

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

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

DATE: 9th August 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO BARROWFORD & WESTERN PARISHES COMMITTEE 9TH AUGUST, 2018

Application Ref: 18/0389/OUT

Proposal: Outline: Erection of 5 No. dwellinghouses and improvements to access from Wheatley Lane Road (Access and Layout only).

At: Trough Laithe Farm, Wheatley Lane Road, Barrowford.

On behalf of: Mr & Mrs Peter Hornsey

Date Registered: 12 June 2018

Expiry Date: 07 August 2018

Case Officer: Kathryn Hughes

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

Site Description and Proposal

Outline planning permission is sought (access and layout only) for the erection of 5 dwellinghouses on land which forms part of Trough Laithe Farm in Barrowford. The site is located outside the settlement boundary and of no special designation in the Local Plan.

The proposal is to utilise an existing access off Wheatley Lane Road. A layout plan has been submitted and details such as appearance, landscaping and scale are reserved at this stage and will be subject to a future application should outline permission be granted.

Relevant Planning History

13/15/0327P – Outline: Major: Residential development of up to 500 no. dwellinghouses with associated infrastructure, open space and landscaping (access only off Barrowford Road) – Approved 14th February, 2017.

Consultee Response

LCC Highways – The following comments are made following our pre-application comments made in January, the Transport Statement Report No.J912/TS dated June 2018, the 'Access and internal layout plan – J912 Access Fig 1 dated 11/12/2017 and the illustrative site layout 1602PHP/WLRF/1L02.

Existing site access junction Wheatley Lane Road

The speed survey data collected at LP41 and shows 85thile speeds of 37.8mph EB and 40mph WB on Wheatley Lane Road.

Visibility splays of X2.4m and Y105m in both directions are shown on the access plan, within the adopted highway, which exceeds the required standard of 92m and 102m respectively.

The existing footway crossover arrangement on Wheatley Lane Road at the site access is to be replaced with a kerbed radii arrangement with tactile paving and the carriageway surface re-

constructed in a tarmacadam type bound material. Two vehicles will be able to pass side by side at the junction.

A detailed design will be required at condition discharge stage as part of the S278 agreement and street lighting and surface water drainage measures will be reviewed as part of the design.

Pedestrians will share the road space on the site access and considering the low number of vehicle movements and pedestrian movements associated with the 6 dwellings this is acceptable. There are no agricultural traffic movements associated with the adjoining farm buildings or agricultural land through the site access.

The existing site access is gated with a set-back distance of approx. 8-9 metres. It is recommended that the development site access is ungated however should the development be privately maintained then the gates should be set back sufficiently to allow a refuse or other large vehicle to clear Wheatley Lane Road whilst the gates are operated.

Internal Layout

The illustrative layout provides a shared access way serving 5 new dwellings and the existing Farmhouse with provision to allow a refuse vehicle to enter, turn and exit in forward gear which is necessary.

The service strips around the turning head will need widening to 2 metres to allow street lighting columns and other services to be located within.

The detailed design of the internal access way, construction materials, street lighting and surface water drainage is not provided and can be secured as a planning condition. The future maintenance of the access way would be secured privately through a maintenance agreement, however if the applicant wanted to dedicate the access way as highway then this would be considered at a later date subject to the design and construction being to adoptable standards.

Parking

The proposed 1 x 3 bedroom dwelling and 4 x 4+ bedroom dwellings would require 2 and 3 parking spaces each respectively.

The driveway layout appears acceptable to accommodate the required spaces and would result in no overspill parking on Wheatley Lane Road.

Garages should have internal dimensions of 3m x 6m.

Each dwelling should have a secure, covered cycle store and electric vehicle charging point.

Conclusion

To conclude the Highway Authority would raise no objection to the proposal subject to conditions relating to wheel washing, site access, internal roads specifications, management and management of roads, materials for garages, driveway and parking area, secure cycle storage and electric vehicle charging points.

United Utilities – In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We request drainage conditions are attached to any subsequent approval to reflect this approach.

Barrowford Parish Council – Due to the highway infrastructure problems at Carr Hall Road, Church Street and Highercauseway and the already excessive use of Wheatley Lane Road as highlighted in the traffic survey. The Council would only support this application if a condition was applied to the permission preventing access onto Wheatley Lane Road for more than the proposed dwellings only.

Public Response

Nearest neighbours notified by letter. A total of 7 emails/webcomments received objecting/commenting on the following grounds:

- The development is sustainable and would provide necessary and appropriate housing for the area; however, the major concern is that of access onto Wheatley Lane Road. The village has become cynical with Pendle Council being very low on the trust scale. I am concerned that this is effectively a smoke screen to enable Peel to access Wheatley Lane Road for the larger development;
- Until I am assured that use of the access is restricted to this (5 house) development only with secure legal wording then I will continue to uphold my objection;
- Has there been an environmental study as to the impact on local bat life?
- Why have other residents on Wheatley Lane Road not been informed? Everyone on Wheatley Lane road should have been sent a letter;
- Is this owned by Peel or the applicant;
- This land appears to be within the area of the original Peel plan;
- There was supposed to be no access from Wheatley Lane Road and sink tanks were proposed to be installed for the surface water;
- The building of these houses will comprise the only oasis of building free land within the Trough Laithe Development;
- The nine houses adjacent St. Thomas' School has been the subject of numerous complaints how will you mitigate against a re-occurrence of this scenario;
- This is yet another speculative build which will impact on what appears to be PBC's increasingly successful bid to fundamentally change the nature of what was the village of Barrowford;
- And some 35 year ago I was refused permission to rebuild a derelict farmhouse on the grounds of additional traffic on Wheatley Lane Road. Traffic must have doubled since then and 5 extra homes would result in 10-15 additional private vehicles plus service and commercial vehicles.

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 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 ENV1 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.

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

Policy 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.

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

Policy LIV2 allocates Trough Laithe as a strategic housing site.

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 Replacement Pendle Local Plan policies are also relevant here:

Policy 31 – Parking sets out the requirements for on-site parking for 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.

Of particular relevance to this proposal, relating to approval of access is paragraph 108. This states that planning decision should take account of whether safe and suitable access can be achieved for all people. Development should only be refused where residual cumulative impacts of the development are severe.

Officer Comments

The primary issues for consideration in this proposal are impact on amenity, layout, landscape impact, highway safety, trees, ecology and drainage. Matters of appearance, landscaping and scale are reserved at this stage.

1. Principle of Housing

The site is located outside of the settlement boundary but within the strategic housing site of policy LIV2 of the Plan. The site and the surrounding fields also as outline permission for 500 houses and therefore the principle of housing has already been established.

In this instance the site is within a short distance of facilities within Barrowford which include shops, public houses and primary schools.

In light of these factors, the location of the site is sustainable in principle and the provision of new housing in line with the requirements of Policy LIV2 subject to site specific assessments, which are detailed below.

2. Highway Safety

A single site access is proposed from Wheatley Lane Road to serve which is an adopted highway.

The test for whether as development is or is not acceptable in highway terms is whether the development would lead to a cumulative severe highway impact. The development would be served off the main road which is an 8m wide highway.

The proposed access is acceptable. The development would lead to a limited amount of extra traffic using the highway. This would have no material impact on overall traffic flows.

On-site parking should be provided in line with the requirements of policy 31 and secured bicycle storage provided as well as electric vehicle charging points. This can be achieved by appropriate conditions.

LCC have asked for a condition to require details of construction times and how the development would be carried out. This is an appropriate condition to attach.

Overall the development would have a limited impact on the highway network. It would not be severe and as such the development complies with the requirements of the National Planning Policy Framework.

3. Layout

The proposed layout shows adequate provision for five detached dwelling all with adequate parking in a spacious layout.

Privacy distances between existing and proposed dwellings can be achieved on the site.

An area of wetland is also proposed with a surface water outlet and a foul water pumping station.

Appropriate landscaping and screening can be achieved as part of the Reserved Matters application.

4. Drainage and Flood Risk

Details have been submitted and assessed by UU who have raised no objections to the proposal subject to an appropriate condition requiring further details to be submitted as part of the conditions discharge.

The details submitted are sufficient to satisfy the requirements above as well as those of Policy ENV7.

5. Ecology

An initial ecological assessment has been submitted as part of the application.

The assessment advises that further surveys are not required and that the ecology significance is low.

Buildings on the site affected by the proposal offer low potential for bat use and there is no evidence of such use.

There would be new tree and hedgerow planting around the site together with the creation of a wetland area in the South, which will connect the site with adjacent habitats and maintain or improve diversity.

Landscaping would be required as part of the Reserved Matters application.

The development thereby accords with Policy ENV1.

6. Other issues

Comments have been made regarding publicity for this application which is for 5 dwellinghouses in outline – a press and site notice are not required for this size of proposal and nearest neighbours have been informed. The impact on the highway would not be so significant that it would require wider publicity.

In terms of the permission for 500 houses this is still extant but requires the submission of a Reserved Matters application to address the details. No access is proposed from this site into the adjacent land and the proposal is for five houses only and therefore no further restrictions are required. Any amendments would require planning permission.

There is a requirement for 20% affordable housing on the site and the applicant has been made aware of this.

7. Summary

The proposed outline scheme for 5 dwellinghouses is acceptable in terms of housing requirements, highway safety, layout, drainage, trees and ecology subject to conditions.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. 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. An application for approval of the reserved matters (namely the appearance, landscaping and scale of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby

permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

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

1602PHP/WLRF/LP01 Rev B, 1602PHP/WLRF/IL02, J912 Access Fig 1 and sss-7860-Wheatley Lane road, Barrowford Rev. A.

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

4. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the provision of a mix of tenure on the site appropriate for the requirements of the area.

5. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority 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 protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

6. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

8. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- h) Location and details of site compounds

- i) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
- k) Parking area(s) for construction traffic and personnel
- L) Details of the provision and use of wheel washing on the site
- M) Site security

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets and associated infrastructure including surface water drainage within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established].

Reason: To ensure that the internal roads are adequately maintained and managed.

10. Prior to first occupation the garages, driveways and communal parking areas shall be constructed in a bound porous material and made available for use and maintained for that purpose for the as long as the development is occupied.

Reason: To ensure that adequate measures are in place to reduce surface water run-off and reduce the potential for flood risk.

11. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level to each plot before any development commences on that plot. The final wearing course shall be completed to each plot within 2 years of the substantial completion of each plot or within one week of the substantial completion of the final house on site whichever shall occur first unless another timescale is agreed in writing by the Local Planning Authority. If an alternative timescale is agreed the completion of the highway shall be undertaken in strict accordance with the agreed timescale.

Reason: To ensure that satisfactory access is provided to the site before construction of the development hereby permitted commences.

12. Prior to first occupation each dwelling shall have an electric vehicle charging point.

Reason: To ensure that the development provides for sustainable modes of travel.

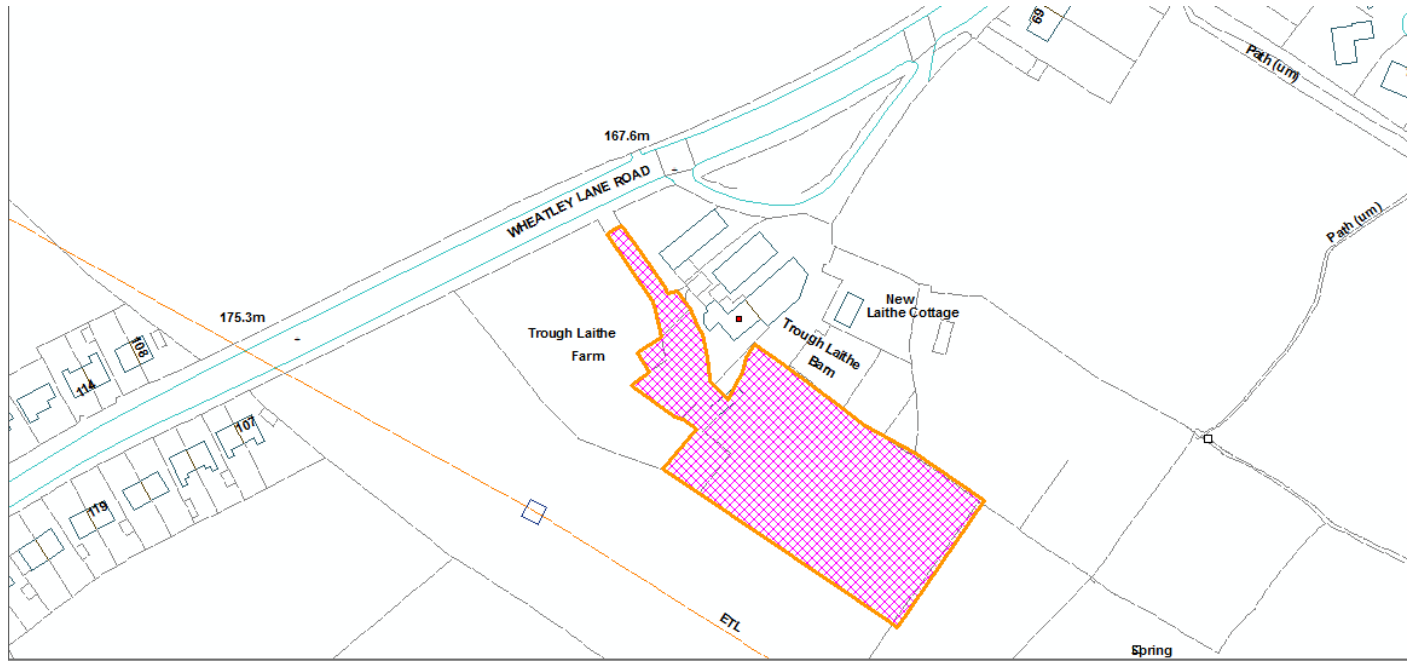
13. Before a dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.

Notes

Informative

The grant of planning permission will require the applicant to enter into a Section 38/278 Agreement, with Lancashire County Council as Highway Authority. The applicant should be advised to contact Lancashire County Council, Highway Development Support email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided



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On behalf of: Mr & Mrs Peter Hornsey

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 30th July 2018