

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

DATE: 5th JULY 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 05 JULY 2018

Application Ref: 18/0219/REM

Proposal: Reserved Matters: Erection of 5 detached dwellinghouses (Appearance, Landscaping, Layout and Scale) of Planning Permission 13/15/0290P.

At: Barley House Farm, Barley Lane, Barley

On behalf of: Mr & Mrs D Lowcock

Date Registered: 24/04/2018

Expiry Date: 19/06/2018

Case Officer: Alex Cameron

Site Description and Proposal

The application site is in a group of agricultural buildings located within the settlement boundary of Barley and the Forest of Bowland AONB. The beck runs to the west with houses opposite, to the north is open land, to the east the farmhouse of Barley House Farm and there are dwellings to the south.

Outline planning permission (access only) was granted in 2015 for the erection of five dwellings on the site this is a reserved matters application for the appearance, landscaping, layout and scale of the development. The detailed plans propose two 4 bedroom houses and three 5 bedroom with double garages at plots 1, 2, 4 and 5. The buildings would be two storeys with bedrooms in the roof space of the 5 bedroom properties. Plots 3, 4 and 5 would be split level with retained land to the rear giving the impression of the single story building. The buildings would be finished in natural stone with stone slate roofs and a mixture of timber and aluminium framed fenestration.

Relevant Planning History

13/15/0290P - Outline: Erection of five dwellings (Access only), demolition of agricultural buildings and formation of access road (Re-Submission). Approved

Consultee Response

LCC Highways – The amended layout plans for the individual plots (Revisions A), the revised site layout plan (Rev D) and swept path analysis (drawing SCP/18263/ATR01) are now acceptable, although the following should be noted.

Off-road parking provision for Plots 1, 2 and 5 are now adequate.

For Plots 3 and 4 roller shutter style garage doors, instead of up and over types, should be fitted due to the shorter drives. These would allow the doors to be opened and closed whilst a vehicle is parked in front. Alternatively Plot 3 should be set back a further 0.5m to allow the drive length to be increased accordingly.

Lead Local Flood Authority – No objection subject to the conditions attached to the outline permission.

United Utilities - No objection subject to foul and surface water drainage conditions. Note regarding a sewer crossing the site.

Barley with Wheatley Booth Parish Council - The quality of design of this development is poor in terms of elevational treatment and appearance. They have the appearance of urban estate houses and an opportunity has been missed to make them fit within the village vernacular. Whilst the village has a few properties that do not add to the rural characteristics of the majority of properties, we are hoping that this sizeable development will contribute to the stock of outstanding properties which add character to the village. BPC believes the design does not comply with policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and the Forest of Bowland AONB, SPG paras 5.4.1 – 3.

- There are too many urban features proposed.
- There is a lack of consistency in the features – some have traditional porches, some have entrance canopies; two have an integral garage, others are detached; one is proposed to have a blue slate roof, some have natural stone. This will give the effect of a mish mash. Whilst BPC support a degree of individuality in the properties, they should be of a consistent style.
- The proposed construction is of 'natural stone'. However, the elevation illustrations show a coursed stone construction. In order to avoid a repeat of the appearance of 'urban estate houses' similar to those recently built on Barley Green, Barley, any construction should be of random reclaimed stone and a sample panel of stonework built and approved.
- Contrary to the planning application form (section 8), the properties will be able to be seen from public footpaths / bridleway and public land.

There is a lack of detailed information within the application and therefore the following comments on the individual properties are made only on the details submitted. We would request that amendments to the properties are made and fuller details provided.

Plot 1

- The integral garage is out of context with any property in the village or the development. There is no detail of the proposed garage door but it appears to be a metal 'up and over' door. This is an urban feature; the door should be timber.
- The property is shown with an entrance canopy; this should at least be amended to a traditional porch.
- Doors are listed as aluminium, yet the windows are stated as timber. An aluminium door is an urban feature and should be changed to timber to complement the windows on all properties.
- The conservatory is proposed to have full height glazing. The room would be more in keeping if it was constructed with random stone dado of 1.2m high with glazing above. There are no details of the conservatory roof – is it proposed as glass or natural stone? BPC consider it should be of natural stone to complement the other roofs.
- The hedge screen at the front of the property should be extended to the end of the property.

Plot 2

- The conservatory is proposed to have full height glazing. The room would be more in keeping if it was constructed with random stone dado of at least 1.2m high with glazing above. There are no details of the conservatory roof – is it proposed as glass or natural stone? It should be of natural stone to complement the other roofs.
- There are no details of the construction materials of the garage. This should be in random stone to match the properties with a natural stone roof. There is no detail of the proposed garage door but it appears to be a metal 'up and over' door. This is an urban feature; the door should be timber.

Plot 3

- There is no detail of the proposed garage door but it appears to be a metal 'up and over' door. This is an urban feature; the door should be timber.
- The full height glazing proposed to the rear elevation is another urban feature. There is too much glass and this should be replaced by a random stone dado with natural stone roof with glazing between.
- There appears to be a staircase on the side elevation but there are no details of its proposed construction.

Plot 4

- The full height glazing proposed to the rear elevation is another urban feature. There is too much glass and this should be replaced by a random stone dado with natural stone roof with glazing between.
- The garage is proposed to have a metal 'up and over' door and a flat roof. These are urban features; the door should be timber and the roof pitched and constructed of natural stone.
- There appears to be a staircase on the side elevation but there are no details of its proposed construction.

Plot 5

- The full height glazing proposed to the rear elevation is another urban feature. There is too much glass and this should be replaced by a random stone dado with natural stone roof with glazing between.
- There is no detail of the proposed garage door but it appears to be a metal 'up and over' door. This is an urban feature; the door should be timber and the roof pitched and constructed of natural stone.
- The details of the porch construction are unclear.

Public Response

A site press and notice have been posted and neighbours notified – Responses received raising the following concerns:

Plot 5 faces onto leylandii trees at Grange Barn, please consider re-orienting the living part of the building by 180 degrees to avoid complaints of trees blocking the view over the field and the owner of the field being overlooked.

The proposed dwellings are of poor design and not in keeping with the existing surrounding properties or the village.

The existing buildings are of some intrinsic value and the site is within the AONB, the erosion of the agricultural heritage should not be taken lightly or replaced with a scheme of suburban character.

Building in the village tend to be built from random stone, not regular dressed stone as this proposal seems to suggest.

The cul-de-sack layout does not reflect the character of the village.

The scale of the proposed dwellings would dwarf the adjacent terraced cottages and chapel and visually dominate the village.

Computer generated renderings of the development should be submitted.

Five dwellings is too many, it should be reduced to three.

The development will overlook Pendle View and Beckside and result in loss of privacy.

The plans do not correctly show the mature trees on the riverside of the development.

The existing screen of trees along the riverbank should be retained.

Additional landscaping should be required as privacy screen to adjacent properties.

The stream at the side of Barley Chapel has not been shown on the plans. It adds greatly to the flow of Pendle Water and the local flood risk.

There is no mains water supply in the village and the development would increase demand on a strained supply.

The surrounding trees will not effectively screen it in winter months, there should be more evergreen planting to hide the development.

Possible flood risk caused by access road.
Weak access bridge.

Additional parking problems for the village.

Detrimental impact on property prices.

Lack of affordable housing.

Officer Comments

This is a reserved matters application and therefore only those matters applied for (layout, scale, design and landscaping) can be considered. The principle of housing development and acceptability of the access have been established by the outline permission.

Policy

Local Plan Part 1: Core Strategy

The following Local Plan policies are relevant to this application:

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 ENV2 seeks to encourage high standards of design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy LIV1 sets out the housing requirements for 2011 to 2030 and how this will be delivered.

Policy LIV3 provided guidance on the housing needs in order to provide a range of residential accommodation.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

National Planning Policy Framework

In national terms the National Planning Policy Framework ("the Framework") provides guidance on housing requirements, design and sustainable development which is relevant to this proposal.

The Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

Para 64 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area and the way it functions. This paragraph is unqualified. If a development is poor in design it should be refused.

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

Design and Visual Amenity

The plot most likely to be publically visible is plot 1 at the southern end of the site. The original design of this plot was poor, the design has been revised and is now acceptable.

Concerns have been raised that the development does not reflect the character of the village. The proposed dwellings clearly take inspiration from the Pendle Inn in the gable front elements of plots 3-5, the proposed mullioned windows, proportions and form of the front and gable elevations also reflect the character of the village. Furthermore, beyond plot 1 the development is likely to be almost completely screened from public views by the buildings across Pendle Water.

The rear of plots 3-5 are more contemporary with large areas of glazing, those elevations are set into raised land and essentially single storey, they would not be prominent in any public viewpoint and are acceptable. Acceptable materials can be ensured by condition.

The amended plans are acceptable in terms of design and visual amenity and would not harm of the character and scenic beauty of the AONB in accordance with ENV1, ENV2 and LIV5.

Residential Amenity

Concerns have been raised regarding the impact of the development on the privacy of the occupants of the dwellings on the opposite side of Pendle Water. Plot 1 would be side on to those properties with only a ground floor secondary dining room window in that elevation, this could be required to be obscure glazed by condition. Windows in the front elevation of plot 2 would be approximately 20m from the windows of a property at Beckside, this would be at an angle of over 45 degrees and, taking this into account, would not result in an unacceptable loss of privacy. The remaining properties would be more than 21m from the windows of adjacent dwellings and all properties would be a sufficient distance from private garden areas to ensure an acceptable level of privacy is maintained.

The proposed dwellings would also not result in any unacceptable privacy issues in relation to Barley House Farmhouse or Ramatuelle. There would also be no unacceptable overbearing impacts or loss of light resulting from the proposed development.

The level of the garden of plot 3 would be raised up above plot 2. To ensure an adequate level of privacy for the garden of plot 2 a condition is necessary to ensure that a 1.8m fence or wall is erected and retained to that side of the garden of plot 3.

The proposed development is acceptable in terms of residential amenity in accordance with policies ENV2 and LIV5.

Highways

An acceptable level of car parking provision is proposed in accordance with the RPLP parking standards. Conditions are necessary to ensure the garages are retained for car parking. It would not be necessary or reasonable to require roller-shutter type garage doors as required by LCC Highways, there is adequate space for cars to pull clear of the access road to open the garage doors of plots 3 and 4.

Landscaping

An acceptable landscaping scheme has been submitted with the application. Concerns have been raised regarding river bank trees, those trees are not within the application site and it appears unlikely that they would be affected taking into account that the entire site is currently developed/surfaced. The proposed development is therefore acceptable in terms of trees and landscaping.

Flood Risk

Conditions relating to drainage and flood risk are attached to the outline permission, the Lead Local Flood Authority has no objection to the proposed layout. The proposed layout is acceptable in terms of drainage and flood risk.

Summary

The details of layout, appearance, scale and landscaping are acceptable in accordance with the Pendle Local Plan Part 1: Core Strategy and saved policies of the Replacement Pendle Local Plan. The application is therefore recommended for approval.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Taking into account all material considerations the proposed development would not result in any unacceptable impacts. 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 2 of Planning Permission No.13/15/0290P and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No. 13/15/0290P.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 14/20/1, ADM/16/36/01 Rev D, ADM/16/36/03 Rev A, ADM/16/36/04 Rev A, ADM/16/36/05 Rev A, SCP/1826/ATR01, L1-01.

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

3. The window in the west side elevation of Plot 1 shall at all times be glazed only with obscure glass of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority prior to its installation. Any replacement glazing shall be of an equal degree of obscurity to that which was first approved. The windows shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

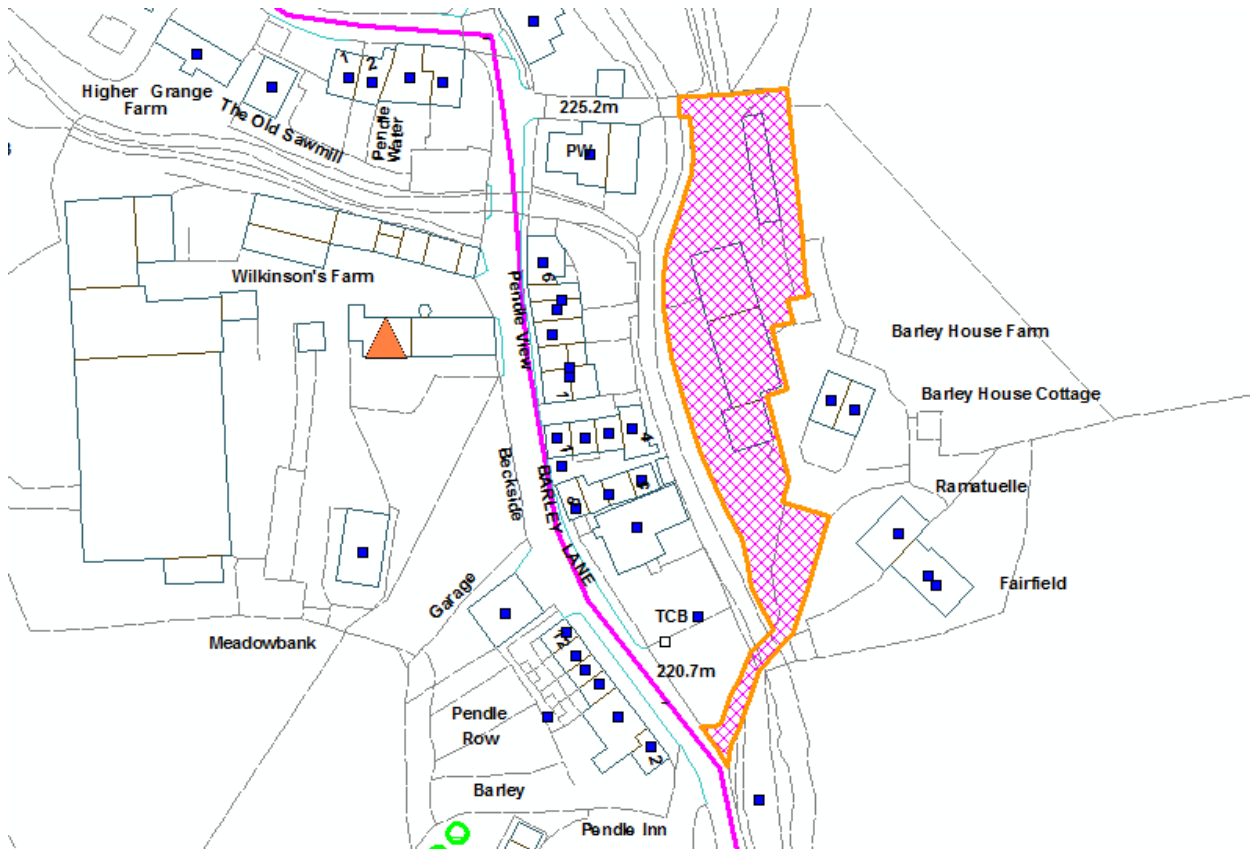
Reason: To protect the privacy of the occupants of adjacent dwelling.

4. A solid fence or wall of not less than 1.8m in height shall be erected along the length of the south boundary of the rear garden of plot 3 prior to the occupation of that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to its erection. The fence/wall shall be maintained in accordance with the approved details all times thereafter.

Reason: To protect the privacy of the occupants of adjacent dwelling.

5. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the garages hereby approved shall not be used for any purpose that would preclude their use for car parking.

Reason: To ensure an adequate level of car parking is maintained.



Application Ref: 18/0219/REM

Proposal: Reserved Matters: Erection of 5 detached dwellinghouses (Appearance, Landscaping, Layout and Scale) of Planning Permission 13/15/0290P.

At: Barley House Farm, Barley Lane, Barley

REPORT TO BARROWFORD & WESTERN PARISHES COMMITTEE ON 5th July, 2018

Application Ref: 18/0268/OUT

Proposal: Outline: Major: Residential development of land 0.92ha for 20 dwellinghouses with access off Gisburn Road (Access and Layout); Full: Demolition of 372 Gisburn Road (Re-submission).

At: Land to the east of 372 Gisburn Road, Blacko

On behalf of: Mr Calvert & Mr Wilds

Date Registered: 16 April, 2018

Expiry Date: 16 July, 2018

Case Officer: Kathryn Hughes

Site Description and Proposal

This application seeks outline consent for the erection of up to twenty dwellinghouses with access and layout only. Details of appearance, landscaping and scale will be dealt with at a later stage under the Reserved Matters submission.

The application site is agricultural land located in the village of Blacko and lies outside the settlement boundary in Open Countryside.

The site lies to the east of Gisburn Road and measures 0.92ha and has a gradual gradient from east to west. It is bounded by housing on Gisburn Road to the west, Malkin Close to the north and Beverley road to the east with open fields to the south.

The scheme would consist of four affordable 2 bed 1.5 storey semi-detached bungalows, two 2 bed 1.5 storey semi-detached bungalows, two 3/4 bed 2.5 storey semi-detached with attached garage, two 3/4 bed 2.5 storey semi-detached with attached garage one 3 bed 2.5 storey detached with attached garage, seven 3 bed 2.5 storey detached with attached garage and three 4 bed 2.5 storey detached with double garage.

Six parking spaces within the site are also indicated on the masterplan for properties 362/368 Gisburn Road.

Access to the twenty dwellinghouses would be via a new estate road from Gisburn Road.

Relevant Planning History

18/0268/OUT - Outline: Major: Residential development of land 0.92ha for 25 dwellinghouses with access off Gisburn Road (Access and Layout); Full: Demolition of 372 Gisburn Road – Refused.

Consultee Response

LCC Highways - Having considered the information submitted for the above application, together with observations during a site visit on 15 May 2018, the Highway Development Support Section objects to this application on highway safety grounds.

Gisburn Road (A682) is an urban, single two way adopted highway, categorised as a Strategic Route and is subject to a national speed limit of 30mph. For a road with this speed limit a Stopping

Sight Distance (SSD) of 43m in both directions should be provided as set in 'Manual for Streets' (Table 7.1).

From observations on site, and the information provided on the developer's proposed masterplan, the sight line requirement is not fully achievable over land within their ownership and/or the existing adopted highway. Whilst the developer is proposing that waiting restrictions are introduced outside Nos 362 – 370 Gisburn Road there is no guarantee that these can be introduced; Lancashire County Council, as the highway authority, would not support the introduction of parking restrictions nor the loss of frontage parking to the above properties.

As acceptable sight lines at the site access cannot be provided the Highway Development Support Section raises an objection to this development on highway safety grounds.

We also have a number of comments to make regarding the proposed internal layout as the one submitted would not be considered for adoption. However as a suitable access cannot be provided we have not outlined these at this stage.

Given the above objection we recommend that this application is refused on highway safety grounds.

LCC Education – An education contribution for £47,474.56 for two secondary school places is required with regards to this development.

Architectural Liaison Unit – Request condition relating to site security during construction and clarity on boundary treatments.

Natural England – No comments.

Lead Local Flood Authority – Requests further information based on inadequate flood risk assessment. Some of this information is still outstanding.

United Utilities – No objection subject to appropriate drainage conditions.

Lancashire Fire & Rescue – comments relate to Building Regulation submissions.

Blacko Parish Council – recognises the need for rural development which meets with both planning and health & safety requirements.

We have 3 areas of concern with this application:

- Road Safety
- Flooding
- Residential amenity

Road Safety

Carriage way

This application proposes reducing the width of the A682 to 6.1mtrs in an attempt to provide adequate sight lines. This is not clear in the submitted documentation. Yet the submitted transport document acknowledges that the requirement is not fully delivered and fails to mention the dangers from vehicles coming down Gisburn Road. With cars parked as is always the case at school drop off and pick up the sight line would be 10 metres, this alone is reason for refusal. The transport report has numerous errors and appears to be an overtype of a previous report. This severely undermines the credibility of the report.

This is a major route to Yorkshire and we note the traffic assignment figures on page 27 shows that movements in the morning are 345 (both directions combined) over the 1 hour period

measured. What is not shown is any analysis of the type of vehicle; we estimate that 10% of these are heavy goods vehicles.

Reducing the carriageway width would have a significant impact on traffic flow. The proximity of the school should be noted in this regard particularly when we consider that the measure was taken between 8 – 9 am. The number for the afternoon period is higher, 384.

The report also suggests that the peak trip movements will be 13/15. If we consider only 1 car per dwelling this suggests 50% of residents are inactive. We estimate the increase will be twice that suggested which is inconsistent with the proposed reduction in carriage way width of 15%

The report also states that “most traffic would use this route, when in fact all traffic would.

Accidents

The table in page 15 of the traffic report shows no serious injury, there was an incident in April 2018 when a pedestrian was struck by a passing vehicle and was admitted to hospital for a period of 4 days. There was also an incident in 2016 where a trailer broke loose of the towing tractor and collided with the property at the corner of Gisburn Road and Beverley Road causing significant damage. Thankfully there were no physical injuries although the driver of the tractor did suffer shock.

Parking

On road parking will be affected by double yellow lines, no provision has been made for these displaced cars.

The photographs in the traffic report looking North and South along Gisburn Road were obviously taken during a working day and imply unimpeded traffic.

Pictures in appendices 1 - 4 provide a truer reflection of vehicular activity.

This proposal has off road parking for 6 vehicles when 10 will be displaced by yellow lines, we also believe that there is a lack of provision for visitor parking.

Flooding

The submitted dismisses the likelihood of flooding and “the owners were not aware of any flooding”; this is inconsistent with actual events which have been described at some length in letters from neighbours.

Residential Amenity

The photograph in appendix 5 is taken from the bedroom of one of the cottages in Gisburn Road. Any development here would have a huge impact on the amenity of these residents

Summary

We believe this application should be refused for the reasons outlined above and that no decision should be made without a full report from the highway authority which should be based on a site visit.

The long term detrimental effect on the 3 areas concerned would not be in the interest of the general public.

Public Response

Site and press notices posted and nearest neighbours notified by letter. 33 responses received objecting to the proposal on the following grounds:-

- Houses in this location would endanger pedestrians and car drivers;
- Access on busy road and visibility is poor;
- We can park on both sides of the road emergency vehicles can not get through;
- The land to the rear does not drain properly and more concrete will force water to drain towards the cottages;
- The school is at capacity. Where are the existing school places coming from?
- Does the developer intend to widen the road?
- Flooding is a major issues;
- Natural light will be blocked to the rear of my property;
- Will the developer put on a new bus service as the current one will be overcrowded at peak times;
- New houses are needed but in detriment to the current residents;
- The difference in land levels in a major problem. There is a retaining wall which if a 3ft high hedge is planted on top will be a barrier to views and light close to windows and conservatories;
- Blacko is one of the worst areas in the Borough for traffic problems caused by lack of off-road parking;
- The four parking spaces on the site would not cater for the households that have two cars and would have to park on the pavement on the opposite side of the road;
- The primary school is full and any new residents would have to look elsewhere for education for their children;
- Building on this site would give a signal to other landowners to make similar applications and village would become lost in Urban Sprawl;
- Private gardens of existing properties would be overlooked and proposed houses will block natural light;
- The proposed site can not handle the amount of houses proposed;
- Greenfield sites should only be considered to sustain rural communities;
- Pendle Council has publicly stated that they have 5 years of housing land;
- Blacko is a village not a town;
- No mention of attenuation pond on the masterplan;
- Surface water drains on the plan are incorrect;
- Many different types of wildlife in the area that will have their habitat destroyed;
- Is there a need for affordable bungalows, there is housing for the elderly next door. First time buyers will not be able to afford the townhouses;
- The increase of 20 houses will decrease the value of others in the area due to lack of demand;
- There has been three major accidents on this stretch of road;
- There has been a recent increase in crime in Blacko and neighbouring villages. More houses means more opportunity for thieves;
- The disruption during the build and after would have a massive impact in a negative way to our beautiful village;
- The six parking spaces provided on the housing estate for displaced cars would lead to more traffic entering and exiting the site;
- The houses are not in keeping at 2.5 storeys high and will overshadow and cause loss of privacy to 26 and 28 Beverley Road;
- The stream on the west side of the site takes a lot of water from Willaston Avenue, Malkin Close, the Recreation Grounds and surrounding area – the proposed attenuation pond would create an health & safety issue and is not shown on the design access layout plans;
- The statements submitted are misleading or incorrect; and
- Houses are not selling well. Why build more?

Officer Comments

The issues for consideration are policy issues, principle of housing, layout and impact on amenity, impact on Open Countryside, flooding and drainage, ecology and highways issues, open space and contributions.

1. 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.

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.

Local Plan Part 1: Core Strategy

The following Local Plan policies are relevant to this application:

Policy SDP3 sets out the housing distribution for Pendle.

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

Policy ENV2 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings. The proposal's compliance with this policy is addressed in the design and amenity sections.

Policy ENV7 does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere. The proposal's compliance with this policy is addressed in the flooding and drainage section.

Policy LIV1 sets out the housing requirements for 2011 to 2030 and allows for sites to come forward for housing outside of the settlement boundary prior to the site allocations being adopted and where the site is sustainable and close to a Settlement Boundary and can make a positive contribution to the five year supply of housing land.

Policy LIV3 provided guidance on the housing needs in order to provide a range of residential accommodation.

Policy LIV4 sets out the targets and thresholds required to contribute towards the provision of affordable housing. Developments in rural Pendle are expected to provide 20% affordable housing.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

The following saved policies from the Replacement Pendle Local Plan are also relevant:

Policy 4D requires appropriate ecological surveys to be undertaken.

Policy 31 'Parking' requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP. This is addressed in the Highways Issues/Parking section.

In national terms the National Planning Policy Framework ("the Framework") provides guidance on housing requirements, design and sustainable development which is relevant to this proposal.

Paragraph 47 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements. The SHLAA was updated in support of the publication of the Core Strategy. This is dealt with in detail below.

Section 7 of the Framework deals with design and makes it clear that design is a key aspect of sustainable development. Paragraph 64 of the Framework states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

The Framework expects that Councils meet their full objectively assessed housing needs and to annually update their supply of specific deliverable sites to meet a five year supply. Where there has been persistent under delivery a 20% buffer needs to be added to the 5 year supply.

The Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

Para 64 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area and the way it functions. This paragraph is unqualified. If a development is poor in design is should be refused. There is no balancing exercise to be undertaken with other sections of the Framework as poor design is not sustainable development and the requirement under paragraph 14 is to allow sustainable development to come forward.

2. Principle of Housing

Proposals for new development should be located within a settlement boundary. These boundaries will be reviewed as part of the site allocations and development policies in order to identify additional sites to meet development needs where necessary.

This site is Greenfield land which lies outside the settlement boundary of Blacko. It is likely that if permission for housing was approved here that the site would be brought into the urban area as part of the settlement review.

Policy LIV1 of the Pendle Local Plan: Part 1 Core Strategy states that until the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development policies then sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land, will encourage significant and early delivery of the housing requirement.

Whilst the site lies outside the settlement boundary it is immediately adjacent to the settlement boundary to the north would be sustainable as the surrounding residential housing and would be accessible in terms of public transport with a primary school, pub, shop and play area located close by.

In this instance the proposed site would be sustainable and the principle of housing acceptable and accords with policy LIV1.

3. Layout and Impact on Amenity

The application site is wholly outside the settlement boundary which bounds the site on its north, east and west boundaries with the southern boundary abutting open fields.

The site is surrounded by residential properties on three sides. The site proposes a mix of housetypes and although the details of the scale and design have not been applied for the layout indicates that acceptable distances between existing and proposed units can be achieved.

The site is accessible in terms of distance from public transport routes along Gisburn Road and whilst there might be potential implications on this in the future at present there is provision which can be utilised by any future residents.

Four of the twenty dwellings are proposed to be affordable and offered for social rent or through another mechanism. This meets the requirement in policy LIV4 for 20% affordable housing provision on site within Rural Pendle. This would result in 4 houses which accords with policy requirements. This can be controlled by an s.106 obligation attached to any grant of permission.

Plots 1 – 4 are proposed to be 2 bed 1.5 storey bungalows in two pairs of semis. These units would be sited to the southern part of the site close to the access and to the rear of properties at No.'s 362 – 370 Gisburn Road. A total of 7 parking spaces would be provided for these units. These units are proposed as affordable units. Distances vary between 23m and 30m from rear elevation to rear elevation.

Plot 5 would be a 3 bed 2.5 storey detached unit with attached garage and two parking spaces. This plot would be sited south west abutting the allotment gardens which is acceptable.

Plots 6 & 7 would be 3/4 bed 2.5 storey semi-detached units with attached single garage and three parking spaces per unit. Both plots would be sited to the east of the site abutting the allotments gardens which is acceptable.

Plot 16 would be a 3/4 bed 2.5 storey detached unit with attached single garage and three parking spaces. This plot would be sited to the north west of the site abutting the rear gardens of 7 & 8 Malkin Close. These properties have long rear gardens at an angle to the site and the distance here would be acceptable.

Plots 8, 9, 10, 11, 12, 13 and 15 would be 3 bed 2.5 storey detached units with garages and two parking spaces per unit. These would be sited to the east and west boundaries of the site. The east abutting open countryside which is acceptable whilst plot 15 would abut the rear boundary of 26 Beverley Road. At a distance of 19m from corner gable to rear gable.

Plots 14, 17 & 18 would be 4 bed 2.5 storey detached property with double garage and two parking spaces. Unit 14 would be sited to the east of the site abutting the rear gardens of No. 28 Beverley Road and Beverley Farm at a distance of 21m gable to rear which is acceptable.

Plots 19 & 20 would be 2 bed 1.5 storey semi-detached bungalows with 1.5 parking spaces each. These units would be sited to the west of the site close to the access road abutting the rear gardens of No.'s 5 and 6 Makin Close at a distance of at least 26m gable to rear which is acceptable.

The site is not prominent in terms of views, however, details of heights, design and materials for the proposed housing will be essential in terms of how this development would affect the landscape and visual amenity of the area.

Whilst all of the properties would have garden areas and some off-street parking provision some of the rear gardens are shallow and some plots lack adequate off-street parking provision. Therefore the proposed layout is not satisfactory and fails to provide a high quality development on the edge of settlement location.

Details of boundary treatments can be submitted at Reserved Matters stage or controlled by condition if necessary at that stage.

Subject to appropriate conditions and details of the appearance, scale and landscaping at Reserved Matters stage this layout would be acceptable in terms of impact on amenity and would accord with policies ENV1 and ENV2.

The shallow rear gardens of plots 8, 9, 11, 12, 13 and 17 in particular does not result in a spacious layout and the reduced provision of car parking exacerbates this contrary to policy LIV5 and policy 31 of the Replacement Pendle Local Plan. In particular LIV5 requires development in Rural Pendle to have linkages to the surrounding countryside.

4. Impact on Open Countryside

Although the site is in Open Countryside as mentioned above it lies immediately adjacent to the settlement boundary. The site is not over prominent and views and is limited in terms of its landscape value.

Sites within Rural Pendle require a range of types and sizes and lower densities may be appropriate depending on the built form, townscape and landscape character. As mentioned above linkages should be made to the surrounding countryside.

Whilst the number of dwellings has been reduced from the previous proposal and some open space provision is now proposed some of the plots would still have shallow rear gardens and the open space is split into two small areas which does not improve the linear layout of the site not provide for a spacious layout that would be of benefit to this location adjacent to the settlement boundary or take advantage of its countryside location.

Whilst all of the properties would have garden areas and off-street parking provision the rear gardens of plots 8, 9, 11, 12 and 17 are 8m or less in depth. The off-street parking provision on plots 1 – 4, 5, 6, 7, 16 & 17 is not sufficient to ensure adequate off-street parking can be provided. Whilst parking has been provided for No's 362 and 368 Gisburn Road only 6 spaces are proposed for four dwellings so it is not clear how these spaces will be controlled. The proposed layout therefore fails to address the requirements set out in policy LIV 5.

A number of existing trees will remain and further details of the proposed landscaping of the scheme can be controlled as part of the Reserved Matters.

As it stands the scheme would accord with requirements in LIV5 for on-site provision of open space and although the density proposed is acceptable the large units and shallow gardens result in a cramped linear development which could be improved to create a more spacious layout and therefore fails to accord with policies ENV2 and LIV5 of the Pendle Local Plan Part 1: Core Strategy.

5. Flooding and Drainage

The site lies within Flood Zone 1. A Flood Risk Assessment has been submitted.

In terms of drainage this scheme proposes that a Sustainable Drainage System will be installed and details of this can be controlled by an appropriate condition at this stage. Drainage issues are technical ones which can be resolved and will result in betterment than the existing drainage situation and reduce fluvial flooding issues.

The Lead Local Flood Authority has stated that further information is required in order to ensure that the submitted Flood Risk Assessment is satisfactory. Further information has been requested from the agent. An update on this will be provided at the meeting.

As it stands the current proposal does not accord with policy ENV7.

6. Ecology

An ecology report, bat survey and Arboricultural report have been submitted with this application which are acceptable and accord with policy 4C.

7. Highways Issues

LCC Highways have objection to this scheme as the proposed access from Gisburn Road would result in any adverse impact on highway safety issues due to the proposed build-out onto Gisburn Road which would require sight lines in both directions of 43m. Parking restrictions have been proposed outside 362 - 370 Gisburn Road, however, there is not guarantee that these would be introduced and as the sight lines required are not fully within their ownership.

The National Planning Policy Framework requires all developments to provide a safe and suitable access to the site to be achieved as set in para 32 and that developments should only be prevented or refused on transport grounds where the residual cumulative impact of development are severe. This would be the case in this instance.

The agent has submitted further information to the concerns raised, however, LCC Highways have replied that their concerns have not been satisfactorily addressed.

This scheme would provide off-street car parking for vehicles in a combination of garages and driveways. However, some of the garages and parking spaces do not meet the required standards and therefore can not be considered as parking spaces. The four affordable units have seven usable shared spaces between them whilst plots 1- 4, 5, 6, 7, 15, 16 and 17 would have insufficient parking provision.

The scheme as submitted would not provide a safe access as required by policy ENV4 and the National Planning Policy Framework and the provision of sufficient off-street car parking spaces required by policy 31 and therefore fails to accord with policy 31 of the Replacement Pendle Local Plan.

8. Open Space

The site lies within Blacko. Policy LIV5 requires all proposals for residential units to provide on-site open space which can take the form of Green Corridors and spacious layouts.

The site layout provides private amenity spaces for the plots, however, some of these are limited in depth and the two amenity green spaces are small and separated so it is not clear how this would assist in softening the scheme and provide some visual interest in the overall layout.

The proposal as submitted therefore fails to accord with policy LIV5. The agent has been requested to amend the layout to reflect this requirement.

9. Contributions

A request for £47,474.56 for secondary school education contribution has been requested by LCC.

This has been accepted and agreed by the agent and can be controlled by means of an s.106 to secure the funding.

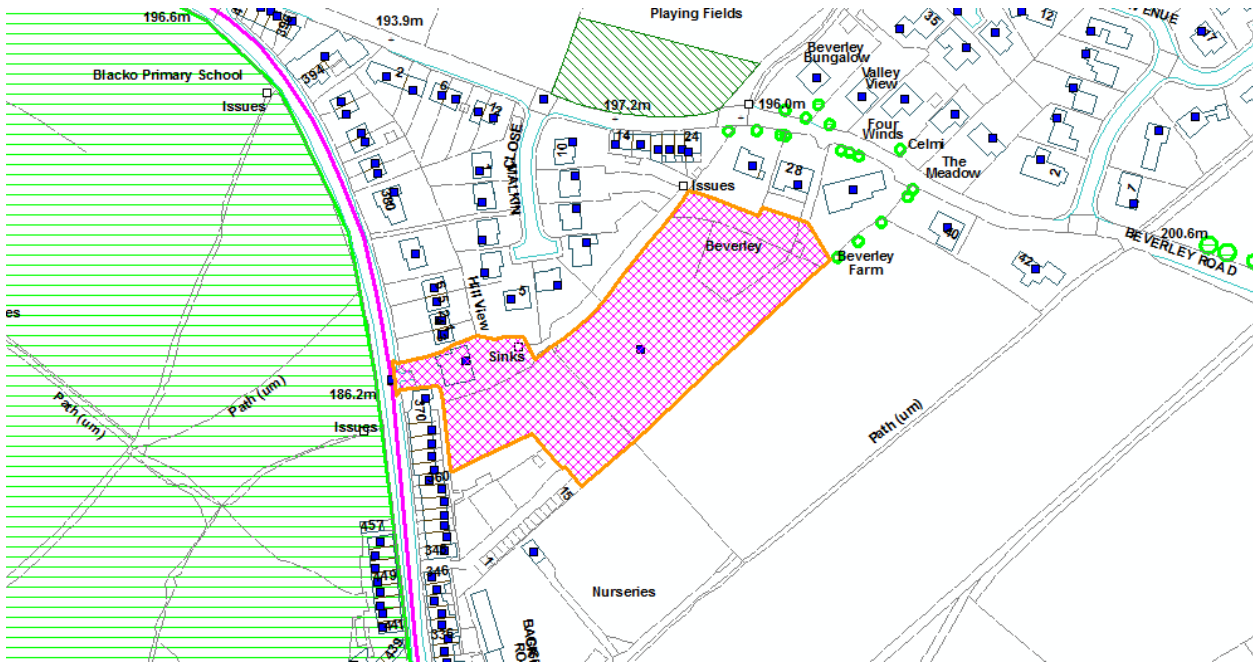
Summary

The principle of residential development in this location is acceptable. However, the proposal does not have an acceptable Flood Risk Assessment nor would it provide a safe access as required by National Planning Policy Framework para 32. The proposed development could therefore have a detrimental impact flooding in the area and would lead to a severe impact on highway safety and therefore fails to accord with the adopted policies ENV7 and ENV4 of the Pendle Local Plan: Part 1 and the National Planning Policy Framework in particular paragraph 32.

The proposal would also result in a cramped layout with shallow rear gardens and limited open space/green corridors within the site. Some of the proposed units have reduced parking spaces which are not adequate in terms of size and layout this would lead to parking on the highway which would also impact on the layout contrary to policy LIV 5 of the Pendle Local Plan: Part 1 and policy 31 of the Replacement Pendle Local Plan.

Reasons for Refusal

1. The proposal would fail to provide a safe and suitable access to the site and therefore would not be in accordance with Policy ENV4 of the Pendle Local Plan Part 1: Core Strategy 2011 – 2030 and the National Planning Policy Framework paragraph 32.
2. The proposal has failed to provide adequate provision for potential flood risk and therefore would not be in accordance with Policy ENV7 of the Pendle Local Plan Part 1: Core Strategy 2011-2030.
3. The proposed development would result in a cramped layout due to the limited depth of rear gardens, particularly to the eastern side of the proposed estate road and insufficient off-street car parking provision for the residents. The application therefore would not be in accordance with policies ENV2 and LIV5 of the Pendle Local Plan Part 1: Core Strategy 2011 -2030 and saved policy 31 of the Replacement Pendle Local Plan.



Application Ref: 18/0268/OUT

Proposal: Outline: Major: Residential development of land 0.92ha for 20 dwellinghouses with access off Gisburn Road (Access and Layout); Full: Demolition of 372 Gisburn Road (Re-submission).

At: Land to the east of 372 Gisburn Road, Blacko

LIST OF BACKGROUND PAPERS

Planning Applications

NW/CPB
Date: 27th June 2018