

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER

TO: COLNE AND DISTRICT COMMITTEE

DATE: 11th January, 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE COMMITTEE 11th JANUARY, 2018

Application Ref: 17/0589/FUL

Proposal: Full: Major: Demolition of health centre (Use Class D1) and construction of mixed use building comprising 4 No. retail units (Use Class A1) and 11 No. 2 and 1 bed apartments (Use Class C3).

At: Former Health Centre, Colne

On behalf of: Pearl 2

Date Registered: 6/11/17

Expiry Date: 5/2/18

Case Officer: Neil Watson

Site Description and Proposal

The proposal is to redevelop the now empty health centre into a mixed use scheme. This will comprise of retail units at ground floor with 12 residential units above. 13 car parking spaces are proposed to the rear of the site. A revised plan has also been submitted showing bin storage to the rear.

The site lies adjacent to the Red Lion Hotel which is a grade 2 listed building and also lies in a conservation area. There is a public car park immediately to the east of the site which serves the town centre.

The proposal is to demolish the existing health centre which is a modern building two storeys high on the street frontage and replace with a scheme which has a two storey element and 2.5 storey element to the street frontage. The existing building to the rear is single storey.

Relevant Planning History

None relevant

Consultee Response

Colne Town Council: The scheme is an improvement on that last one. Need to work closely with the Conservation Officer. Consult Heritage England.

LCC Highways: Support the car parking to be for staff only. Does the applicant control the 4 car parking spaces adjacent.

The units should have 17 car parking spaces but due to its accessible location this could be reduced to 12 or 13.

The unit should have 50 parking spaces but as there is likely to be relatively few journeys created by car most parking would be accommodated elsewhere.

Request that details of how the premises are to be serviced. Will the existing access to the commercial properties on Richmond Court be retained?

Cycle storage units are proposed but there should be 12 (1 per unit).

No details of where bins are to be provided.

Concern about where construction vehicles will be routed.

Would like a pre-construction survey of the footway along Market Street

Conservation Officer: The site lies within the Albert Road Conservation Area and adjoins the Grade II listed Red Lion Hotel. The Grade II listed Colne Market Cross lies on the opposite side of Market Street. The proposed development will affect the settings of both these listed buildings, but the main impact will be on the Red Lion immediately adjacent.

The current Health Centre building dates from the 1960's/70's and because of its overtly modern style and poor quality detailing does not enhance the setting of the Red Lion, or the character and appearance of the CA at this point. With the demolition of this building comes a welcome opportunity to replace it with something more appropriate to the character and townscape of Colne town centre. NPPF 131 advises that new development makes a positive contribution to local character and distinctiveness. NPPF 137 asks LPA's to look for opportunities for new development within CA's and within the setting of heritage assets to enhance or better reveal their significance.

The Red Lion is an impressive and prominent building of 3-storeys dating from 1791. It is a reminder of the early country market town origins of Colne prior to the later and more elaborate Victorian development. Its significance derives mainly from its formal stone frontage with ranges of stone mullioned windows, and the strong architectural detailing of the roof and eaves line with stone copings, prominent kneeler stones, gutter corbels and substantial stone chimneys to each gable end. Recent work has been undertaken to rebuild and reinstate the chimneys to their original height and form, with the result that they are now obvious as a significant feature of the building, together with the substantial projecting stone kneelers at each end of the roof, when seen both from the front and from the eastern approach along Market Street. The building marks the entrance to the CA, and its strong symmetrical form is clearly seen from this side. From the western approach the building is largely screened in more distant views by the existing trees. The rear elevation of the building also has architectural merit and is clearly seen from the public car park to the rear. Again, the roofline, chimneys and kneeler stones are significant in this view.

The previous application raised concerns about the visual impact of the new building on the adjoining side gable and chimney stack of the listed building. The height of the new building adjacent to the LB was such that the roofline extended up onto the side of the chimney, with the rear roofline higher than that of the Red Lion. This would have harmed views of the LB and appreciation of the chimney and kneeler stones to both front and rear elevations of the listed building. The current application has addressed these concerns, and the section of new build adjacent to the LB has been stepped down in height in order to respect the roofline of the Red Lion. The width of this block has also been increased, allowing the building to gradually step up in height further away from the Red Lion. The design of this end block is simple and restrained, and with its relatively traditional proportions it will provide an improved setting and townscape context for the LB .

The new building would increase in height to 3-storeys along Market Street going westwards away from the Red Lion. This part of the CA is characterised by taller 3-storey buildings, and the scale and massing of the proposed new building would generally be appropriate to this context. The current health centre breaks the continuity and scale of 3-storey buildings along the northern side of the street, and the new building will line-in better with the existing 3-storey shops to the west of the site. The proposed central block to the Market St elevation steps up to three-storeys to accommodate a second floor in the roofspace. The higher eaves line to the frontage alters the proportions of this block and I would recommend that the window placement is looked at - either the first floor windows should be raised slightly or the eaves line lowered to improve the proportions of this block.

The gabled frontage proposed to the block adjacent Richmond Court will form a prominent corner feature in the streetscene, with the projecting angular bay and curved ashlar corner at street level introducing more contemporary elements into the design. Such larger buildings punctuating the streetscene and introducing variety to the architecture are a characteristic of the CA, however the overall success of the building will depend crucially on the quality of detailing, materials and finishes. In particular I feel that the use of traditional style mock sash windows, particularly on this gable in conjunction with the modern projecting bay feature, has potential to appear incongruous, and would suggest that the window framing design is given further consideration. A side-opening casement style (no transom) rather than sash may be more appropriate, better reflecting detail on the Red Lion. The detailing of the eaves/verge line is also important, as are the roof parapets, and stone window surrounds - heads, sills and jambs. These and other elements, such as the detail of the shopfronts, could be resolved by appropriate conditions.

The materials proposed are generally appropriate to the context and should not detract from the CA or LB provided that they are of high quality. I would suggest conditions are attached to require full details of type and samples of materials, detailed design of windows and surrounds (including well- recessed window frames), rooflights, doors and shopfronts (including fascias and pilasters), stone parapet and eaves detailing, and rainwater goods. The detailed design of the public realm is also important, and natural stone paving to Richmond Court would be much preferable to artificial.

Lancashire Constabulary: Build to Secure by Design. Comment on a number of specific design recommendations ie controlled access door system.

LCC Education: No education contribution required at this time.

Lead Local Flood Authority: Require further information

Environmental Protection: No objection subject to standard condition about contamination.

Public Response

Direct letters, a site notice and notice in the press have been undertaken. No comments have been received from members of the public at the time of writing this report.

Officer Comments

The application site lies in the designated town centre for Colne. It adjoins a grade 2 listed building and close to a town centre car park. It is also within a conservation area.

The health centre has been replaced with a new facility on the opposite side of the town centre. The proposed uses are all compatible with the town centre and there are no issues with the loss of a community facility as it has already been replaced. The principal concerns here are the design of the building and how it affects heritage assets and car parking.

Land Use and Amenity

The site is situated in a mixed use area. There are residential units to the rear situated on lower ground. Adjoining and facing the site are a range of uses including retail and residential accommodation above. The proposed uses would not generate noise and are compatible with the surrounding land uses. There are no adjoining land uses that would impact on the residential enjoyment of the new facility.

There are houses to the rear of the site which are approximately one storey lower than the level of the site. Currently they face a parking area and a single storey building which is 29.6m distant. The

proposal is to erect a building which has three storey elements with windows facing the existing houses. The separation distance increases to 33m. At this distance there would not be any adverse impact on privacy for existing residents nor would there be any adverse unacceptable impacts in terms of light. The new building would also not be overbearing on the existing houses.

Car Parking

The development lies in a town centre where parking is almost exclusively provided by either public car parks or on street parking. The existing facility is 1,021m² in area with 9 off street spaces provided to the rear. The parking needs would have been for four spaces per consulting room. Clarification has been sought on the number of consulting rooms but it is a reasonable assumption to make that it would have had a minimum of 15. That would have required parking for 60 vehicles as a minimum.

Using the adopted parking standards in the Local Plan the proposed use would require 28 spaces for the retail units and 24 spaces for the residential units. The parking required for the new development is less than for the existing use and it will provide for 4 more spaces.

The development is in a town centre location where public car parks provide spaces for both staff and shoppers to park. That would leave residents of the flats to park. The demand for residential parking would normally be most acute outside of working hours and so there is not likely to be significant competition between the needs of the retail units during the day and residents in the evening.

The development does not meet the parking standards as set out in the adopted Local Plan. However the proposed use reduces the level of parking needed from the current lawful use and the development is located in the town centre which has the maximum accessibility for other modes of transport and which is served by town centre car parks.

Overall the development is acceptable in terms of car parking.

Construction

LCC have raised concerns about how the development will be constructed. I share those concerns as the development is in a town centre where disruption needs to be kept to a minimum. The applicant has not formulated a development proposal to manage construction. This can however be controlled by a condition requiring a construction phasing plan and methodology.

Drainage

The planning application does not require the submission of a Flood Risk Assessment. A full drainage strategy has therefore not been produced to accompany the application. The applicant has indicated that a drainage strategy is being prepared but is not available at present and has asked whether this can be covered by a condition. The Lead Local Flood Authority has asked for details at this stage and their policy is to refuse to consider details covered by a condition if information is not received at the planning application stage.

The development is to redevelop an existing town centre site. The existing development already discharges to the public foul and surface water systems. The principle of redeveloping the site is acceptable. A drainage scheme can be required to be submitted prior to development commencing and if this is inadequate those details can be refused. There is no reason here why a Grampian condition cannot be used to require a full drainage scheme, including run off rates, to be submitted and approved prior to development commencing. That is notwithstanding the objection from the LLFA who's concerns can be met with provision of details provided by condition.

Design and Impact on Heritage Assets

The site lies abutting a grade 2 listed building and is situated in a conservation area. The Market Cross is found on the opposite side of the highway and is also grade 2 listed. The development needs to compliment and not harm these heritage assets if it is to be approved.

The red Lion is a grade 2 listed building. It is a stone built three storey building with stone mullioned windows. The third floor windows are sash and sit immediately below the eaves. The remaining windows are leaded with a strong vertical emphasis. The site faces the library which is outside of the conservation area and is of low architectural value. The market Cross in front of it is however also a grade 2 listed structure.

The application seeks to erect a building which is two storey in height in the section which joins onto the Red Lion. The height then increases to three storeys . The pitch of the roof follows the line of the existing buildings but there is then a gable feature which is three storeys in height. The final section is a single storey unit that is set back from the building line of the remainder of the building.

The windows are proposed to be made from powder coated aluminium with a zinc clad two storey bay window feature on the gable designed element on the street frontage. Coursed stone is proposed for the walls and wall features such as quoins.

The buildings immediately before the site on the approach along the one way system are a mixture of sizes and designs. There are two storey and three storey units. These comprise of flat and pitched roofs with materials used including wood, stone and ashlar.

The building immediately to the west of the site on Richmond Court is three storey. The three storey element of the proposed building will be at the same height as that before dropping to 2 storey. It will also be set back from the pavement so will not compete as much with the building to the west which will appear higher due to it being in front of the new building.

A two storey building is proposed between the new three storey element and the Red Lion. The new structure would sit below the eaves of the Red Lion which. This is a very similar arrangement to the current situation with the existing building.

Overall the massing of the building does not compete with either the existing shops to the west or the listed Red Lion and is acceptable.

The proposed design mixes in contemporary materials whilst still having stone as the overarching material that will be seen. Concerns have been raised about the height of the windows on the first floor and that this would upset the rhythm of the windows in the Red Lion. The windows on the majority of the street frontage are of different heights and scales to their neighbours. There is no uniform pattern to them and unless it would be critical to the relationship to the listed building there is no need for them to tie in with the height of the listed building.

The proposed building is designed to be modern in feel whilst using materials which are commonly found in the area. Whilst it sits next to the listed building it is sufficiently different to it so as not to visually compete with it but compliments it. The “gable” feature is not something found elsewhere in the street. It however does not appear as a discordant element and is acceptable.

The development would replace a non-descript modern health centre that does not compliment the town centre or listed building adjacent. It would sit acceptably in the street scene and would not harm the conservation area. It would also not adversely affect the setting and design of the listed red Lion Hotel. The development does not harm any heritage asset and is compliant with Policy ENV1 of the adopted Core Strategy and paragraph 134 of the National Planning Policy Framework.

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 use would be acceptable subject to appropriate conditions. The development 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: 001,002, 003, 004D, 005B, 006C, 007

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

- 3 No development shall commence unless and until the applicant has submitted to the Local Planning Authority and had approval in writing a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-
 - a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
 - b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and

monitoring and including future monitoring proposals for the site.

Reason: In order to ensure that

4 No development shall commence unless and until a full drainage scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details of the current and proposed run off rates and how surface water will be attenuated. Thereafter the development shall not be occupied unless and until the drainage scheme has been provided and completed in its entirety.

Reason: In order to ensure that the site is properly drained and in order to reduce the impact of flooding resulting from climate change.

5 No part of the development hereby permitted shall be occupied unless and until the car parking shown on the approved plan has been provided and completed in its entirety. The car parking thereafter shall only be used by either people employed in the building or residents of the apartments.

Reason: In order to ensure the site is served by car parking in order to minimise parking on the public highway.

6 Prior to the commencement of development a method statement shall be submitted to and approved in writing by the Local Planning Authority which will set out how the site will be developed and how deliveries and site traffic will be developed. This shall include, but not be limited to, details of the hours of operation, method of wheel washing and the control and suppression of dust from the site.

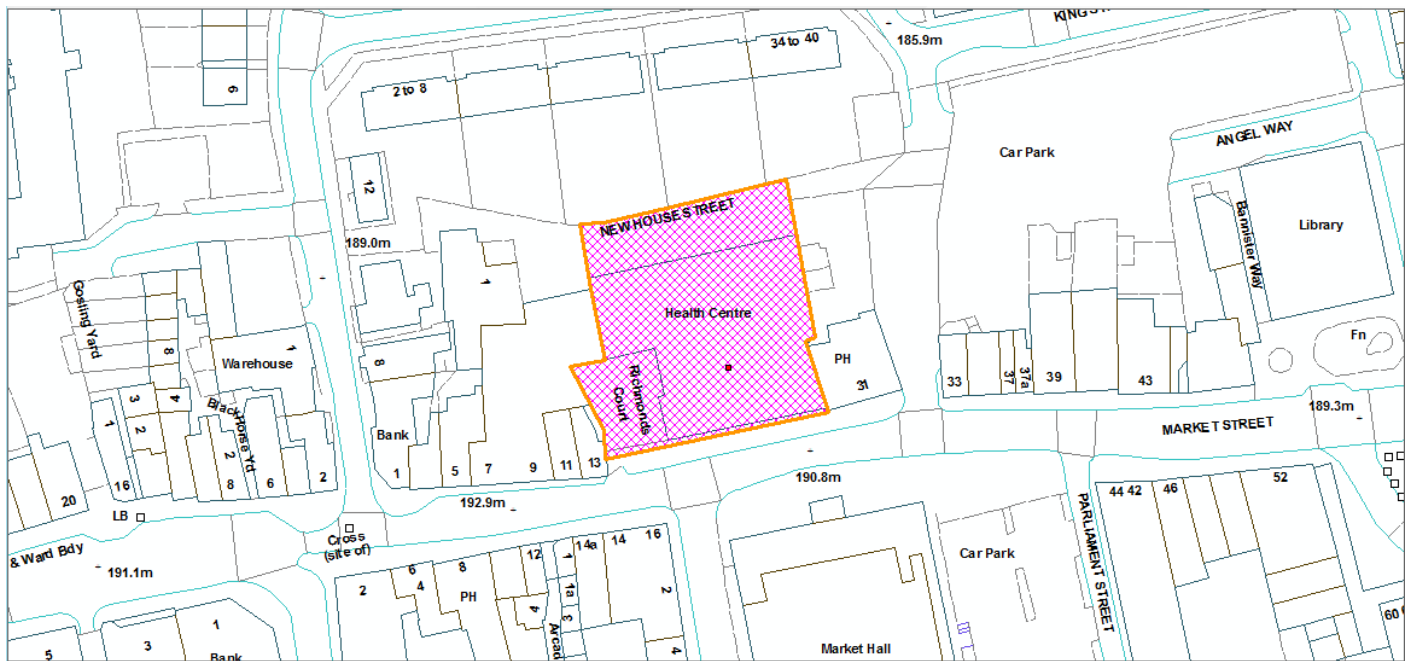
Reason: In order to control how the site will be developed in the interests of highway safety and the avoidance of nuisance to nearby residential properties.

7 Prior to and above ground construction occurring samples of all external materials to be used shall have been submitted to and approved in writing by the Local Planning Authority. All materials used thereafter shall strictly comply with the details so approved.

Reason: In order that the Local Planning Authority can assess the materials in order in the interests of co-ordinating the materials with the adjacent listed building and the preservation of the conservation area.

8 None of the building hereby permitted shall be occupied unless and until the bin storage areas shown on the approved plans have been provided and completed in their entirety.

Reason: In order to ensure the site is serviced by an adequate method of waste disposal in order to prevent pollution.



Application Ref: 17/0589/FUL

Proposal: Full: Major: Demolition of health centre (Use Class D1) and construction of mixed use building comprising 4 No. retail units (Use Class A1) and 11 No. 2 and 1 bed apartments (Use Class C3).

At: Former Health Centre, Colne

On behalf of: Pearl 2

REPORT TO COLNE AND DISTRICT COMMITTEE ON 11TH JANUARY 2018

Application Ref: 17/0644/FUL

Proposal: Full: Conversion of existing agricultural building into two dwellings, with associated parking and landscaping and demolition of existing dutch barn.

At: Hey Royd Farm, Skipton Old Road, Colne

On behalf of: C Malik and G Preston

Date Registered: 26.10.2017

Expiry Date: 21.12.2017

Case Officer: Charlotte Pinch

Site Description and Proposal

The application is brought to Committee as it was called in by Councillor Nixon.

The application site is a combination of three disused agricultural barns, two of which are the subject of this application. The site is located within the Lidgett and Bents Conservation Area, Green Belt and Open Countryside. The area is covered by a blanket TPO, whilst being within close proximity of Heyroyd House, a Grade II Listed Building.

The proposed development is for the conversion of a large stone barn into two dwellings, in addition to the demolition of the existing modern dutch barn. Each dwelling would comprise of 5 bedrooms over two floors and a large garden to the north west of the properties.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

For clarity three parking spaces should be provided for each dwelling in accordance with parking standards. These can be achieved for Plot 1 whilst still maintaining sufficient manoeuvring space. However I've still some concerns regarding the proposed parking/manoeuvring for Plot 2 as space is more limited. Three spaces could, in my opinion, be provided with careful design. All parking and manoeuvring areas should be laid out so as not to obstruct or impede access to the rest of the site which is not part of this application.

Conservation Officer

The farm lies at the northern edge of the Lidgett and Bents CA, and close to the 18thC Grade II listed house at Heyroyd, with which it was historically associated. The farm buildings were built in the later 19th/early 20thC as part of the Heyroyd estate. An area of mature trees to the rear of Heyroyd and its immediate outbuildings separates the LB from the farm buildings, and acts as a visual screen between the two. This effectively preserves the immediate setting of the LB. The barn is more readily viewed across open fields from the Castle Rd area to the north, therefore care needs to be taken with boundary treatment to the exposed N and W site boundaries.

The stone barn being relatively late in date is fairly well provided with existing door and window openings, therefore should lend itself well to conversion. The policy guidance in the CA SPD paras. 4.85-4.99 is relevant in terms of the detailed design of the conversion, in essence: *'Conversions of and alterations to traditional farm buildings should respect their layout, character and architectural form, and retain any distinctive features.'*

I would suggest some minor amendments that would improve design and detailing –

- reduce and rationalise roof lights on the exposed N elevation
- consider treatment and size of openings on the W gable and the relationship of the large cart door and the central window above.
- rationalise window framing pattern to better reflect the existing window framing – detailed design and finish of windows and doors can be conditioned.

Conditions should include –

- Stone and slate should match existing, and a methodology for any proposed re-pointing or stone cleaning should be agreed.
- Design and materials of rain water goods,
- Existing dry stone walls and stone setts in and around the farmyard should be preserved in situ.
- Detailed design and finish of windows, doors and roof lights, also design detail of the proposed link extension.

The demolition of the existing modern dutch barn will represent an enhancement to the conservation area setting, in that the original stone farm buildings will be more visible, in line with NPPF 137 which encourages proposals that better reveal the significance of heritage assets.

Tree Officer

As this is a conversion and there is little change to the actual structure of the building, there is little need to look at how it fits into the landscape. My main issue is access to the site, all these trees are covered by TPO and the conservation area. The access and parking for Plot 2 seems acceptable, however Plot 1 raises concerns as the access and parking is over the RPA's of many trees and is not on an existing track.

As a result, further information and plans showing a 'no dig' driveway and parking, plans for storing materials and machinery, tree protection fencing in accordance with BS5837:2012 standards and a landscaping plan should be required prior to granting any permissions.

Colne Town Council

No comment.

Public Response

Seven letters of objection were received, their comments are summarised as follows:

- Site still used by a tenant farmer, therefore depriving him of his livelihood.
- Demolition of an agricultural building currently in use for housing livestock.
- Disturbance of Barn Owl roosts, contrary to ENV1.

- Does not meet requirements of a sustainable development.
- Harmful damage to the Green Belt.
- Inappropriate development and urbanisation of the countryside.
- Detrimental impact on the key historic characteristics of the conservation area.
- Detrimental impact on local facilities and services.
- Goes against Paragraphs 11-17 in NPPF.
- Large number of roof lights being added to highly visible roof slopes, detrimental to the rural character of the buildings.
- Light pollution.
- Substantial gardens will encroach into Green Belt and Open Countryside.
- Loss of 'nature tourism'.

Officer Comments

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

The site is located outside of a settlement boundary. Paragraph 55 of the Framework states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. These include where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

Local Plan Part 1: Core Strategy

Policy ENV1(Protecting and Enhancing Our Natural and Historic Environments) states that the historic environment and heritage assets of the borough (including Listed Buildings, Conservation Areas, Scheduled Monuments, non-designated assets and archaeological remains), including and their settings, will be conserved and where appropriate should be enhanced.

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.

Policy LIV5 (Designing Better Places to Live) states that layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties.

Replacement Pendle Local Plan

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

Policy 31 (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.

Conservation Area Design and Development Guidance SPD 2008 sets out key aspects of development to ensure the special character of the conservation area are maintained.

Principle of the Development

The building is a traditional stone barn and, although not a designated heritage asset, is of some heritage value. The proposed conversion of the building would secure its future whilst enhancing its immediate setting and this would represent special circumstances (as defined in the NPPF) for the conversion to a dwelling in an isolated location in accordance with paragraph 55 of the Framework.

Green Belt

Paragraph 89-90 of the National Planning Policy Framework sets out the types of development that are not inappropriate within the Green Belt. These include 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, and the re-use of buildings provided that the buildings are of permanent and substantial construction;

The building is of permanent and substantial construction and the proposed single storey side link extension would not result in disproportionate addition. The proposed development would therefore not be inappropriate development and would not result in an unacceptable impact on the openness of the Green Belt.

Impact on Conservation Area

The Lidgett and Bents Conservation Area Appraisal states that today most of the farms have converted to residential and non-farming uses but the land continues to be grazed. The trees continue up to and then enclose the settlement of Heyroyd on the northern side of the road. Heyroyd is a formal house and garden with associated farm and barn to the rear. The historic character is all pervasive.

The Conservation Area SPD advises that conversions of farm buildings should respect their layout, character and architectural form, and retain any distinctive features.

It is important that farm buildings continue to reflect their original purpose even after conversion to a new use has taken place. The new use should therefore respect the original 'envelope' and interior volume of the building, and a successful conversion which has the least impact on the exterior of the building may well require a less conventional accommodation internal layout.

Although the barn would be subdivided into two dwellings, its external size and scale would be retained. Minimal alterations are proposed to the external façade of the building, therefore still reflecting its original purpose as an agricultural barn. One small single storey link extension is proposed on the eastern side elevation of the barn, however this would not be substantial, therefore complying with the conservation area guidance.

It is important that farm buildings are preserved in their original form on the outside without unsympathetic additions or alterations. Roof lights should be kept to a minimum, and positioned on less prominent roof slopes, in order to retain the character and integrity of the roof.

This conversion is shown to utilise the majority of the existing openings for windows and doors, therefore preserving the original form of the building. Following comments from PBC Conservation Officer, amended plans were received reducing the number of roof lights on the building to an acceptable quantity and location. More specific details of the roof lights design and materials will be required by condition prior to construction, however they are of a modest scale and would be flush to the roof slope, therefore not forming prominent additions.

This development shows the existing farm entrance retained, which would provide access to both properties. Although parking is positioned to the front of the properties, the plans show existing trees and stone walls to be retained, which will provide screening and will remain in keeping with the setting of the area. In order to ensure the surroundings do not become too 'domestic' in character and the setting of the immediate area is enhanced, a condition will be applied to remove any rights to store or erect anything within the curtilage to the front or rear of the barns without prior consent.

Impact on Amenity

The proposed barn conversion would be sited amongst two other disused agricultural barns. To the south east of the site is Heyroyd Farm and Heyroyd House, which are both residential dwellings.

The proposed conversion would use an existing access route from Skipton Old Road, separate to the existing residential properties in the vicinity and the additional traffic resulting from two dwellings would not result in an unacceptable residential amenity impact.

The plans show no direct first floor windows on the south eastern rear elevation of the barn. The closest elevation of the barn would be located over 40 metres from the closest neighbouring property, with thick protected tree cover on the south eastern boundary, obscuring any potential views and preventing loss of privacy to neighbouring occupiers.

The conversion of the building to two dwellings would raise no unacceptable residential amenity impacts in accordance with policies ENV2 and LIV5.

Trees

Concerns were raised by the PBC Tree Officer regarding the impacts of the driveway construction and storage of materials on the root protection areas of the surrounding trees. As a result, amended plans have been received showing the location of protective fencing and alterations to the location of the driveway away from the trees. In addition, a method statement has been submitted detailing the 'no dig' construction process for the driveways.

The amended plans and method statement relieve any previous concerns and will be conditioned to ensure works are carried out in accordance with that proposed.

Protected Species

A bat and owl survey and report have been submitted. It concluded there was a low risk of bats using any of the buildings, however active owl roosts were found. Mitigation measures were recommended which will be conditioned to ensure they are incorporated into the proposed works.

Highways and Access

LCC Highways raise no objection on highway safety grounds.

In accordance with Policy 31, there is sufficient manoeuvring space and parking for 3 vehicles for each dwelling. Each dwelling would have their own access point and separate driveway.

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, design, 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: 330.03C, 330.04RevB Proposed Floor Plans, 330.04RevB Proposed Elevations.

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

3. Prior to their installation, details of the design, materials and finishes of the window frames, roof lights and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory details that are appropriate for the building and area.

4. Prior to commencement, details of the design, materials and finishes of the proposed link extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory details that are appropriate for the building and area.

5. Samples and details of the rainwater goods to be used in the development of the barn shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works. The development shall be carried out only using the approved materials.

Reason: In order to protect and preserve the character and visual appearance of the building.

6. The development shall be carried out in strict accordance with the recommendations set out in the Bat and Barn Owl Report November 2015.

Reason: To ensure protection of the habitat of bats and barn owls which are protected under the Wildlife & Countryside Act, 1981.

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.

8. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E and G of Part 1 and Classes A, B & C of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character of the area.

9. The permission hereby granted is for the conversion of the existing barn only and does not imply or grant permission for demolition or re-building of the external walls.

Reason: The substantial rebuilding of this building in Open Countryside would be contrary to the development plan and paragraph 55 of the National Planning Policy Framework.

10. The dwelling hereby approved shall not be occupied unless and until the car parking area on the approved plan 330.03C Site Plan has been laid out, surfaced in a bound material and made available for use. The car parking area shall thereafter be maintained free from obstruction and available for parking.

Reason: In the interests of highway safety.

11. Notwithstanding any indication on the approved plans, unless otherwise agreed in writing by the Local Planning Authority, any new stone or slate must match the existing.

Reason: To ensure an appropriate finish in order to protect the significance of the building.

12. The existing dry stone walls and stone setts in and around the site must be preserved in situ.

Reason: To ensure the retention of important features of the site.

13. Prior to commencement, a methodology for any proposed re-pointing or stone cleaning on the barn shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory details that are appropriate for the building and area.

14. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

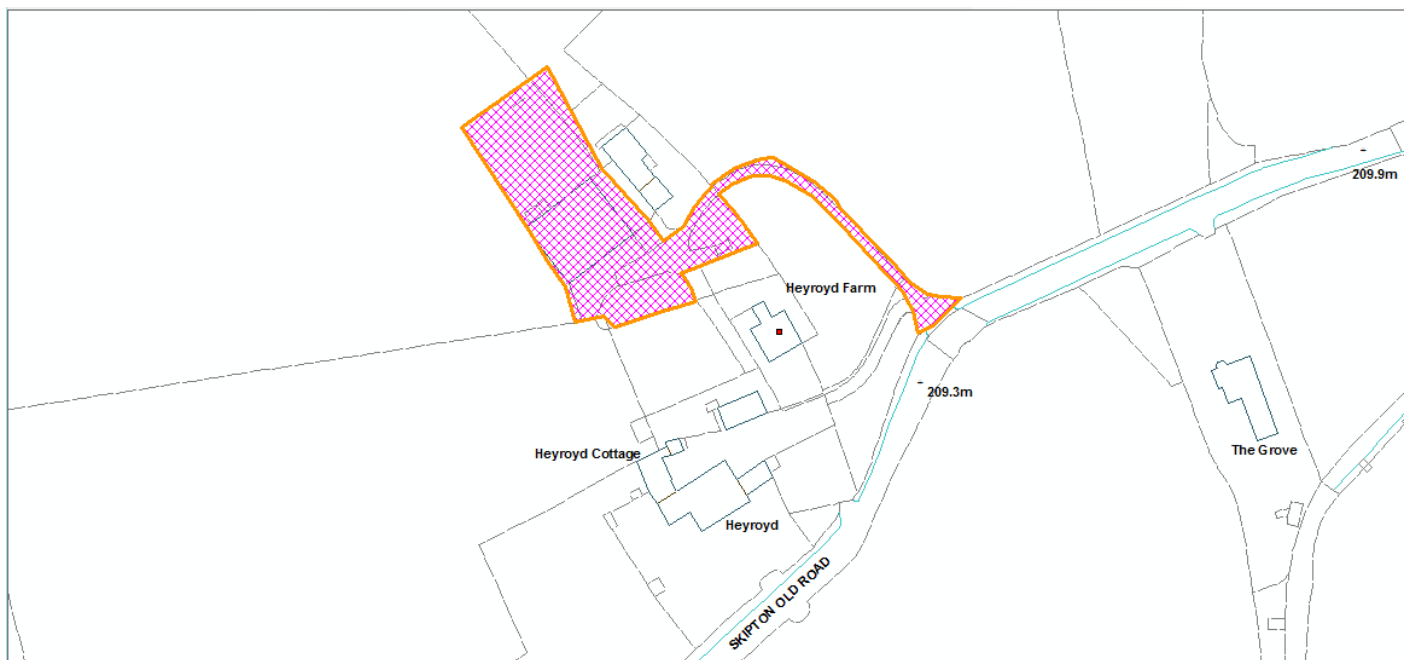
Reason: To prevent protected trees or hedgerows on site from being damaged during building works.

15. The vehicle driveway works hereby permitted shall be carried out in accordance with the approved 'Method Statement for 'No Dig' Construction of Vehicle drives and Parking Areas within Tree Root Protection Areas' December 2017.

Reason: In the interests of tree protection.

16. The southern front parking area and northern rear garden of each dwelling shall not be used for the storage of garden paraphernalia or disused vehicles.

Reason: In order to protect and preserve the visual amenity of the area.



Application Ref: 17/0644/FUL

Proposal: Full: Conversion of existing agricultural building into two dwellings, with associated parking and landscaping and demolition of existing dutch barn.

At: Hey Royd Farm, Skipton Old Road, Colne

On behalf of: C Malik and G Preston

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 18th December 2017