



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

DATE: 10th January 2019

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 10th JANUARY, 2019

Application Ref: 18/0505/FUL

Proposal: Full: Major: Erection of two storey extension (1336 sq. m) to side (North East) elevation for Use Classes B8 (Storage and Distribution) and B1a (Offices), formation of parking bays and access off Churchill Way.

At: 4 Pendleside, Fence

On behalf of: Richard Wellock and Sons Ltd.

Date Registered: 19 September 2018

Expiry Date: 19 December 2018

Case Officer: Kathryn Hughes

Site Description and Proposal

The application site is an industrial unit, currently used by Richard Wellock and Sons Ltd for storage and distribution of fruit, vegetables, dairy, poultry, meat, sundries and store cupboard essentials to chefs and businesses. It is located within the Lomeshaye Industrial Estate and is sited amongst a number of similar industrial and commercial units.

The proposal is to erect a two storey side warehouse extension to the unit, providing an additional 1,336 sq. m of floor space. In addition, a further 20 parking spaces are proposed to the front and side of the unit to accommodate additional parking for goods vehicles and a new vehicular access formed from Churchill Way.

Amended plans have been submitted removing the first floor office and leaving a double height warehouse space to be created. This reduces the overall height and need for the external staircase.

Relevant Planning History

17/0781P- Full: Erection of 668sq.m. extension (Use Class B8) and formation of car park- Approved with Conditions.

13/14/0054P Full: Formation of a car park (Extension to existing car park) -Approved with Conditions.

13/13/0530P- Full: Major: Erection of car park (70 spaces) to rear and single storey rear extension (B8) and erection of garage to side (B2) (1239 sq.m) - Approved with Conditions.

Consultee Response

LCC Highways - The previously approved application at this site was for the extension of the existing building with the creation of a temporary access onto Churchill Way.

This application seeks the same proposed extension to the building with the creation of a permanent access onto Churchill Way.

In order to make the new access adequate for the turning of HGV's and articulated vehicles, it will be necessary to place parking restrictions at the new access and look at the adjoining accesses to ensure that the displaced vehicles do not cause access

issues further along Churchill Way. The new access will operate as IN only from Churchill Way with all vehicles exiting the site via Pendleside.

I note that the on-street parking is not generated by Wellocks employees however it exists nevertheless and we have to ensure that the access is fit for purpose and consider the implications on the wider highway network.

It is anticipated that parking for 6/7 vehicles will be lost with the introduction of parking restrictions on Churchill Way. The on-street parking is likely to be displaced in a south westerly direction along Churchill Way and my observations indicate that there is spare capacity to accommodate this.

The creation of the new access has implications for the public footpath and the culverting of the clough, both require separate consents and this will be dealt with by separate departments within LCC and PBC. I note that the PBC Countryside Officer and the LCC Flood Risk Team have already responded to the consultation.

There is no objection to the proposal subject conditions relating to construction method statement, scheme for the off-site highway works and layout being attached to any grant of permission.

Countryside Access Officer – The proposed development includes an extension across the line of public footpath 111 Old Laund Booth and this could only take place if footpath 111 is diverted. The applicant has applied to divert the footpath onto the alternative route shown on the plans.

If planning permission is granted then this will satisfy the main criteria for the path to be diverted under Section 257 of the Town and Country Planning Act will have been satisfied.

The existing footpath runs through a wide strip of land between industrial units with a natural feel due to trees, the stream, the flora and fauna. This has amenity value for footpath users which would be lost if the proposed development takes place. The proposal would result in a diversion to a 2m wide path on the edge of the site running adjacent to an existing security fence. The path would run at the top of a retaining wall of up to 3.2m high above the base of the stream and result in the loss of amenity value for the 160m of footpath affected.

Natural England – No objection.

LCC Lead Local Flood – Requires further information. Meeting arranged on site and a way forward has been agreed. Amended plans reducing the overall size of the building have been submitted.

PBC Environment Officer – No further comments.

Old Laund Booth Parish Council

Public Response

Two letters of objection have been received in relation to the proposal, their comments are summarised as follows:

- Existing flooding problems for neighbouring units.
- Hard standing on existing marshy water catchment area will increase flooding problems.
- Existing drainage and pipes are already too small to take the existing rain water run-off.

- A letter has been received from a Flood Risk Consultancy representing one of the units and noting that LCC require further information and have concerns over the culverting of the watercourses.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) of the Pendle Local Plan Part 1 seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) of the Pendle Local Plan Part 1 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 WRK2 (Employment Land Supply) addresses employment land supply, the suitable siting of new employment opportunities and uses within protected employment areas.

Policy WRK3 (Strategic Employment Site: Lomeshaye) the development of strategic employment site at Lomeshaye for B1, B2 and B8 uses will be supported subject to criteria.

Replacement Pendle Local Plan

Policy 16 (Landscaping in New Development) developments which involve new build or re-build should include a scheme for landscaping sympathetic to the site's character and vicinity.

Policy 22 and 23 (Protected Employment Areas and Location of Employment Development) sets out the use classes of development that would be acceptable in protected employment areas, especially the re-use and extension of traditional employment premises.

Policy 31 (Parking) sets out the maximum amount of parking required for a site.

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.

Visual Amenity

The proposed extension would be two storey and located on the north eastern side elevation of the building. It would be to some degree screened by the existing building and surrounding units. The extension would be readily visible when viewed from the public footpath which runs to the east of the site. Both the building extension and car park alterations would be in keeping with the style and existing use of the unit and nearby commercial uses. Therefore they would not be out of keeping or appear incongruous in the area. It is therefore acceptable in terms of visual amenity in accordance with Policy ENV2.

Residential Amenity

The application site is surrounded by commercial and industrial premises and therefore would raise no adverse amenity issues. It is therefore acceptable in terms of amenity in accordance with Policy ENV2.

Flooding

The site is within Flood Zone 1; therefore it has a low probability of flooding. Although the works proposed are being carried out within close proximity of the existing stream, no evidence has been found to suggest a history of flooding on the site or that this would have a significant detrimental impact. As such, the Lead Local Flood Authority have been consulted and have attended a meeting on site to resolve the potential flood issues and surface water run-off.

Any works carried out to the existing watercourse would require land drainage consent from LCC before any works commence. This is a separate requirement to any planning permission.

Further information has been provided and the overall size of the extension has been reduced in order to address these issues. A further response from LLFA is expected and subject to this being acceptable and any additional conditions then this will be acceptable.

Highway Issues

In accordance with Saved Policy 31, taking into account the additional floor space proposed and its B8 use class, the site would require an additional 4 parking spaces. The proposed car park extension would provide an additional 20 spaces for light goods vehicles.

No objections have been raised in principle by LCC Highways, subject to the inclusion of conditions relating to a construction method statement.

Ecology

The proposal would result in the loss of an area of valuable woodland within the site, in addition to previously removed woodland to the rear of the site for car parking.

Following submission of a Habitat Management Plan, this provided sufficient mitigation measures to develop replacement areas of managed and enhanced aquatic habitats and woodland.

A condition will be applied to this permission to ensure that the correct monitoring procedures are carried out over the specified 5 year period.

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 and materials, impact on amenity, ecology and highway safety. Subject to no objections from LLFA on the potential flooding issues and 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:

2017/6/4C, 2017/6/1, 2017/6/6D, 2017/6/3C & 2017/9/7D.

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

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

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

4. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site

Reason: In the interest of highway safety.

5. A scheme and timetable shall be submitted for the site access and the off-site highway works. The off-site highway works shall include the provision of parking restrictions on Churchill Way to formalise on-street parking to facilitate HGV movements, one-way signage and road marking scheme (IN only at the new site access), street lighting and surface water drainage review. The works shall be implemented in accordance with the agreed timetable

Reason: To ensure the access is suitably constructed and completed in a timely manner.

6. The layout shall include the movement of vehicles in a one-way system with vehicles entering from Churchill Way and exiting into Pendleside only. The new site access road shall be constructed in a porous bound material with a surface water drainage scheme and fully completed prior to its first use.

Reason: In order to control vehicle movements and ensure that the access is suitably constructed and completed prior to first use.

7. The recommendations detailed in Ecological Appraisal February 2017 and Habitat Management Plan February 2018 undertaken by Bowland Ecology shall be carried prior to any building work at the site. Any further, necessary mitigation measures identified should be submitted to and approved in writing by the local planning authority prior to the commencement of any further development. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To protect species and their habitats.

8. Copies of the monitoring surveys in Years 2 and 4, as stipulated in the Habitat Management Plan, Bowland Ecology, February 2018 shall be submitted to and approved in writing by the local planning authority, within 3 months of the surveys being carried out. The management plan shall subsequently be implemented in accordance with the approved monitoring surveys.

Reason: To protect species and their habitats and ensure the management plan is being adhered to.

9. No development shall commence unless and until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

- b) the drainage strategy should demonstrate that the surface water run-off must not exceed 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall be implemented in accordance with the approved details prior to first occupation of the approved development or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

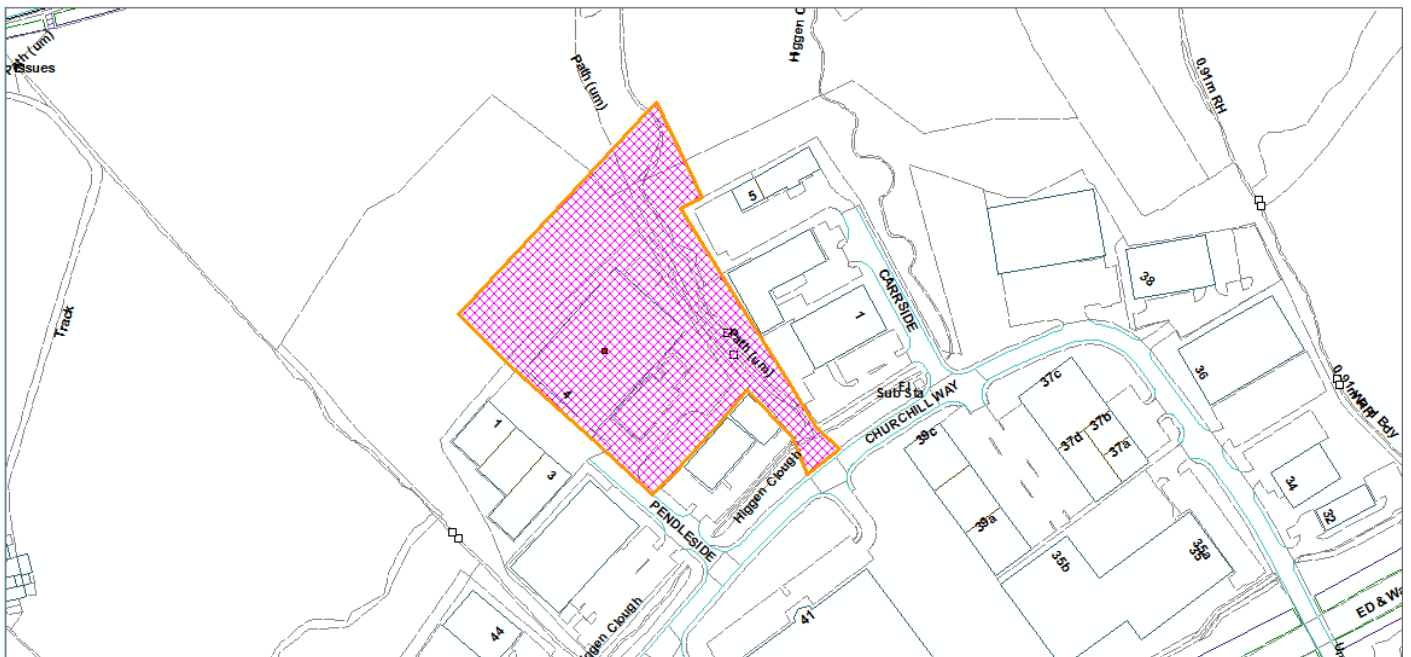
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users and to ensure that water quality is not detrimentally impacted by the development proposal.

INFORMATIVE

No works which interfere with footpath 111 may be carried out until the diversion order (18th March 2014) has come into force. If by their nature the works cannot be completed while the footpath remains open to the public, then the applicant must first apply for the footpath to be temporarily closed. In the first instance any enquiry about a temporary closure should be made to Tom Partridge, Countryside Access Officer, Pendle Borough Council.

The grant of planning permission will require the applicant to enter into a Section 278 Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided.

Should the applicant need to carry out works to the existing watercourse, then they will first need to obtain land drainage consent from Lancashire County Council. Further information regarding the land drainage consent process can be found via the following link: <http://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-awatercourse.aspx>. Failure to obtain land drainage consent prior to commencing works may result in enforcement action being taken.



Application Ref: 18/0505/FUL

Proposal: Full: Major: Erection of two storey extension (1336 sq. m) to side (North East) elevation for Use Classes B8 (Storage and Distribution) and B1a (Offices), formation of parking bays and access off Churchill Way.

At: 4 Pendleside, Fence

On behalf of: Richard Wellock and Sons Ltd

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 10 JANUARY 2019

Application Ref: 18/0727/FUL
Proposal: Full: Siting of a timber holiday lodge/seasonal workers dwelling.
At: Admergill Hall Farm, Gisburn Road, Blacko
On behalf of: Mr Richard Clowes
Date Registered: 22/10/2018
Expiry Date: 20/12/2018
Case Officer: Alex Cameron

This application has been brought before Committee as three objections have been received.

Site Description and Proposal

The application site is agricultural land adjacent to Admergill Hall Farm, a Grade II Listed farmhouse and attached barn within the open countryside approximately 650m to the north of the settlement of Blacko. The site itself is an area of raised land adjacent to the north west boundary of the domestic curtilage of Admergill Hall Farm.

This application is for the siting of a 11m x 5.9m timber lodge to be used as holiday accommodation and as a seasonal agricultural worker's dwelling.

A previous application for the retrospective retention of the timber lodge in its existing position was refused due to the impact it has on the setting of the adjacent Listed building. This application proposes for the lodge to be relocated 11m to the north west of its current siting and for additional landscaping to the south east.

Relevant Planning History

13/01/0581P - Erect cattle shed 30m x 18 x 6.5m in Field No. 3941. Approved.

13/02/0554P - Use as farmhouse and guesthouse. Approved.

13/04/0229P - Listed Building Consent: Conversion of barn and cowshed to two flats. Approved.

13/09/0359P - Agricultural Determination: Erect agricultural building for storage of machinery and commodities. Approved.

13/12/0245P - Agricultural Determination: Formation of a farm track. Approved.

16/0340/FUL - Full: Conversion of barn to two holiday cottages and external alterations to attached storage buildings, including replacement conservatory. Approved.

16/0417/LBC - Listed Building Consent: Conversion of barn to two holiday cottages and external alterations to attached storage buildings, including replacement conservatory. Approved.

18/0026/FUL - Full: Siting of a timber holiday lodge/seasonal workers dwelling (retrospective). Refused.

Consultee Response

LCC Highways – The above proposal raises no highway concerns and I would therefore raise no objection to the proposal as submitted on highway grounds. My comments remain the same as those previously submitted in response to application 18/0026/FUL. The applicant should ensure that any vehicles associated with the development do not obstruct parking previously approved under application 16/0340/FUL in the former store adjacent to the barn, nor obstruct or impede access along the Public Right of Way (Footpath 10 Brogden) which passes in front of Admergill Hall Farm.

Blacko Parish Council – This was previously submitted as 18/0026/FUL, and was refused on the basis of impact on a listed building. We commented then, that it was residential development on agricultural land. This application moves it the length of the cabin, and in our view this change does not materially affect the proposal and our objection remains.

Public Response

Site and press notices posted and nearest neighbours notified. Responses received objecting on the following grounds:

- The applicants have permission for tow holiday lets within the property which have not been commenced.
- The building is inhabited by a family member.
- The building is on agricultural land and has a high degree of environmental impact to both the area of outstanding beauty (SSSI) and the listed building status of the Admergill Hall Farm itself.
- The only change is the building being repositioned to the northern side of the original footprint of the building at a length of 11m, which still very much contravenes the standing decision to refuse the initial application.
- Approving the application would set a precedent.
- It is very questionable that there is a requirement for any seasonal worker on this farm at all due to its size.
- The applicant does not have any sheep so there is no requirement for lambing.
- Issues of existing obstruction of the access by vehicles.
- The septic tank shown in the plans is not in accordance with what has been installed on site.

Officer Comments

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 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 WRK5 (Tourism, Leisure and Culture) states that Proposals associated with the provision of new or improved facilities for tourism, leisure and cultural activities, including accommodation for visitors, will be supported where they:

1. Promote sustainable tourism associated with walking, cycling, waterways and the appreciation of the area's natural and historic environment.
2. Help to improve the quality and diversity of the existing tourism offer, and extend the tourist season.
3. Do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport (e.g. walking and cycling).
4. Support conservation, regeneration and/or economic development objectives, including the promotion of cross-border initiatives.
5. Are of an appropriate scale and will not have a significant detrimental effect on the natural or historic environment, local amenity or character of the area.
6. Achieve high environmental standards in terms of design and accessibility.

Replacement Pendle Local Plan

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.

National Planning Policy Framework (The Framework)

Paragraph 79 of the Framework states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. These circumstances include the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Paragraph ?? states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Paragraph ?? states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Principle of the development

The provision tourist accommodation may be acceptable in locations where an unrestricted dwelling would not be sustainable development. The proposed holiday accommodation is approximately a 900m walk from the nearest serviced bus stop. This, together with the adjacent

public footpath, provides acceptable level of accessibility by public transport and sustainable modes of transport for tourist accommodation in accordance with policy WRK5.

The fact that existing tourist accommodation has been approved but not implemented does not affect the acceptability of this development. The proposed holiday lodge is acceptable in addition to that approved development.

The development is also proposed to be used as seasonal agricultural worker's accommodation. Insufficient justification has been made to demonstrate an essential need for an agricultural worker's dwelling in accordance with paragraph 79 of the Framework.

However, the siting of a caravan for an agricultural seasonal worker is permitted development under the provisions of Part 5 Class A of the General Permitted Development Order and paragraph 7 of Schedule 1 of the Caravan Sites and Control of Development Act 1960. This requires that the caravan be removed from the land when the seasonal work ends.

Taking into account that there is a fall-back position that a caravan could be sited on the land for seasonal workers accommodation, there is no material harm resulting from the use of the lodge, which is acceptable in this location as tourist accommodation, for seasonal agricultural worker's accommodation in addition to its primary use as tourist accommodation.

Heritage Impact

The relocation of the lodge 11m to the north west together with the landform, existing landscaping and proposed additional landscaping would fully mitigate the harm to the setting of the Listed Building which resulted in refusal of the previous application.

That proposal was to retain the building sited at the edge of a steeply sloping bank overlooking the Listed building and visible within its setting when viewed from the public footpath with limited opportunity for screening due to the steeply sloping land.

This application proposed to move the lodge back from the edge of the bank a sufficient distance that it would no longer be visible from that viewpoint and would allow additional screening to create visual separation from the Listed building. This would preserve the setting of the Listed building.

The proposed development is therefore acceptable in terms of heritage impacts in accordance with policies ENV1, ENV2 and WRK5.

Visual and Landscape Impact

The proposed site of the lodge is adjacent to a dense belt of trees screening it from the south and east. It would also be largely screened from public views to the east by trees surrounding the field, where it is publically visible it would not appear prominent or isolated and would not harm the visual amenity or landscape character of the area. The proposed development is therefore acceptable in accordance with policies LIV1, LIV2 and WRK5.

Residential Amenity

The proposed lodge would not result in any unacceptable amenity impacts on surrounding dwellings. The proposal is acceptable in terms of residential amenity.

Drainage

Foul water is proposed to connect to the existing septic tank of the main house, this raises no issues. There is no provision for surface water drainage. Taking into account the scale of the lodge

and the distance from the boundaries of the Applicant's land ownership, it is not necessary to control the surface water drainage of the development.

Highway Safety

Adequate car parking provision could be ensured within the applicant's land ownership. The access road serves a number of dwellings and is adequate to accommodate the additional traffic that would be generated by the proposed use of the lodge.

Ecology

The site is not within or affecting a Site of Special Scientific Interest or any other ecological designation. The proposed development affects a small corner of a cultivated field and has no potential adverse ecological impacts that would necessitate further assessment.

Summary

The proposed holiday accommodation is acceptable in this location, as is the proposed use for seasonal agricultural worker accommodation alongside that tourism use. The proposed siting and landscaping of the building would preserve the setting of the Listed building and its significance. The proposed development accords with the Local Plan Part 1: Core Strategy, the saved policies of the Replacement Pendle Local Plan and the Framework and 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. The proposed development accords with the Local Plan Part 1: Core Strategy and the saved policies of the Replacement Pendle Local Plan. 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 development permitted shall be begun before the expiration of three years from the date of the 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: PL-01 Rev.B, PL-02 Rev.A.

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

- 3 The unit hereby approved shall be occupied for holiday purposes or for seasonal agricultural worker's accommodation only and shall not be occupied as a person's sole or main place of residence other than during a particular season of a person or persons employed in farming operations on the land of Admergill Hall Farm. The operators of the site shall maintain an up-to-date register of the names of residents of the unit and of their main home addresses or

detail of their seasonal agricultural employment and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: In order to ensure proper control of the use of the holiday / seasonal worker's unit and to prevent the establishment of permanent residence.

- 4 The landscaping scheme detailed in the approved plans and submitted Softworks Specification and Landscape Management Plan shall be implemented in its entirety within the first planting season following the first occupation of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

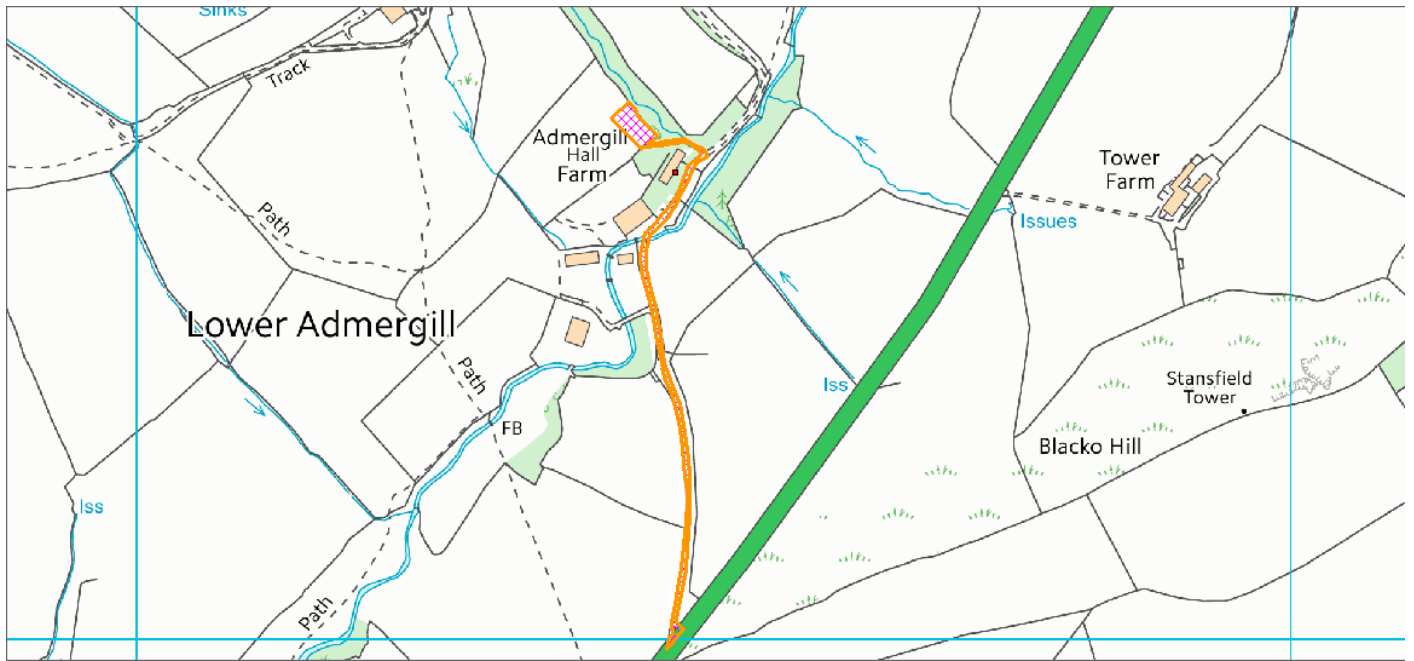
Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings and preserve the setting of the adjacent Listed Building.

- 5 Provision shall be made within the area marked 'car park' for one car parking space for the unit hereby approved, together with a turning space such that vehicles serving may both enter and leave the site in a forward gear, in accordance with drawing No PL-01 Rev.B. The unit hereby approved shall not be occupied unless and until the access, parking and turning areas have been made available for use and the parking and turning area shall thereafter remain free from obstruction and available of parking and manoeuvring purposes at all times thereafter.

Reason: In order to ensure satisfactory levels of off street parking are achieved within the site to prevent parking on the county highway to the detriment of highway safety.

- 6 Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) 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, F 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 setting of the adjacent Listed Building and the character of the open countryside.



Application Ref: 18/0727/FUL

Proposal: Full: Siting of a timber holiday lodge/seasonal workers dwelling.

At: Admergill Hall Farm, Gisburn Road, Blacko

On behalf of: Mr Richard Clowes

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 10TH JANUARY 2019

Application Ref: 18/0733/OUT
Proposal: Outline: Erection of 2 No. dwelling houses (All Matters Reserved)
At: Land To The East of Thorneyholme Hall, Barley New Road, Roughlee
On behalf of: Mr Gary Dunn
Date Registered: 22.10.2018
Expiry Date: 14.01.2019
Case Officer: Charlotte Pinch

Site Description and Proposal

This application is to be decided at committee as it has received more than three objections.

The application site is an undeveloped piece of agricultural land, directly adjacent to Barley New Road. The host dwelling of Thorneyholme Hall is a Grade II Listed Building, located to the west of the application site. The site is within the Open Countryside and the Forest of Bowland AONB.

The proposed development is an outline application for the erection of two detached dwellings, parking and access. All matters are reserved for a subsequent reserved matters application.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

Having considered the information submitted for the above application, together with observations on site on 13 November 2018, the Highway Development Support Section makes the following comments. As the application is outline with all matters reserved our comments are only provisional at this stage.

If outline planning permission is granted a reserved matters application will need to be submitted covering details of access, appearance, landscaping, layout and scale. As part of any reserved matters planning application the applicant is advised to consider these provisional comments.

Visibility splays

The development site would be accessed from Barley New Road (U40461), which is classified as a rural, single two way derestricted road, subject to a national speed limit of 60mph. For a road with a speed limit of 60mph a Stopping Sight Distance (SSD) of 215m should be provided. We do not consider that the visibility splay to the north of the proposed access can be achieved due to the road layout. A visibility splay of 40m to the north could be achieved following the removal of field boundary hedges; this distance would only be applicable for traffic speeds of 28 - 29mph. Whilst traffic may be travelling below the maximum speed and a shorter SSD could be accepted, this would need to be supported through traffic survey data.

Therefore the developer should undertake a traffic survey to establish the 85th percentile speeds needed to provide accurate visibility splays for this site, especially given the layout of Barley New Road to the north of the proposed access.

If appropriate visibility splays cannot be provided we would object to the application on highway safety grounds.

New access

The formation of the new vehicle access from Barley New Road to the development site would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to, the construction of the access to an appropriate standard, including a minimum width of 4.5m, radius kerbs, buff coloured tactile paved dropped pedestrian crossings, re-location of the highway gully and a street lighting assessment.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process.

The new access should remain ungated to allow vehicles to pull clear of the carriageway when entering or leaving the site.

Parking provision

The development site does not score high in terms of accessibility and there would therefore be a reliance on the use of private vehicles. As such we recommend that maximum parking standards are applied to this development.

For properties with two to three bedrooms two adequately sized parking spaces should be provided. For properties with four bedrooms three adequately sized parking spaces should be provided. Parking spaces should be a minimum size of 4.8m x 2.4m, unless bounded by a wall/fence, where they should be a minimum of 3m wide.

To count as one space a single garage should have minimum internal dimensions of 6m x 3m, which would also provide secure, covered storage for two cycles. Where garages not less than 5.5m long are proposed, alternative secure, covered storage for a minimum of two cycles per dwelling should be provided elsewhere within their curtilage.

A minimum length of 6m manoeuvring area in front of the garage should be provided.

As such the indicative layout is not acceptable as the proposed parking spaces obstruct access to/from the garage and should be re-located.

General

Whilst on site we noted that there is currently internal access to the development site via a gate at the side of the existing garage. The development would remove this access, and there is no other point of access onto the public highway. It is unclear whether there is an alternative means of access.

The internal layout should allow vehicles to enter and leave the site in forward gear and independently of the other household.

Given the development site's location on Barley New Road, close to the junctions with Jinny Lane, Ridge Lane and Blacko Bar Road and the access for Thorneyholme Hall, the developer should provide a construction method statement.

The access from the back edge of the adopted footway for a minimum distance of 5m into the site should be surfaced in bound porous material to prevent loose surface material from being carried onto the adopted highway network, so posing a hazard to other highway users.

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. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the applicant to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above. In line with these comments, we recommend the following condition is attached to any approval notice.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

PBC Conservation Officer

The site lies to the SE of Thorneyholme Hall, listed Grade II, and as such, any development on the site has potential to affect its setting. The Hall, now split into two dwellings, is an imposing stone house of the late C18th, of symmetrical 3-storey design with a later C19th wing added to the west side. The main heritage significance of the house lies in its symmetrical gabled form with tall chimney stacks, stone copings and kneelers, and in the imposing 3-storey height of the original frontage of the Hall which faces south, away from the road. The frontage is less publicly visible as it faces away from the road onto rising open countryside, however it can be glimpsed on approaching from the south along Jinny Lane. The main setting of the listed building is therefore primarily defined by this rising open land to the south, and also the open valley floor to the NE.

The original rear (N) elevation faces directly onto Barley New Road, having a range of distinctive small paned windows including a tall stair window. This elevation can be seen from the road and there are also partial views from across the flat valley floor to the N and E.

Though the Hall can be seen within a largely rural landscape, it is part of the Thorneyholme hamlet, which comprises a variety of farm buildings, cottages and a former mill, loosely clustered around the road and Whitehough Water. The Hall is partially screened by mature trees on the SE approach along Barley New Rd, and these provide some visual and physical separation from the development site.

In principle two additional dwellings here should have little adverse impact on the setting of the Hall, provided that the proposed buildings have a relatively informal and organic layout, are of simple traditional design and in matching natural materials. However the plan submitted shows a relatively formal layout of two identical houses with rigid

building lines onto the road. There are other features, such as the attached garages, which give a more suburban feel.

The existing hedges and trees along the frontage are obviously important to the rural context and would need to be retained and reinforced. If this can be done effectively the main open views of the Hall from the S and NE would be preserved. Provided that appropriate designs can be achieved at the detailed stage to suit this rural context, the setting of the listed building would be preserved.

PBC Environmental Health

No objection, although it should be noted that the development is likely to be served by a private (i.e. non-mains) water supply. The applicant is advised to ascertain the quality and sufficiency of the water supply. If the water is used in a commercial or public activity it must be tested every year by the Council. If there is no commercial or public activity but more than one property uses the same water source, it must be tested by the Council every five years. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.

Roughlee Parish Council

In response to your letter, Roughlee Parish Council met to discuss the above proposal and feel very strongly that this development would be highly inappropriate for a variety of reasons and should not be allowed to go ahead.

The site is well outside of the settlement boundary, does not relate well to any existing development and would result in a form of ribbon development unrelated to the existing form of the village. There is no local need which would justify approval of these houses. The indicative design, although not part of the application, indicates a suburban form of development. In terms of the Core Strategy it is against policy as it is well outside of any settlement boundary and constitutes development in the open countryside.

There is no attempt to argue that the development is necessary to meet local needs which, we believe, should mean a need arising from the local area. Whilst the new build at Ridge Lane was highly controversial, it was able to demonstrate a very specific case of local need. This new application shows no similar circumstances and simply seems to be a speculative build to add another two four-beds to sell at full rate on the housing market.

Thorneyholme Hall is a listed building and part of its importance is that it stands alone which gives it an impressive setting. The proposed houses are of a significant scale and their design is alien to the hall. As such it will detract from the setting of the listed building.

The new house across from Yate House is an example of poor, out of scale development whose design is unrelated to traditional buildings in the area. This would clearly also apply to the two houses now proposed.

Public Response

The nearest neighbours were notified by letter, in addition to a site and press notice being posted. Four letters of objection were received from neighbouring occupiers, their comments can be summarised as follows:

- Works may result in subsidence to properties above.
- Although not on a flood plain, the site is susceptible to flooding.
- The proposed dwellings are excessively large.

- Block countryside views and have a detrimental impact on the setting of the Listed Building, and its prominence in the area.
- Contrary to the Forest of Bowland AONB SPG, as the scheme does not provide affordable housing.
- The site is a significant habitat for wildlife and would result in a loss of grazing pasture.
- Existing parking issues on Barley New Road, which may be exacerbated or cause visibility issues in the future.
- Many properties of this scale and design available in the area, no demand.
- Development on this site would be readily visible and appear out of place in the surroundings.
- No specific local need to balance against the significant negative impact the development would have on the AONB.
- Additional land or dwellings are not required for Roughlee to meet its housing targets.
- Could set a dangerous precedent for development on agricultural land in the area.
- Removal of any of the hedgerow along the road boundary, would adversely affect the setting and character of the area.

Officer Comments

Policy

Local Plan Part 1: Core Strategy

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

ENV2 (Achieving Quality in Design and Conservation) states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets. The proposals compliance with this policy is addressed in the design and amenity sections.

LIV1 (Housing Provision and Delivery) sets out the housing requirements for 2011 to 2030 and how this will be delivered. It allows for sustainable development outside of settlements to come forward until the part 2 plan has been approved.

LIV3 (Housing Needs) provided guidance on the housing needs in order to provide a range of residential accommodation.

LIV5 (Designing Better Places to Live) requires that layout and types of development reflect the site and the surroundings, to meet borough-wide requirements for housing stock.

Replacement Pendle Local Plan

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.

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 the Framework, taken as a whole, constitute

the Government's view of what sustainable development in England means in practice for the planning system.

Paragraph 59 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.

Paragraph 78 requires that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 172 requires great weight to be given to conserving the landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Principle of Development

The impact on the Open Countryside and the Forest of Bowland AONB must both be addressed when deciding on the acceptability of residential development on this site. The site is adjacent to Thorneyholme Hall, a Grade II Listed Building. It is located on the western side of Barley New Road, at the junction with Jinny Lane. Residential dwellings, holiday lets and farmsteads intermittently populate either side of Barley New Road.

Paragraph 78 of The Framework, states that "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services."

The application site is located outside of the settlement boundary of Roughlee, however Policy LIV1 allows for new housing development on non-allocated sites, provided they are within or very close to the settlement boundary. The site is located 450 metre walk from the edge of the nearest settlement boundary of Roughlee, in which a primary school, pub and shop are offered. In addition, it would be viewed directly against Thorneyholme Hall and the small cluster of buildings which form the Thorneyholme hamlet. Furthermore, there is an existing bus stop at the junction of Barley New Road and Jinny Lane, within 40 metres of the application site, which would provide access to neighbouring towns and villages.

Consideration must be given to the appeal at Field No. 6891 Ridge Lane (13/16/0027P) which is under 60 metres from this application site. The inspector concluded that the proposal would not be an isolated new home, by virtue of its proximity to a bus stop and existing intermittent properties adjacent to the open countryside on Jinny Lane and Ridge Lane.

Taking this into account, the houses would not be isolated from nearby dwellings or the settlement of Roughlee, despite the location of the settlement boundary and them being in a prominent position. The availability of public transport is also recognised, therefore the proposal would not result in isolated new homes.

Secondly, the application site is located within the Forest of Bowland AONB. Paragraph 172 of The Framework, states that "great weight should be given to conserving and enhancing the landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues."

The AONB SPG advises that the AONB is not suitable for major housing developments. Furthermore, the construction of new dwellings in the AONB is unacceptable unless necessary for

agricultural or forestry workers, dwellings to meet local need, low cost housing or replacement of an existing dwelling. The scale and design of existing buildings should be respected.

The SPG also states that all proposals for new housing must meet a valid local need and must be accompanied by a Housing Needs Statement demonstrating the development would meet such a need.

This guidance was adopted in 2003, when development outside of settlement boundaries was not acceptable. This requirement for a housing needs statement is not compliant with the NPPF and therefore is not necessary when assessing this proposal.

It is noted that a 'valid local need' is referred to in the appeal decision for the site on Ridge Lane, however the inspector does not put in place any controls to ensure the dwelling remains for local need. Instead he places more emphasis on the visual impacts the development would have on the character and beauty of the AONB.

The proposed development would be sited directly adjacent to the prominent three storey structure of Thorneyholme Hall, with nearby dwellings to the south east on Barley New Road and the rear on Jinny Lane. The site is set within the valley, sloping upwards to the west, giving it an element of screening from long reaching views.

Although the design and scale of the development is not to be assessed through this outline application, residential development in this location would not prevent panoramic views or a sense of openness in this area, nor would it result in a dominant form of development that would cause significant harm to the AONB.

In this instance the proposed site would be in a sustainable location and the principle of housing acceptable, which accords with Policy LIV1.

Setting of the Listed Building

The site lies to the south east of Thorneyholme Hall, a Grade II Listed 18th Century three storey dwelling. The original rear of the property faces Barley New Road, with the side elevation facing the application site.

In principal, two additional dwellings adjacent to the property would have little adverse effect on its setting, provided the buildings are of an informal and organic layout, with a traditional design, which can be assessed at reserved matters stage.

Design

The application is in outline form and does not include details of design.

Impact on Amenity

The proposed development would not raise any unacceptable residential amenity issues and is therefore acceptable in terms of amenity.

Highways and Access

Based on the information provided with this outline application, no objections are raised to the proposal. However, further details of visibility splays and a reconfiguration of a parking layout on the site would be required to be assessed at reserved matters stage.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development accords with the Local Plan and National Planning Policy Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. An application for approval of the reserved matters (namely the appearance, layout, access, scale and landscaping of the development) 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) (England) Order 2015 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, layout, access, scale and landscaping (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: 88/18/01.

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

4. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the erection of the external walls of the 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 dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

5. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

6. No development shall take place, including any works of clearance, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) Wheel washing facilities
- v) Measures to control the emission of dust and dirt during construction
- vi) Details of working hours
- vii) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: In the interest of highway safety.

7. Before the dwellings hereby permitted are occupied, the access to be used for vehicular purposes extending from the highway boundary for a minimum distance of 5 metres into the site shall be appropriately paved in a bound porous material.

Reason: To prevent loose surface material from being carried on to the public highway, causing a potential source of danger to other road users.

8. The proposed access from the site to Barley New Road shall be constructed to a minimum width of 4.5m and this width shall be maintained for a minimum distance of 5m measured back from the nearside edge of the carriageway.

Reason: To enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

9. Before the access is used for vehicular purposes, 45° visibility splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

10. The development shall include provision to enable vehicles to enter and leave the highway in a forward gear and sufficient on plot parking. The development shall not be occupied unless and until such provisions have been laid out and surfaced in accordance with a plan, to be submitted to and approved in writing by the Local Planning Authority. The car parking and manoeuvring areas shall thereafter at all times remain free of obstruction and available for parking and manoeuvring purposes.

Reason: To allow for the effective use of car parking area and prevent vehicles reversing onto the highway, which can be a hazard to other road users.

11. The development hereby permitted shall not be occupied until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;

- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure appropriate landscape design and in the interests of the visual amenities of the area.

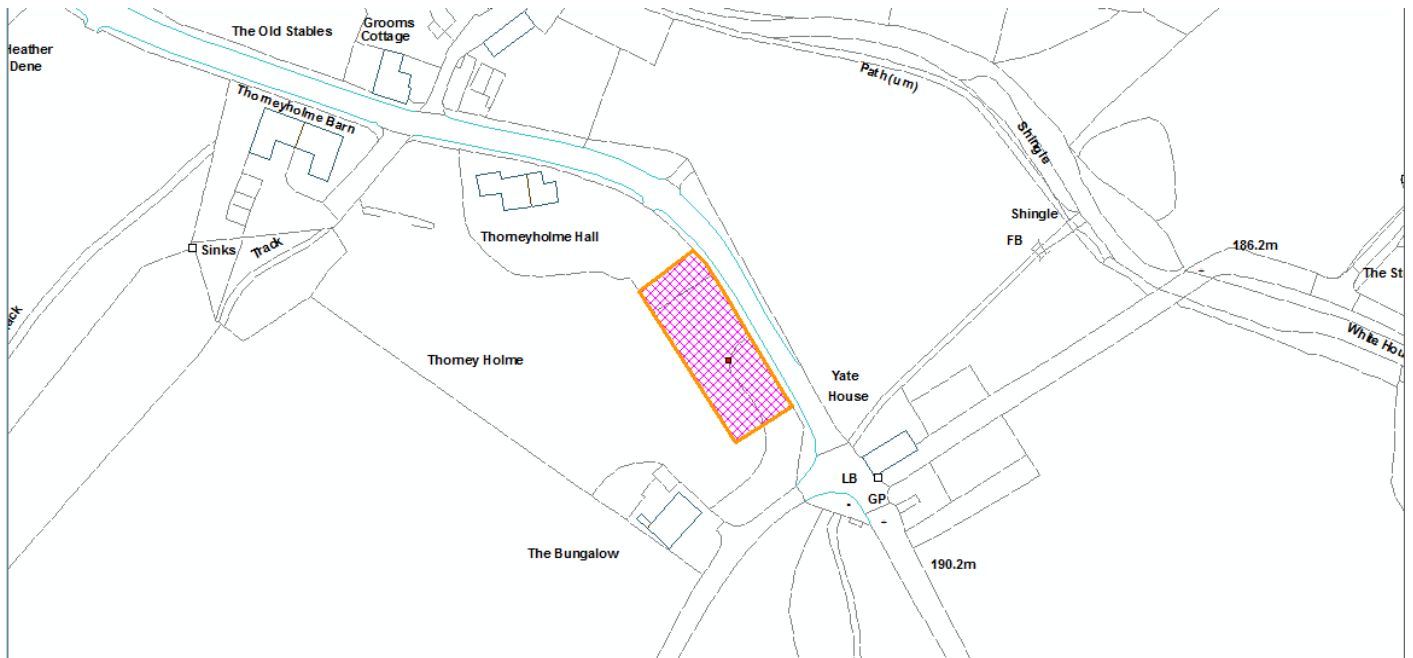
12. Notwithstanding the provisions of Article 3 and Part 1 and 2 of the Second Schedule of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, D and E of Part 1 and Class A 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: In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of the area and impacts on neighbouring properties.

INFORMATIVE

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard, including a minimum width of 4.5m, radius kerbs, buff coloured tactile paved dropped pedestrian crossings, re-location of the highway gully and a street lighting assessment. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or by email on developeras@lancashire.gov.uk , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

2. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.



Application Ref: 18/0733/OUT

Proposal: Outline: Erection of 2 No. dwelling houses (All Matters Reserved)

At: Land To The East of Thorneyholme Hall, Barley New Road, Roughlee

On behalf of: Mr Gary Dunn

REPORT TO BARROWFORD & WESTERN PARISHES COMMITTEE 10th January, 2019

Application Ref: 18/0814/FUL
Proposal: Full: Retention of existing car park to 25 spaces and widening of existing entrance and exit and revised pedestrian access ramp (Retrospective).
At: Holmefield House, Gisburn Road, Barrowford
On behalf of: Barrowford Parish Council
Date Registered: 19 November 2018
Expiry Date: 14 January 2019
Case Officer: Kathryn Hughes

This application has been brought before Committee as it is a Parish Council application.

Site Description and Proposal

The proposal is to retain the extension of the car park which now forms 25 parking spaces

The car parking provision of 25 spaces is sited to the north side of the building opposite the revised ramped entrance.

The external alterations include widening the existing entrance and exit and forming a larger planter for the protect Lime tree.

TPO No. 1, 2007 is extant on the site. This relates to 4 trees. Only one is potentially affected by the development and that is tree T1 which is a Lime tree found on the north of the building. The land is designated as Amenity Green Space in the Open Space Audit.

Relevant Planning History

17/0223/FUL – Full: Retention of existing car park to 25 spaces and widening of existing entrance and exit and revised pedestrian access ramp (retrospective) – Approved July, 2017.

13/04/0136P – Full: Erect access ramp to side (replace existing) Reg. 3 – Approved 14th April, 2004.

Consultee Response

LCC Highways – Having considered the information submitted for the above application, together with observations on site on 13 December 2018, the Highway Development Support Section does not raise an objection in principle but have a number of issues and concerns and makes the following comments.

Planning Permission for the extension of the existing car park to provide 23 spaces and widening of the existing entrance and exit was granted in July 2017 under reference 13/17/0223/FUL, with a number of conditions and note being applied.

The current, retrospective application is for 25 spaces, together with the widening of the existing car park entrance from Gisburn Road and exit on to Lucy Street. The layout of the car park now submitted differs significantly from that approved and appears to be fully completed on site.

Whilst the application is for 25 spaces the submitted plan shows 27 (including three disabled parking bays), and 27 are also laid out (see later comments).

Site layout

Given the revised car park layout, which includes a section of two way traffic circulation and no physical means to prevent two way traffic in other sections, we have concerns that vehicles will not follow the one way entry and exit system as laid out. In fact whilst on site, a vehicle drove from Ann Street, across Lucy Street and into the car park through the exit.

Although the applicant has submitted signage details for the entrance/exit points we do not consider that these will be sufficient to deter vehicles from misusing the one way system, which would be to the detriment of highway and pedestrian safety. In order to enforce the one way system physical measures, in the form of one way traffic flow plates, should be installed at both the entrance to and exit from the car park.

To reinforce the one way system internally we also recommend that lockable, retractable bollards from the new planter, along the rear of the parking bay to the entrance steps of Holmefield House are installed. This would still maintain pedestrian and cycle access whilst also providing flexible access in an emergency, which the movable planters would not.

Disabled parking bays

As previously advised in responses to applications 17/0223/FUL and 18/0569/CND, the disabled parking bays are not laid out in line with current Department for Transport's guidance (Inclusive Mobility). The design and layout of disabled parking bays states that an additional width of at least 1200mm along each side should be provided. Where bays are adjacent the same 1200mm space can serve both sides. There should also be a 1200mm wide safety zone at the vehicle access end to provide boot access or for use of a rear hoist

The second disabled parking bay (DPB) from the entrance is not laid out to guidance and does not have the additional minimum 1200mm width on both sides of the bay. Nor does the DPB adjacent to the Armed Forces Support Group building have this additional width on both sides of the bay.

The provision of correctly laid out bays for the above would result in the loss of two standard sized bays.

The disabled parking bay adjacent to the entrance from Gisburn Road does not have adequate manoeuvring space to the rear of the bay, even for a standard sized bay; a minimum of 6m should be available. As this cannot be physically provided we recommend that the parking bay perpendicular to the new planter is converted to a DPB.

As such, the proposed layout for the disabled parking bays does not comply with current guidance and requires amendment. It should be noted that three standard sized bays would be lost overall in order to provide properly laid out DPBs, with a reduction in the total number of parking bays to 24.

Pedestrian access – Gisburn Road

The pedestrian access from Gisburn Road as shown on Drawing Four/PH, dated October 2018, does not match the layout on the ground. This plan shows a separate pedestrian access, whilst that on site is a joint vehicular/pedestrian access, with a marked out walkway.

Car park access/exit points

Gisburn Road

Red tactile paving is still in place within the adopted footway, which is the wrong colour for the type of pedestrian crossing. As previously stated, these should be removed and replaced with buff coloured paving, which would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority.

The applicant should remove the sets within the adopted highway and replace with tarmac, which would need to be carried out under a legal agreement with the county council. Alternatively the applicant should provide the county council with full construction and bedding details of the sets to

ensure that this crossing has been constructed to an acceptable standard given the intensification of this vehicle access point.

Lucy Street

The formation of a properly constructed vehicle exit onto Lucy Street and associated highway improvements would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to, the construction of the vehicle exit to an appropriate standard; radius kerbs on both sides of the exit point, the re-location of the highway gully and dropped, buff coloured tactile paved pedestrian crossings.

Cycle storage

Anchor points for four cycles have been installed along a section of wall between the gable end of Holmefield House and the Armed Forces Support Group building. Secure, covered cycle storage should be installed to provide a more attractive and realistic alternative means of transport.

Car park signage

Given the safety concerns already outlined about the misuse of the one way system, the No Entry and No Exit signs as submitted should be replaced with the prescribed No Entry sign (ref No 616 from the Traffic Signs Regulations and General Directions, size 270mm or 450mm) to re-enforce the one way flow of traffic.

Subject to the satisfactory receipt of an amended layout plan and further details requested, we recommend that conditions relating to site access and off site highway works, details of physical traffic flow controls, signage scheme for one way and cycle storage are attached to any grant of planning permission.

Barrowford Parish Council – The Council supports this application.

PBC Environment Officer – No comments as the tree work has been completed. However, an appropriate landscaping scheme is still required.

Public Response

Nearest neighbours notified by letter.

Officer Comments

The main issues are impact on amenity, loss of open space, impact on protected tree, flood risk and highways issues.

1. Policies

The following Pendle Local Plan policies apply here:

Policy ENV1 seeks to protect open space and green infrastructure.

Policy ENV7 does not permit development where it would increase the potential for flood risk without appropriate alleviation measures.

The following saved Replacement Pendle Local Plan policies are relevant here:

Policy 31 'Parking' seeks to accommodate adequate provision for off-street car parking within the development site.

2. Impact on Amenity

The existing car park to the side of the building (north), which previously accommodated around 6 parking spaces has been increased with a parking provision of 25 spaces. The proposal also seeks to retain the increased width of the egress from the site and formalised one way system.

The additional car parking spaces do not have any impact on the amenity of the area and the protected Lime tree sited on the existing car park remains in situ. There are other trees on the site which have been removed in order to facilitate the car parking spaces and widen egress onto Lucy Street.

Whilst these trees added to the amenity value to the area a more formal landscaping scheme which helps to screen the proposed car parking would be appropriate here.

It is proposed to replace these trees with replacement semi-mature fruit trees. Details of this can be controlled by an appropriate condition.

The proposal therefore accords with policy.

3. Loss of Open Space

The site is protected in Open Space Audit as Amenity Green Space. The site is just below average quality and scores medium priority in the audit. The whole of the amenity space around Holmefield House is included in the protection.

However, only a small proportion of this land has been utilised for parking with the bottom northern corner retained as green space and the whole of the area to the western side unaffected by this scheme.

Taking in account that this is a community facility and that increased car parking results in providing sufficient off-street parking capacity of this building and the loss of the medium quality open space would be minimal on this site, in my opinion this would be a valid exception to this policy requirement.

The loss of this open space has already been justified and accepted by the previous permission.

4. Protected Trees

TPO No. 1, 2007 is extant on the site.

Tree T1 is a Lime Tree sited to the north of Holmefield House. The tree remains on site and has been enclosed within a larger solid structure.

The Lime tree has been protected and retained and the other trees removed and therefore need to be replaced with a more appropriate landscaping scheme of semi-mature native species which can effectively screen the car park.

Based on the above this scheme does not have any more impact than at present and subject to an appropriate landscaping scheme which can be controlled by condition it would accord with policies.

5. Flood Risk/Drainage

Details of the proposed drainage for the surface water have been submitted and the site is within flood zone 2 and 3.

The agent has been requested to clarify the porous nature of the tarmac which has been laid in order for this to be addressed in terms of drainage for the site.

The Environment Agency has no concerns over potential flood risk due to the minor nature of the scheme.

Therefore subject to clarification the scheme accords with policy 6.

6. Parking/Highway Issues

This application seeks to retain the 25 space car park and pedestrian access ramp in order to improve the layout and access and egress by widening the existing access and introducing a one way system.

Conditions relating to off-site highway works and one way signage will be required in order to ensure the scheme is acceptable in terms of highway safety.

Provision for cycle spaces will be provided within the site.

The proposal therefore accords with policy 31 subject to the conditions mentioned above and amended layout plans.

Summary

The scheme is acceptable in terms of impact on amenity, protected trees, flood risk/drainage and highways issues subject to acceptable justification for the loss of open space, appropriate conditions for replacement landscaping scheme, appropriate drainage/surfacing, signage and highway works.

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 car park and external alterations are acceptable subject to slight amendments to address the concerns raised and appropriate 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. 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:

Zero/PH, One/PH, Four/PH & signage and lining plan.

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

3. Within one month of the date of this decision a scheme for the alterations to the site access/exit and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. For the avoidance of doubt these works shall include a radius access crossing on Lucy Street; an extended vehicle crossing on Gisburn Road; H bar markings across the Gisburn Road and Lucy Street accesses; road markings to indicate the on-street parking bay terminations on Gisburn Road.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

4. Within one month of the date of this decision details shall be submitted to and approved in writing by the Local Planning Authority in respect of a signing scheme for the one-way traffic system. The development should be undertaken in accordance with the agreed details and implemented within two months of agreement of details.

Reason: For reasons of highway and pedestrian safety.

5. Within one month of the date of this decision car park shown on the approved plan shall be constructed, surfaced, sealed, drained and marked out in accordance with the approved plan and details of porous surfacing and appropriate drainage to be submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity and highway safety.

6. Within one month of the date of this decision a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
 - a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed hard landscape elements;
 - e. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted.

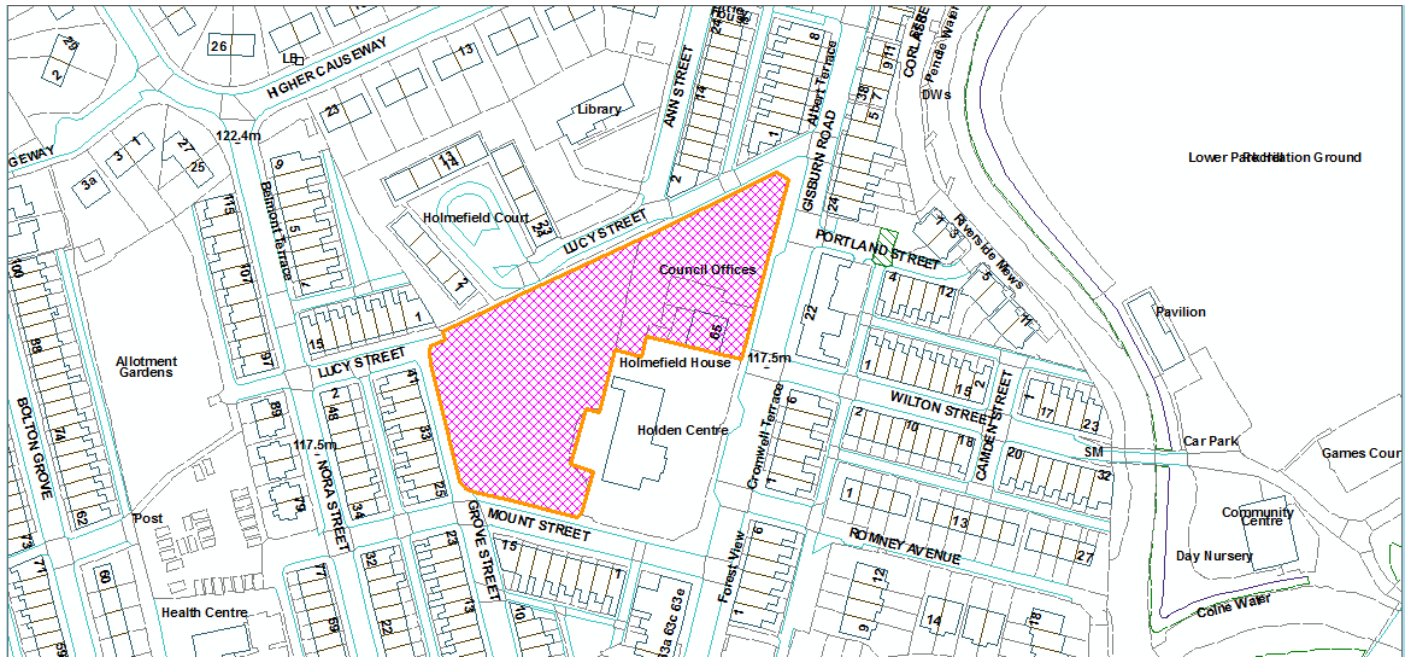
The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings

Note

1. The grant of planning permission will require the applicant to enter into an appropriate Section 278 Legal Agreement, with Lancashire County Council as Highway Authority prior to the start of any development. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the county council for further information by telephoning the Development

Support Section (Area East) on 0300 123 6780 or email lhscustomerservice@lancashire.gov.uk, quoting the relevant planning application reference number.



Application Ref: 18/0814/FUL

Proposal: Full: Retention of existing car park to 25 spaces and widening of existing entrance and exit and revised pedestrian access ramp (Retrospective).

At: Holmefield House, Gisburn Road, Barrowford

On behalf of: Barrowford Parish Council

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 20th December 2019