



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: COLNE & DISTRICT COMMITTEE

DATE: 7TH MARCH, 2019

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To comment on the attached planning application.

REPORT TO COLNE & DISTRICT COMMITTEE ON 7th MARCH, 2019

Application Ref: 18/0865/REM

Proposal: Reserved Matters: Major: Erection of 82 dwellinghouses and associated infrastructure (Appearance, Landscaping, Layout and Scale) (planning application 13/14/0580P – Appeal APP/E2340/W/15/3131974).

At: Land to the East of Windermere Avenue, Colne.

On behalf of: McDermott Homes Ltd

Date Registered: 4 December, 2018

Expiry Date: 5 March, 2019

Case Officer: Kathryn Hughes

This application is for a housing development of more than 60 houses and as such must be determined by Policy and Resources Committee. The application has therefore been brought before Colne & District Committee for comments rather than determination.

Site Description and Proposal

The application site is a 3.9ha parcel of agricultural land located between Skipton Old Road, Favordale Road and Windermere Avenue, on the north east side of Colne. The site lies within the settlement boundary and Lidgett and Bents Conservation Area.

This application seeks approval of reserved matters for the erection of eighty two dwellinghouses for appearance, landscaping, layout and scale. Access from Windermere Avenue has been approved on Appeal at Outline stage with an emergency access onto Skipton Old Road.

A Planning Statement, Design and Access Statement and Landscaping scheme have been submitted with this application.

Relevant Planning History

13/14/0580P – Outline: Major: (Access only from Skipton Old Road and Windermere Avenue) Erection of up to ninety dwellinghouses including estate roads, footways and open space provision – Refused – Allowed on Appeal.

Consultee Response

LCC Highways – The layout could be more conducive to the principles of the Manual for Streets whereby loop roads are provided rather than a series of cul-de-sacs from a spine road. For example a link could be provided between plots 24 and 48 without the need for significant re-design of the plot positions. Loop roads provide better connectivity for all highway users; it is especially beneficial for service vehicles. I note that there is a pedestrian link shown through the green space along the western boundary of the site however there are no details of the construction of this link. A link for pedestrians and cyclists 3m wide, to adoptable standards (hard paved with lighting) would be the preferable for an urban setting.

The estate road gradients should not exceed 1:12. I anticipate that McDermott Homes will offer the roads for adoption by Lancashire County Council and a technical approval process will be completed under the S38 agreement.

Traffic calming measures are sought on the estate road to ensure that the vehicle speeds entering and leaving the estate road are equivalent to the surrounding estate roads which are traffic calmed. Flat topped humps are recommended near plots 3 and 35 and raised junction tables at the junction of the cul-de-sac to plots 8-12 and cul-de sac to plots 57-64. A 20mph speed limit will be imposed as part of the S38 agreement.

The turning head of the cul-de-sacs to plots 8-12 and 19-23 look insufficient in size to turn a refuse wagon. The cul-de-sacs should be tracked to show the proximity of the refuse wagon to the all plots to accord with the Manual for Streets maximum carry distances for refuse operatives and residents contained within paragraph 6.8.9 of Manual for Streets, 'residents should not be required to carry waste more than 30m to the storage point, waste collection vehicles should be able to get within 25m of the storage point. A maximum reversing distance for service vehicles is 15m.

A number of refuse collection points, separate from the footway and carriageway, appear necessary.

The service verge along the south side of the road serving plots 27-32, 65-68 and 78-82 should be upgraded to footway.

The emergency link onto Skipton Old Road shall be built to adoptable standards and vehicle movements shall be restricted with a bollard or similar arrangement to be agreed.

The parking spaces within the courtyard parking arrangement for Plots 69-77 should be widened to 3m as they are between physical boundary walls and fences and additional width is required to allow car doors to be opened on both sides.

Environment Agency – We have no objection to the proposed development as responsibility for the assessment of surface water flooding and drainage has since transferred to the Lead Local Flood Authority and therefore they should be consulted on the proposed surface water drainage arrangements.

Lead Local Flood Authority – has no objection to the scheme subject to the requirements of condition 5 being satisfied in full and a condition being attached to any grant of reserved matters.

United Utilities – It should be noted that we have already commented on the Outline Application.

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 developer 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.

Further information regarding Developer Services and Planning, can be found on our website at <http://www.unitedutilities.com/builders-developers.aspx>.

Further to our review of the submitted documents, United Utilities has no objection foul and surface water drainage strategy and would support an application to discharge any drainage conditions

We recommend the Lead Local Flood Authority along with any other statutory consultee, is also consulted on the proposal.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact.

We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition.

Water comments

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 and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at **DeveloperServicesWater@uuplc.co.uk**.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

General comments

Where United Utilities exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities assets and the proposed development.

Supporting information - Drainage

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Lancashire Fire and Rescue – The proposed application has been noted and the Fire Authority gives its advice in respect of access for fire appliances and water supplies for firefighting purposes to the site.

Recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application.

The Local Authority Building control/Approved Inspector and Fire Service should be consulted at the earliest opportunity where more specific advice can be offered.

Architectural Liaison Unit – The Crime Impact Statement takes into account local crime figures and incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development.

Rationale: to keep people safe and feeling safe by reducing crime and anti-social behaviour across Lancashire, and in accordance with the following legislation and policies:

National Planning Policy Framework 2018

8. Promoting healthy and safe communities

S91: Planning policies and decisions should aim to achieve healthy, inclusive and safe places that are:

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

Section 17 of the Crime and Disorder Act 1998

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Pendle Council Core Strategy 2011 to 2030

Our Foundations for a Sustainable Future: Improving the Environment We Live In Security;

8.63 Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

8.68 Developments should be planned to be safe and secure for all users; 'designing out' crime and 'designing in' community safety, should be central to the planning and delivery of new development. Guidance on Crime Prevention through Environmental Design (CPTED) bases the attributes of safer, sustainable communities on seven key principles:

1. Access and Movement: Places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security.
2. Structure: Places where different uses do not cause conflict.
3. Surveillance: Places where all publicly accessible spaces are overlooked.
4. Ownership: Places that promote a sense of ownership, respect, territorial responsibility and community.

5. Physical Protection: Places that include necessary, well-designed security features.
6. Activity: Places where the level of human activity is appropriate to the location and creates a sense of safety at all times.
7. Management and maintenance: Places that are designed with management and maintenance in mind, to discourage crime in the present and future.

8.69 Schemes such as Secured by Design, a police initiative to encourage the building industry to adopt crime prevention measures in the design of new developments, are a valuable tool in helping to improve the security of developments. They also help to reduce the opportunity for crime and the fear of crime, creating a safer and more secure environment. This sense of freedom from crime is a fundamental element in enjoying a good quality of life. Good practice guides such as By Design, Safer Places: The planning system and crime prevention and Safer Places A Counter Terrorism Supplement offer guidance on issues such as natural surveillance and development layouts.

Policy ENV 2 Achieving Quality in Design and Conservation

Developments should be safe and secure for occupants and passers -by, reducing crime or the fear of crime. The Council will encourage buildings to obtain Secured by Design or similar standards.

Crime risks and security measures

During the period 1st November 2017 - 31st October 2018, there have been 92 crimes recorded within the Police incident location that encapsulates the proposed development, including burglary (via the rear, unauthorised entry gained by 'snapping' door locks and smashing rear patio glazing) , criminal damage, vehicle crimes and assaults.

Designing out future crime in real terms, means that for some people you are preventing their home being broken into, preventing their car being damaged or preventing an elderly resident being victim of a bogus official burglary. Making minor changes to the design and layout of a development can mean that the area is less attractive to potential intruders and can reduce the fear of crime for residents, customers, visitors and communities. Therefore, the development should be designed to embrace the principles of Secured By Design (SBD); further details can be located at www.securedbydesign.com

To mitigate the risk to crime and keep our communities safe, I would strongly advocate that the following crime reduction measures be incorporated into the design of the development at the earliest possible stage, before planning consent is considered:

The layout should promote natural surveillance by varying the orientation of the dwellings and allowing clear views across open space. Recesses should be avoided as they provide places of concealment and can restrict natural surveillance.

Back to back gardens help to keep the area secure and deter intruders as they restrict access and intruders are more likely to be seen.

It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces; this type of elevation tends to attract graffiti, inappropriate loitering and ball games.

Routes for pedestrians and vehicles should be integrated to provide a network of supervised areas to reduce crime and anti-social behaviour. Pedestrian links must be straight, well lit, devoid of hiding places, overlooked by surrounding buildings and activities and well maintained to enable natural surveillance along the paths and their borders.

The provision of public open spaces can make a valuable contribution towards the quality of a development and the character of the neighbourhood. However, public open spaces can have the potential to generate crime, the fear of crime and anti-social behaviour. Therefore, the open spaces should have clear supervision from nearby dwellings, have safe routes for users to come and go and ideally be well-lit. Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access. There should also be a clear on-going maintenance policy for any proposed open space.

The external site lighting scheme should be sufficient to cater for lawful after dark activity within the site and comply with BS 5489-1:2013. It should enhance natural surveillance and highlight any suspicious behaviour from nearby premises or passing pedestrians/vehicles. The lighting system should also evenly distribute the light creating no dark shadows, provide good colour rendition, not cause glare or light pollution and should support both formal and informal surveillance of the site. Light fittings should be protected where vulnerable to vandalism.

Landscaping in and around the site should not hinder sightlines and natural surveillance should be promoted throughout to deter crime and promote feelings of safety. Landscaping should be designed in conjunction with the lighting scheme, so one does not have a negative impact on the other. This is especially important during the summer months where dense foliage may have an adverse impact on the lighting provision. Site and front garden planting of feature shrubbery and suitable trees (e.g. open branched or light foliage or columnar fastigiated habit) should be considered. In addition, plant growth above 1m and below 2m should be absent to provide a window of surveillance, this does not preclude the use of hedging plants and feature shrubs and trees providing natural surveillance is maintained. Planting around car parking areas should be kept under 500mm in height to support natural surveillance and deter vehicle interference. A landscaping maintenance plan should be developed for the site.

Rear gardens that are adjacent to public spaces, public rights of way, woodland or countryside, can benefit from defensive space planting, such as native hawthorn, pyracantha, berberis etc., as an effective deterrent to intrusion. Also, these dwellings are more vulnerable as a concealed and less visible approach is available that makes them more likely to be targeted.

In curtilage parking reduces the opportunity for vehicle crime and should be applied to the development. Any communal car parking courts should be close to the dwelling they serve and must be within view from an 'active' room to have direct and regular visual connection between the room and the street or parking court i.e. rooms such as kitchens and living rooms. It may be necessary to provide additional windows to provide the opportunity for overlooking of the parking facility.

Communal parking facilities must also be well lit and certified to the relevant levels as recommended by BS 5489:2013.

Boundary treatments must be sufficient height and of an anti-climb design to deter intruders. A height of 1.8m close-boarded fencing is usually suitable for the perimeter of rear gardens, with dividing fences reducing to 1.5m if preferred. However, the nine properties that fall within the L & B CA may become more vulnerable to crime if 1.2m high dry stone walls and dividing rail and fence posts are utilised. This will allow unfettered access and egress to the rear of these properties (where burglaries primarily occur), which are adjacent to the open space, and then from property to property. Therefore, to mitigate risk I would strongly recommend that a 1.8m high boundary treatment be installed, which could be designed to complement the surrounding CA e.g. an anti-climb woodland timber fence. Where screen walls with fence infills are to be erected, the fence infills must sit flush with the screen walls on the public side, to prevent the low wall being used as a climbing aid. All fencing panels must be secured in place to prevent easy removal or lifting.

Where side access is required to the rear of premises then access should be restricted by introducing a 1.8m lockable gate as close to the front building line as possible to promote natural surveillance. These gates should be capable of being locked from both sides and not just be fitted with a sliding bolt at the top, which can be easily compromised from the outside.

Each dwelling should include an Intruder Alarm system installed to EN50131 (Grade 1-4) series or at least have the capability in terms of a dedicated electrical fused spur. Alarm systems should comply with the National Police Chiefs Council Policy 'Guidelines on Police Requirements and Response to Security Systems'. Alarm installation companies should be certified by the National Security Inspectorate (NSI) or Security Systems Alarm Inspection Board (SSAIB), as both organisations promote high standards of service within the security sector.

External doors sets and those that interconnect a garage with a dwelling should be tested and certified to PAS24:2016 enhanced security specification or another equivalent or higher standard. Glazing must include one pane of laminated glass, securely fixed in accordance with the manufacturer's instructions and certified to BS EN 356 2000 rating P1A.

Ground floor and other easily accessible windows must be certified to PAS 24:2016 enhanced security specification, incorporate a pane of laminated glazing and be fitted with window 'restrictors' (excluding those deemed as emergency exits) to reduce the opportunity of 'sneak-in' type thefts.

Lighting should be installed on each dwelling elevation that contains a door set i.e. photoelectric 'dusk until dawn' vandal resistant fittings.

Pedal cycles are an attractive and lucrative commodity to criminals; therefore, any bicycle anchors or racks must be secured to a solid structure, in accordance with the manufacturers' instructions, and incorporate secure fixing points for the bicycles. The design of any racking should facilitate the option of locking both wheels and the crossbar to a stand rather than just the crossbar. Compliance can be demonstrated by products certificated to LPS 1175 Issue 7.2 (2014) Security Rating 1 or 2, or alternatively Sold Secure (Bronze, Silver or Gold). Bicycle stores must be secured and certificated to LPS 1175 SR 1 or Sold Secure.

Utility meters should be located as close to the front elevation as possible, so access into secure/private areas is not required to read the meters.

Garages should not incorporate glazed units as they provide a view of any valuables stored inside.

Unfortunately, there have been a large number of reported thefts and burglaries at construction sites across all areas of Lancashire. High value plant machinery, hand and power tools, lead and metal piping, insulation materials, white goods and boilers have all been targeted, with some stolen items used to commit further lucrative criminal offences. This is placing additional demand on local policing resources.

In addition, during 1st November 2017 to 31st October 2018, 94* crimes relating to 'Plant' thefts have been recorded within Lancashire (49 within the East BCU, which incorporates Blackburn with Darwen). This equates to an under estimated value of over £480,000 (not all items of property were given a value) and 94 requests for our service. The types of property stolen included dumper trucks, quad bikes, hydraulic breakers, micro/mini diggers etc.

* All crimes, which have property stolen under the property keyword of 'plant'

Therefore, the site must be secured throughout the construction phase with adequate security measures, including;

- Robust 2.4m high anti-climb weld mesh perimeter fence with matching lockable gates that incorporate security rated locking devices;
- An intruder alarm system (monitored, with an immediate response provision) incorporated into site cabins where tools, materials or fuel could be stored;
- Monitored and/or recorded HD digital colour CCTV system, accredited with either National Security Inspectorate (NSI) or Security Systems & Alarm Inspection Board (SSAIB) approval. It is vital that any onsite CCTV recording equipment is stored securely and located within an alarmed building/cabin;
- Security lighting via low energy anti-vandal photoelectric 'dusk until dawn' fittings;
- Accredited security patrol personnel in areas of high crime;

PBC Public Rights of Way – a footpath is shown running north of plots 49 to 53 and falls short of an existing right of way (footpath 139). The owner of the land to the east would be entitled to erect fences which would prevent the public crossing the gap to the footpath. I would welcome linking the footpath to give new and existing residents an easy link to the wider public rights of way network to allow benefits and reduce car use. This link should be provided by an appropriate condition.

PBC Conservation Officer – A comprehensive Heritage Statement accompanied the outline application which fully set out and analysed the significance of the heritage assets affected together with their settings. This included an assessment of the likely impact of the scheme on that significance. The assets affected are the listed buildings at No 3 Lidgett and at Standroyd, and in particular the Lidgett and Bents Conservation Area. The scheme was amended at the outline stage to address concerns about the impact of the scheme on the setting of the listed house at Standroyd, and the impact of a main vehicular access into the site from Skipton Old Rd. The setting back of the proposed housing from the Lidgett cottages and Skipton Old Rd frontage, and provision of a buffer landscaping zone up the green slope to the rear of the cottages addressed concerns about the impact on the character and appearance of the CA at that point, as well as the listed buildings at Standroyd and No 3 Lidgett.

However the overall success of the scheme in relation to its impact on heritage assets will depend on the detailed layout and design of dwellings and the quality of landscaping, which is now to be fully addressed at the reserved matters stage. The DAS needs to build on the information within the original HS, justify why particular designs have been chosen, and assess their impact, with reference particularly to the CA and its setting.

The Inspector's decision refers to the Planit document, which sets out design parameters aimed at minimising any adverse effects on the significance of the CA and its open setting. These parameters are set out in the DAS, and indicate a relatively open grain of development along the top of the embankment to Skipton Old Rd, and a landscaped strip along the footpath forming the E. boundary of the site. The Inspector also refers to the strong vernacular character of the cottages along Lidgett, and how the surrounding fields clearly 'root' them in a rural setting; this direct relationship with agricultural land being an important part of their significance and that of the CA as a whole. The southernmost part of the development site falls within the CA boundary, with the wider site also contributing to its setting, being experienced both in shorter and more distant views of the CA. The Inspector concluded that '*with careful design and layout*, the harm identified.....would be outweighed by the benefits arising from the scheme.'

Accordingly the DAS indicates that particular care will be taken with the design and layout of those houses lying within the CA boundary. Most of these dwellings are therefore proposed to be architect-designed bespoke house types, reflecting a 'farmstead/workhouse' aesthetic to reflect the rural character and history of this part of the CA, and to assist the transition with the surrounding countryside. The DAS states it should be read in conjunction with the Planit document; it would

therefore be helpful if the applicants could submit this to accompany the DAS, in order to give more background to the design process and detailed development of the layout and house designs.

Design/layout of plots within the CA boundary

The proposed dwellings to the S edge of the site (plots 69-77) 'seek to celebrate' the nearby listed buildings, creating a rural farmstead setting which reflects the wider character of the CA. They are intended to replicate the building relationship that would be found on a typical farm estate, comprising of 'farmhouse', 'barn', 'workhouse' and 'cottage' type properties, which differ in style and alignment. They would be in natural stone and slate, and clustered together informally beyond a landscaped buffer zone to the rear of the Lidgett cottages. They would generally face outwards, set back behind generous open lawns. A rear internal courtyard would accommodate garages within simple vernacular style outbuildings, and further areas of open parking edged with dry stone walls. The gradient of the site and informal layout would avoid too much uniformity and enable rooflines to vary in shape and height. This part of the site would therefore have a more organic layout in contrast to the more regular layout of dwellings to the remainder of the site beyond the CA boundary.

The detailed designs of these houses have drawn from traditional local elements such as stone chimneys, straight gable ends with coping stones and kneelers to stone slate roofs, stone quoins and mullioned windows with stone surrounds. Windows and doors would be timber painted in darker more recessive colours. This overall concept should work well, however I feel there is scope to simplify some of the features in individual house designs in order to better relate to the immediate context of the cottages along Lidgett, which are relatively plain and simple designs in the local vernacular. The Farmhouse and Cottage property types should generally work well within this context, but the Barn/Workhouse type has a more elaborate form, and the apparent symmetry of the design with its prominent gables and expressed chimney stacks would be likely to appear over-formal, particularly as placed in the most prominent position closest to Skipton Old Rd. The gable end of house 75 has an uncomfortable door/window relationship and would be particularly prominent. This block would be better replaced with either a row of simpler cottage-type houses or a farmhouse type which would look more natural in this location.

The Farmhouse type (plots 73 and 74) works well but I would recommend giving more prominence/height to the front door with the addition of a simple pitched stone slate canopy. The windows would work better with transoms. Both would improve the scale and proportions of the front elevation. The stonework type and coursing is important, and quoins should appear natural rather than too expressed. The relationship of plot 73 with plot 72 is tight, with plot 73 requiring a relatively blank rear elevation, and an over-symmetrical gable end, which could appear incongruous. Another option could be to relocate this unit to the more prominent corner site to replace the barn/workhouse.

The Cottage type is simple and should work well, however the bridge link over the road is over-wide and therefore appears visually weak.

Conditions should require stone, slate/stone slate and pointing samples, detailed design of doors, windows, depth of reveal, metal wrg, etc.

Design/layout of plots along the SE edge of the site

It is the southern and eastern edges of the lower part of the development that will be particularly prominent in relation to the setting of the CA, when seen from Skipton Old Rd and from the footpath and open fields to the east. It is therefore important that **all** the houses along this edge (plots 75-79, 60-64 and 49) are appropriate in design and materials, to present a 'softer' more natural edge to the open countryside. To assist in this transition it would be preferable if plots 78 and 79, immediately adjacent to the CA, were also bespoke house types in natural stone and slate, to naturally follow on

from those within the CA. Additional care should also be taken with the quality of materials and design for plots 60-64 and 49. In order to assess the full visual impact of this edge to the site it would be useful to provide an updated photomontage of the view from Skipton Old Rd (as previously supplied in the Planit document).

The following house types are proposed along this edge; comments on the design of each are indicated. The aim should be generally to reduce over-complex and bright white-coloured features as visual elements that will stand out, eg. fascia boards, and simplify small-paned fenestration patterns and other elements such as keystones to lintels. The visual impact of 'modern' features such as integral garages can be reduced by using darker colours.

Design of other dwelling types

The DAS material palette for plots outside the CA includes common themes such as straight-coursed artificial stone, grey roof tiles and small paned windows in white upvc, white door surrounds, canopies and fascia boards. Care should be taken with selection of materials to make sure the stone and slate types work well against the natural materials in the bespoke houses. Lintels would generally look better without keystones. White upvc windows and fascia boards can stand out, and windows would be better in softer colour shades such as cream or pale grey, with fascias and canopies in darker shades. Individual designs could be amended to improve the scheme.

Updated Scheme – The submitted amended layout, house designs and materials addresses the concerns raised and I have no objections to the amended scheme in terms of the heritage assets.

PBC Environmental Officer – Recommends various improvements to the landscaping proposals as well as bird and bar boxes on appropriate trees.

There are two Tree Preservation Orders (TPO) on the site. These mainly relate to trees on the north and western boundaries of the site. They are listed as:

- TPO/NO8/1981 – Favordale Road, Colne
- TPO/NO15/1998 – Windermere Avenue Colne

The landscape management plans needs to include more details and include the protected trees as well as those within the conservation area.

Colne Town Council – The sharp definition between the architectural treatment and material palette deployed in the Lidgett and Bents Conservation Area and that used on the adjacent properties just outside the CA. Councillors believe that this lack of consideration has a negative impact on the CA. There should be a transition zone to protect views into and out of the CA.

The insufficient buffer between the existing properties on Favordale and the cycle path, leading to compromised privacy for those properties.

The insistence on vehicular access via the Skipton Old Road site entrance. Councillors believe vehicular access via this entrance should be removed, unless the emergency services require it. The Councillors also stressed the importance of all the traffic mitigation measures (Appeal Condition 17) being implemented.

The strong likelihood of the Curlew (a Red Listed bird) nesting on The Lower Rough which, if confirmed after an expert survey in March/April, should delay tree felling or vegetation clearance or any other works until August (Appeal Condition 12).

The risk of the Japanese Knotweed detected on the western border spreading into the brook, to other parts of The Lower Rough or to the wider area via roads (Appeal Condition 13).

Public Response

Site and press notices posted and nearest neighbours notified by letter.

53 responses received objecting on the following grounds:

- Serious issue with drainage proposals and risk of flooding;
- The construction phasing contradicts the requirements for nesting birds;
- The contractors parking and storage of materials is very close to houses;
- The paths and driveways to the west will invade the privacy of the older dwellings;
- The fence panels would be out of keeping in the conservation area;
- There is no reference to knotweed or other invasive species;
- The buildings in the conservation area just look like standard modern houses out of keeping with the area;
- This development will have a serious impact on our community and road infrastructure and the environment in general;
- The development will cause extra traffic on an already busy area around Venables Avenue, Windermere Avenue, Langdale Rise, Skipton Old Road, Castle Road and all roads leading to Park School which is already horrendous at school time;
- Local facilities are busting at the seams and local schools are full;
- This Greenfield site is totally unsuitable for a development of this scale, why can't they use brownfield sites first;
- It will spoil the character of the area that contributes to our well-being and enjoyment of our community. The development will negatively affect the views across Boulsworth and will have a negative impact on our ability to enjoy the natural surroundings;
- The development will have a negative impact on local wildlife and decrease biodiversity;
- The plan to have a cycle route on the boundary to Favordale Road will invade on the resident's privacy and the levels of noise from the cyclists is not acceptable so close to the houses;
- Garth House plot 23 facing Favordale Road will impose on the privacy of Gadshill and Ing Dene Houses. Its elevation will also mean it imposes on these houses and views will be directly into these houses;
- No clear details on the screening along the boundary between plot 23 and Gadshill and Ing Dene;
- No clear information on noise pollution caused by building the plots near to current houses in the area;
- There is a risk to the health of local residents from air and noise pollution coming from machinery and lorries used to deliver and mover materials in this location;
- We have had repeated culvert failures/collapses and the building works require proper water run off drainage. UU have not managed the situation or repairs;
- The current access at Windermere Avenue and Castle Road is not substantial to take the extra traffic;
- There should be two access points Windermere Avenue and Skipton Old Road i.e. 50/50 with road calming measures on Windermere Avenue, Coniston Grove and Thirlemere Avenue;
- Windermere Ave is a small estate road and wagons are going to create congestion, dirt and dust over three years this is asking a lot of residents;
- The plans show a collection tank at the bottom of the development with an outlet into the stream opposite my entrance to my cellar. The banking of the stream has been planted to provide protection from erosion after heavy rain. There is no contingency plan for the tank

when it's at capacity and the Victorian culvert is already in a poor state and has collapsed recently;

- The appearance of the Lidgett Triangle and the surrounding vista will be detrimentally affected by the building of these houses;
- Part of the development is in the conservation area and the proposed properties in this area must be a suitable design/construction. The proposed properties in the non-conservation area of the development must blend appropriately with the period/traditional established properties in both Favordale Road/Lidgett as well as the proposed new properties in the conservation area;
- I need reassurance that the planning conditions set by the Government Inspector have been fully implemented in this planning proposal;
- Our town can not take hundreds of extra people or the extra pollution which will be caused by them. It is obvious to all local people that our town infrastructure is crumbling with limited services from doctors, hospitals, dentists and schools, water and sewage as well as refuse collection which is abysmal;
- The extra vehicles and limited car parking facilities will put an extra burden on all local residents and add to the horrendous slow queues of traffic;
- The proposed site is served by roads which are narrow and built for horse drawn carts in poor repair and deterioration is marked and now in a dangerous state;
- This development would despoil the countryside and views and most town residents do not want to see three storey town houses which is out of keeping with the traditional mullioned local houses;
- The development is profit driven and will not be of benefit or affordable to local people who need a first home;
- This site will not stop at 82 dwellings and if it is accepted the problems will be unimaginable and the community charge payer of this town can not afford the future penalties of pollution and maintaining infrastructure;
- Coniston Grove will be used as a rat run for all the extra cars;
- 200-300 children use Venables Ave with little or no road sense and a complete disregard to traffic;
- The pedestrian crossing at the Morris Dancers needs to be automated and another automate crossing as Keighley roundabout;
- The sharp definition between the architectural treatment and material palette deployed in the Lidgett and Bents Conservation Area and that used on the adjacent properties just outside the CA. Councillors believe that this lack of consideration has a negative impact on the CA. There should be a transition zone to protect views into and out of the CA.
- The insufficient buffer between the existing properties on Favordale and the cycle path, leading to compromised privacy for those properties.
- The insistence on vehicular access via the Skipton Old Road site entrance. Councillors believe vehicular access via this entrance should be removed, unless the emergency services require it. The councillors also stressed the importance of all the traffic mitigation measures (Appeal Condition 17) being implemented.
- The strong likelihood of the Curlew (a Red Listed bird) nesting on The Lower Rough which, if confirmed after an expert survey in March/April, should delay tree felling, vegetation clearance or any other works until August (Appeal Condition 12).
- The risk of the Japanese Knotweed detected on the western border spreading into the brook, to other parts of The Lower Rough or to the wider area via roads (Appeal Condition 13).

Officer Comments

The issues for consideration are impact on amenity, impact on Heritage Assets, impact on landscape character and ecology, flooding and drainage and parking requirements.

1. Policy

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

Local Plan Part 1: Core Strategy

The following Local Plan policies are relevant to this application:

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP2 sets out the roles each settlement category will play in future growth. Nelson is defined as a one of the Key Service Centres which will provide the focus for future growth in the borough and accommodate the majority of new development.

Policy SDP3 sets out the housing distribution for Pendle.

Policy SDP6 aims to deliver the infrastructure necessary to support development within the Borough. Contributions will be sought towards improving local infrastructure and services.

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

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

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

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

Policy LIV4 sets out the targets and thresholds required to contribute towards the provision of affordable housing. Developments in West Craven are expected to provide 5% affordable housing.

SUP2 seeks to improve the health and well-being of people in the Borough.

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

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

Policy 16 'Landscaping in New Development' requires that developments provide a scheme of planting which is sympathetic to the area.

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 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 67 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.

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

The Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para.126). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 127).

Para 130 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area and the way it functions. This paragraph is unqualified. If a development is poor in design is should be refused.

1. Principle of Housing

This site is Greenfield land which lies within the town of Colne within the settlement boundary.

The principle of housing on this site has already been established by the appeal being allowed for up to 90 dwellinghouses on this site on the 28th September, 2016.

2. Impact on Amenity

The submitted layout shows 82 dwellinghouses in a relatively low density development with green spaces proposed to the south and west of the site and a link to the footpath to the north east and a cycle path to the south and east. The vehicular access from Windermere Avenue has been established as part of the appeal decision as well as an emergency access to Skipton Old Road. LCC Highways have agreed that this access can be a pedestrian and cycle route only with the installation of a heritage style bollard to prevent vehicular access.

The site is bounded by residential properties to the south with some residential properties located to the western side.

It is clear that a residential development of the scale proposed could be accommodated on the site without unacceptable impacts on privacy, overbearing impacts or loss of light to adjacent dwellings. An acceptable degree of residential amenity can also be assured for future residents of the proposed dwellings.

Details of boundary treatments have been submitted and subject to changes along the south-west boundary to the rear of Favordale Avenue are acceptable.

Subject to appropriate conditions and some change to the layout this proposal would be acceptable in terms of impact on residential properties.

3. Impact on Heritage Assets

Historic Environment Good Practice Advice Note 3 'The Setting of Heritage Assets' makes it clear that the setting of a heritage asset is the surroundings in which the asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements such as key views, character, history, culture, context, as well as visual aspects can all contribute to setting.

A comprehensive Heritage Statement accompanied the outline application which fully set out and analysed the significance of the heritage assets affected together with their settings. This included an assessment of the likely impact of the scheme on that significance. The assets affected are the listed buildings at No 3 Lidgett and at Standroyd, and in particular the Lidgett and Bents Conservation Area. The scheme was amended at the outline stage to address concerns about the impact of the scheme on the setting of the listed house at Standroyd, and the impact of a main vehicular access into the site from Skipton Old Rd. The setting back of the proposed housing from the Lidgett cottages and Skipton Old Rd frontage, and provision of a buffer landscaping zone up the green slope to the rear of the cottages addressed concerns about the impact on the character and appearance of the Conservation Area at that point, as well as the listed buildings at Standroyd and No 3 Lidgett.

A Design and Access Statement has been submitted with the application which includes a section on the designs for the south of the site and the aim to create a rural farmstead setting to reflect the Lidgett & Bents Conservation Area. These include the Farm House, The Barn, Workhouses and the Cottages. The overall designs require some simplification and the layout needs to be more organic. In order to improve the transition between the conservation area and the larger site Plots 78 and 79 also need to be more bespoke.

The applicant has made the requested changes and these improve the scheme overall and reduce the impact on the conservation area.

Additional information has been submitted showing attention to the design of the houses, materials and mature landscaping particularly at the edges of the site. Existing stone boundary walls would be retained and new boundary treatments be provided in appropriate materials or native hedgerows in order to preserve the rural character. Rooflines and roof shapes would be simple in form and detailing with materials predominately natural and in recessive colour palette.

The layout would also aim to preserve views out to the surrounding countryside this will assist in integrating the development into its context and preserving local distinctiveness.

Taking the above into account there would be a minor impact on the conservation area as this would result in less than substantial harm.

The Planning Inspector concluded that Appeal A (this site) would result in the lower end of less than substantial harm, and that this would be outweighed by the benefits arising from the scheme.

Nothing has changed which affects the thrust of the Inspector's views on this.

As the impact would be at the lower end of the scale of less than substantial harm the balance is weighted in favour of approval.

Based on the above the proposed development would be acceptable in terms of impact on the heritage assets and would accord with policies ENV1 and ENV2 and para 196 of the National Planning Policy Framework.

4. Impact on Landscape and Ecology

The site is prominent in terms of views, therefore the heights, design and materials of the proposed housing will be essential in terms of how this development would affect the landscape and visual amenity of the area.

Whilst the site is not located within any nationally valued landscaped para 170 of the National Planning Policy Framework seeks to protect and enhance valued landscapes and this area is clearly of local importance to the residents as well as the many visitors to this area.

The landscape impact was considered as part of the appeal process and the Inspector concluded that this site would, over time and as a result of its current relative containment, represent limited change reflecting a fairly logical extension of the town eastward.

The development as proposed would not have a negative impact on the landscape of this area. The proposed number of properties are appropriate and the amount of greenspace and planting has been significantly increased and improved.

The development would now provide an improved planting scheme to create an appropriate setting and provide sufficient screening and details of these have been submitted as part of the conditions discharge application.

In terms of ecology the associated fields provide ecological corridors for the movement of wildlife and the development would need to ensure that any harm would need to be mitigated. Again this forms part of the conditions attached to the outline at Appeal and seeking to be discharged as part of that application.

The proposed development would be acceptable in terms of impact on the landscape character of the area and accords with policies ENV1 and LIV1.

5. Flooding and Drainage

The site lies within Flood Zone 1. A Flood Risk Assessment was submitted with the outline application and appropriate conditions attached to the appeal decision.

In terms of drainage this scheme proposes that a Sustainable Drainage System will be installed and details of this have been submitted for consideration as part of the conditions. Drainage issues are technical ones which can be resolved and will usually result in betterment than the existing drainage situation and reduce fluvial flooding issues.

Neither Lead Local Flood Authority or United Utilities have any objections to this scheme and subject to appropriate conditions being attached to grant of reserved matters relating to the drainage scheme

and full accordance with the condition attached at outline stage on Appeal then the development is acceptable in terms of drainage and flood risk and accords with policy ENV7.

6. Highways Issues

The access has already been approved under the outline application allowed on appeal and therefore whilst minor changes may be required the principle of access has already been approved.

Minor changes to the estate layout have been requested by LCC Highways. These have been addressed and no concerns over highway safety are raised.

LCC have agreed that the emergency link onto Skipton Old Road can be a cycleway/pedestrian route only with a simple conservation style bollard or similar arrangement to be agreed.

Conditions relating to construction method statement and a street lighting scheme were attached to the outline appeal decision and a separate application has been submitted to deal with the discharge of these.

The scheme would provide adequate off-street car parking in accordance with policy 31.

7. Open Space and Landscaping

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

The site layout provides private amenity spaces for the plots as well as ample green amenity space which together with appropriate planting would help to soften the scheme and would provide sufficient screening for this development. This would provide some visual interest in the overall layout and reduce the amount of built form overall.

8. Contributions

SDP6 aims to deliver the infrastructure necessary to support development within the Borough. Contributions will be sought towards improving local infrastructure and services.

A contribution for Air Quality has already been agreed

The Pump House is also to be refurbished and the applicant has been requested to provide details of how this will be managed.

A 5% provision of affordable housing has been agreed which accords with policy LIV4.

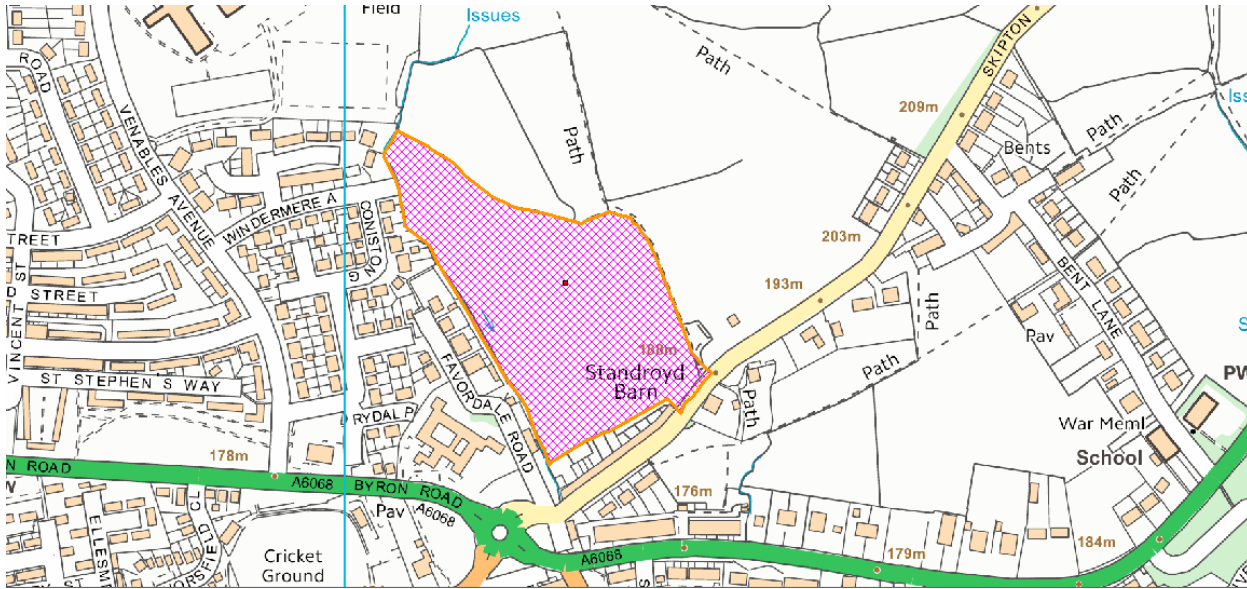
Contributions towards travel plan, cycle infrastructure, bus service and a management plan have also been agreed.

All of the above were agreed by way of a Unilateral Undertaking as part of the appeal decision for the outline application for the site.

Recommendation

The application is brought before the Area Committee for comment. Those comments will feed into the final report which will make a recommendation to the Development Management Committee.

Members are asked therefore to make a resolution incorporating the Committee's comment on the application.



Application Ref: 18/0865/REM

Proposal: Reserved Matters: Major: Erection of 82 dwellinghouses and associated infrastructure (Appearance, Landscaping, Layout and Scale) (planning application 13/14/0580P – Appeal APP/E2340/W/15/3131974).

At: Land to the East of Windermere Avenue, Colne.