

5. The extensions hereby approved shall not be open to customers or any other person not employed within the business outside of the hours of 10:00 to 20:00 Monday to Friday and 10:00 to 17:00 on Sunday.

**Reason:** To align with the main store and to protect the general amenity of the surrounding area.



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**Proposal:** Full: Erection of two kiosks on forecourt (532 Sq. m) and demolition of existing kiosks (110 Sq. m).

**At:** Boundary Mill, Vivary Way, Colne

**On behalf of:** Libra Textiles Ltd

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NPW/MP**

**Date: 03<sup>rd</sup> January 2017**