



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: WEST CRAVEN COMMITTEE

DATE: 5th September, 2017

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE 5th September, 2017

Application Ref: 17/0352/REM

Proposal: Reserved Matters: Erection of two dwellinghouses (Appearance, Landscaping, Layout and Scale) (16/0500/OUT)

At: Land to the East of Higher Park House, Kelbrook Road, Barnoldswick.

On behalf of: Mr W Al-Muhandis

Date Registered: 24 July 2017

Expiry Date: 18 September 2017

Case Officer: Charlotte Pinch

Site Description and Proposal

The application is a Reserved Matters application for the appearance, landscaping, layout and scale for the erection of two dwellinghouses.

At present the site comprises of open land set in an elevation position above Kelbrook Road. It is set against several larger properties to the south on higher land and dwellings situated on lower ground to the north. These northern properties are predominantly single storey.

Access is gained off a rising lane from Kelbrook Road. The access has a grass verge and a cycle/pedestrian route. It has good visibility in either direction.

The land is outside of the settlement boundary of Barnoldswick and within the Open Countryside. A small area of protected trees is located to the north of the site, encroaching over the northern boundary with Higher Park Road.

Relevant Planning History

16/0500/OUT: Outline: Erection of two houses (access only) – Approved with Conditions

Consultee Response

LCC Highways – No objection is raised in principle in highways safety grounds, with a negligible impact on highway safety and highway capacity in the immediate vicinity of the site. It is advised that the internal dimensions of Plot 2's garage is increased to 6m x 6m, in accordance with PBC Car and Cycle Parking Standards, or provide alternative covered and lockable cycle storage within 100 metres of the property.

Furthermore, given the gradient of Higher Park, and that it is the sole means of access by other properties, a construction method statement should be provided prior to construction.

PBC Environmental Health – No objections.

Barnoldswick Town Council – No comments received.

Public Response

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

- A similar proposal under 13/04/500P was refused at an adjacent site. The decision was upheld on appeal.
- Contrary to Policy ENV2 and paragraph 54 and 64 of the NPPF with regards to poor design and the character of the area.
- The proposed dwellings, in particular Plot 2, are very poorly designed in regards to scale, massing and position, therefore out of keeping in their setting.
- Plot 1, changes to the positions of windows and the access point, would drastically improve the scheme.
- Plot 2, roof pitches and heights fail to harmonise.
- Obscure and dominate views of this historic group of former farm buildings.
- Size and massing should be significantly reduced.
- Inaccuracies of plans, omission of chimneys.
- Concerns regarding access to septic tanks.
- The proposed site is an important habitat for local wildlife.

Officer Comments

The principle of residential development on this site has been established by the previously approved outline application 16/0500/OUT which approved the access arrangements.

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

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

Policy

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.

Local Plan Part 1: Core Strategy

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) requires development to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

ENV2 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 the policy allows for development adjacent to settlements in location which are sustainable until the development limits for the Borough are set out in an adopted Part 2 Local Plan.

The following saved Replacement Pendle Local Plan policies also apply:

Policy 14 'Trees, Woodland and Hedgerows' recognises the importance and amenity function of trees, woodlands and hedgerows and will protect them.

Policy 16 'Landscaping in New Development' requires all development proposals which involve new build or rebuild to include a scheme of landscaping sympathetic to the site's character and vicinity.

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.

Impact on Amenity

The proposed layout shows the dwellings would maintain a distance of a minimum 35m to the bungalow properties opposite which are at a similar ground level to the bungalows. Given the substantial separation distance, and intervening features including the highway and mature hedging there would be no detrimental impact on the neighbouring bungalows with regards to amenity.

The nearest neighbouring property to the west of the site, 'Higher Park House', would be sited at an elevated position approximately 22 metres from the property on Plot 2. Given both these properties would face side on to each other and the proposed dwellings are set down from 'Higher Park House', the distance between these properties is seen to be acceptable.

The Council's Design Principles SPD advises that a minimum distance of 12m should be provided between principal windows and side elevations and 21m between principal windows which face each other. The proposed scheme complies with these separation distances.

Screening to the boundaries would help assimilate the units into the landscape of the area.

Policy ENV2 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. The design of the properties is appropriate for the location on the proviso that amended plans provide an acceptable elevation treatment for plot 2.

Design and Materials

We had initial concerns about the design of the unit on plot 2 principally in relation to the disproportionate level of glazing in the elevation. Amended plans have been requested to remove the glazed features, to be replaced with smaller more proportionate and modest windows, which would be more in keeping with the character of properties in the area. At the time of writing this report, the amended plans had not yet been received.

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

The housing types proposed are both similar in style and are compatible with the styles of surrounding dwellings, including 'Higher Park House' and 'Higher Park Mews'. The dwellings would incorporate pitched roof and gable features, with small dark windows set back into the traditional brickwork. Both properties would be no higher than two storeys and would respect the change in land levels of the site, therefore not appearing overly bulky or out of scale compared to other nearby dwellings.

In terms of materials both dwellinghouses would be constructed of natural stone walling and natural blue slate roof. In addition the windows would be made up of grey UPVC with natural stone surrounds, as well as black aluminium seamless gutters and black downpipes. The double garage doors shown on both dwellings would be grey in colour, to tie in with the proposed windows.

Samples of materials can be controlled by an appropriate condition.

Parking Provision

The development provides adequate internal parking spaces for cars.

Summary

The layout, design and materials of the proposed development are acceptable subject to amended plans which adequately address concerns raised with regards to excessive glazing on the rear elevation of Plot 2. The proposal therefore accords with policies ENV1, ENV2, LIV1 of the Pendle Local Plan Part 1: Core Strategy and policies 14, 16 and 31 of the Replacement Pendle Local Plan.

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. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission No. 16/0500/OUT and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No.16/0500/OUT.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: ADM/16/29/01, ADM/16/29/03, ADM/16/29/04, ADM/16/29/05, ADM/16/29/06

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

3. Prior to the commencement of development samples of all the external materials to be used in the construction of the roofs, walls, boundary/retaining walls and paving together with samples of the colour and finish of windows and doors of the development hereby approved, together with details of proposals for the reuse of existing materials, shall be submitted to and approved

in writing by the Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved materials and details.

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

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

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

REPORT TO WEST CRAVEN COMMITTEE ON 05 SEPTEMBER 2017

Application Ref: 17/0382/FUL

Proposal: Full: Erection of a multi-purpose agricultural storage, lambing and workshop building

At: THORNTON HALL FARM THORNTON IN CRAVEN SKIPTON BD23 3TJ

On behalf of: Mr & Mrs. C Harrison

Date Registered: 26/06/2017

Expiry Date: 28/08/2017

Case Officer: Alex Cameron

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

Site Description and Proposal

The application site forms part of a farm used for farming and as an open farm visitors centre located in open countryside on the edge of Thornton in Craven. The surrounding buildings comprise a large former agricultural building now in mixed recreational use and a purpose built visitors centre with associated outside recreation areas and a car park for up to 225 cars.

The proposed development is the erection of a multi-purpose use agricultural building. The proposed building would be erected on part of the existing car park to the south east of the existing mixed use buildings. It would have a footprint of 25m x 18.3m with an eaves height of 5m and a ridge height of 7m. It would be finished in Yorkshire boarding with a dark blue profiled sheet roof and steel roller/shutter doors.

Relevant Planning History

13/02/0414P - Erection of open farm visitor centre on front elevation of existing farm building. Approved, 09/09/2002.

13/08/0503P - Full: Erection of building for use as farm visitor centre, gift shop, WC and shower block, cafe, office and general storage. Invalid Application, 26/09/2008.

13/08/0600P - Full: Erect visitors centre. Approved, 08/01/2009.

13/11/0535P - Full: Change of use of land from agriculture to use as an outdoor play area (D2 leisure use) and erection of play equipment with access from Church Road. (Retrospective). Approved, 08/12/2011.

13/08/0600C1 - Approval of Details Reserved by Condition: Discharge Condition 3 (landscaping) of Planning Permission 13/08/0600P. Condition discharged, 13/07/2012.

13/12/0102P - Full: Change of use of land and buildings from agricultural use to mixed agricultural use and recreational use as a farm visitor centre with play barn, cafe, car park, D2 assembly and leisure use and quad biking (Retrospective). Approved, 01/06/2012. The building subject to this application does not fall within the site boundary of this permission.

13/13/0228P - Erection of a first floor balcony and insertion of a glazed roof to front of farm visitors centre. Approved, 08/08/2013.

13/13/0554P - External alterations to existing farm visitor centre including the cladding of walls in natural stone, the roof in natural blue slate and insertion of a section of curtain walled glazing. Approved - 02/01/2014.

13/13/0577P - Erection of an orangery extension to provide additional dining room accommodation for cafe. Approved - 02/01/1014.

13/14/0003P - Erection of detached single storey building to accommodate biomass boiler and farm store. (part retrospective). Approved, 28/02/2014.

13/15/0398P - Full: Extension to existing car park to form 225 spaces overall. Approved, 13/10/2015.

Consultee Response

LCC Highways - Whilst the Highways Development Support section does not have an objection in principle to the proposal, we have noted the loss of an area of existing car parking and are concerned about the impact this would have on the overall parking provision on site.

However, as the sole purpose of the proposed building is linked to the day-to-day running of an agricultural unit, we would ask the local planning authority to impose a condition restricting the building's use to agricultural only and not as an attraction associated with the farm visitor centre, as this could generate additional traffic.

North Yorkshire County Council Highways

Thornton-in-Craven Parish Council - Is the building going on what was the carpark and therefore will more alternative parking be provided to allow for this and to take into account additional visitors if the farm is to continue its expansion?

We would ask that the farm be screened from the local residents by trees since its expansion is going to have a direct effect on their views.

If this is an extension to the business the access needs to be considered - a larger access from the main road to avoid traffic build up and potential accidents.

Public Response

A press and site notice have been posted and nearest neighbours notified. No response.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG.

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.

Principle of the Development

A justification statement has been submitted with the application demonstrating that the proposed building is necessary for the storage of machinery and for the indoor lambing of sheep. This acceptably demonstrates that the proposed development is necessary for the purposes of agriculture within the site. Taking this into account the principle of the development is acceptable.

The building would be sited within the site boundary of the planning permission for the mixed agricultural/recreational use. A condition is necessary to ensure that the building is maintained for agricultural use only and is not used for D2 (assembly and leisure) use.

Visual amenity

The proposed building would be sited adjacent to similar agricultural buildings and therefore would not appear isolated or incongruous in the landscape. The proposed materials would be in keeping with the existing buildings to the north west and appropriate to the agricultural character of the building. The proposed building is therefore acceptable in terms of visual and landscape impact in accordance with policies ENV1 and ENV2.

Residential amenity

The proposed building would be a sufficient distance from nearby dwellings to ensure that it would not result in an unacceptable impact upon their residents. The proposed development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

Highways

The existing car park for the site can accommodate up to 225 vehicles, the proposed building would be located on the exiting car park and would reduce the number of car parking spaces available by approximately 40 to 185.

The local plan sets out its car parking standards as maximums, this is a mixed use site with a number of uses from and so could fall within multiple categories set out in the parking standards. Based on the floorspace of the buildings and number of visitors the maximum parking requirement would be up to 250.

The car park was expanded from 90 spaces to 225 under planning permission ref: 13/15/0398P. Taking into account that the level of parking retained would be significantly above the level it was at the time the use was granted permission the proposed development would not result in an unacceptable reduction in the parking provision for the recreational use. The proposed development therefore accords with policy 31.

Concerns have been raised regarding the acceptability of the access, the proposed building is required in connection with the existing use of the site and would not result in a significant increase in the level or change in the nature of traffic using the access. The proposed development is acceptable in terms of highway safety.

Summary

The proposed agricultural building is acceptable in terms of policy, visual and landscape impact and highway safety and it is therefore recommended that its approval is delegated to the Planning, Building Control and Licencing Services Manager.

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 is acceptable in terms of policy, visual and residential amenity and highway safety. 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: Har/696/1918/02, Har/696/1918/03, Har/696/1918/04, Har/696/1918/05 - received 22/09/2015.

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and 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 building hereby approved shall be used only for the purposes of or ancillary to agriculture as defined by Section 336 of the Town and Country Planning Act 1990 and for no other purpose including any use falling within Use Class D2 (Assembly and Leisure) of the Town and Country Planning (Use Classes) Order 1987 (as amended) without the express written permission of the Local Planning Authority.

Reason: To preserve the rural character of the countryside, the amenity of the area and in the interest of highway safety.

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/CB

Date: 25th August 2017