

REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: COLNE & DISTRICT COMMITTEE

DATE: 04 April 2019

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE 4TH APRIL 2019

Application Ref: 18/0888/ADV

Proposal: Advertisement Consent: Retention of illuminated fascia sign to west elevation (Retrospective).

At: 57 Market Street, Colne

On Behalf of: Mr Martin Petty

Date Registered: 21 February, 2019

Expiry Date: 18 April, 2019

Case Officer: Christian Barton

This application has been called into Committee by a Member.

Site Description and Proposal

The application seeks to retain an illuminated fascia sign affixed to west elevation of 57 Market Street in Colne.

The site is a commercial stone building of traditional design. It is currently used as a barbers shop. It sits on a main road with properties of varied styles and frontages. It is surrounded by commercial premises to three sides with Colne library sited to the west.

The site is located within the settlement boundary and Colne town centre.

Relevant Planning History

19/0099/FUL – Full: Retention of unauthorised shop front to south and west elevations (Retrospective) – Pending.

Consultee Response

LCC Highways - I consider the signs to have a negligible impact on highway safety and capacity in the vicinity of the site. I have no objection to this proposal providing the appropriate conditions are attached to any front of consent relating to illuminance levels and screening.

Colne Town Council – Colne Town Council objects to this application in the strongest possible terms. Not only do we encourage this application to be refused, is our view that the local authority should, at the same time enforce. The lighting to the front causes a hazard for night time traffic.

Public Response

The nearest neighbours have been notified by letter without response.

Officer Comments

The main considerations for this application are design and highway safety.

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV2 (Achieving Quality in Design) identifies the need to protect and enhance the 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 the siting and design of development should be in scale, context and harmony with the wider locality;
- CS Policy SUP 4 sets out general principles to achieve well designed, high quality public buildings and spaces. Applications should have regard to the general design requirements set out in Policy ENV2.

Other guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to signage applications and sets out the aspects required for good design.

2. Design

Policy ENV2 requires developments to deliver the best possible standards of design. In relation to advertisements, Policy SUP4 reiterates this and aims to ensure advertisements contribute positively to public spaces. The Design SPD states that advertisements should have regard to the character and appearance of the building along with the wider locality.

The scope of the application only includes the signage installed on the west elevation. This is a single illuminated fascia sign with a width of 8m; however, there are other illuminated signs in place. The plans submitted do not accurately show the development in terms of dimensions and this issue has been raised with the Applicant.

The signage installed has a low standard of design. It is unsympathetic to the surrounding street scene given the chosen colour schemes and low quality workmanship. There are two spotlights that illuminate the signage. These are inappropriate for this town centre location. Furthermore, the garish colour scheme of mostly black and red does not relate well to the site and adjoining buildings.

Owing to the above, the development is unacceptable in terms of design and colour scheme and inappropriate lighting failing to accord with Policies ENV2 and SUP4 and the Design Principles SPD.

3. Highways

LCC Highways have raised no objections to the development and I concur with their findings. The signage is adequately set back from the carriageway edge and raises no highway safety concerns. A number of conditions have been recommended by LCC Highways, however as the signage has been installed these are not necessary.

4. Summary

The proposal seeks to retain an illuminated fascia sign attached to the west elevation. The signage installed is inappropriate in terms of design, colour scheme and inappropriate lighting for this prominent town centre building. The signage fails to comply with Policies ENV2 and SUP4 of the Pendle Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.

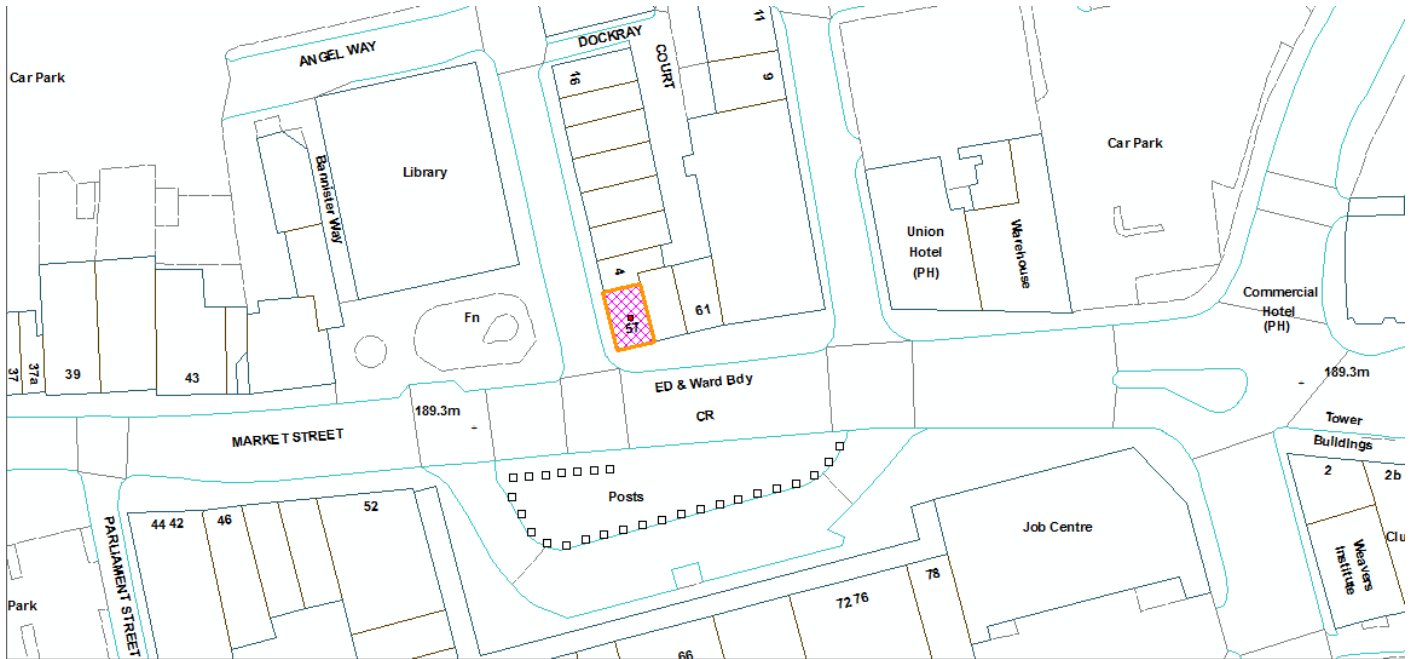
RECOMMENDATION: Refuse

1. The signage installed is unacceptable in design terms given the garish colour schemes used, poor workmanship and inappropriate lighting methods, to the detriment of the appearance of the building and street scene, along with the visual amenity of the town centre location. The signage thereby fails to accord with Policies ENV2 and SUP4 of the Pendle Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.

Enforcement Action

The signage installed is unacceptable in terms of design and colour scheme. Enforcement action should be taken to ensure that the signage is removed from the building in the interest of visual amenity.

The building has further signage in place to the south elevation and above the front door. Although not included in this application, those signs are also unacceptable in terms of design and colour scheme and enforcement action should also include the removal of those signs.



Application Ref: 18/0888/ADV

Proposal: Advertisement Consent: Retention of illuminated fascia sign to west elevation (Retrospective).

At: 57 Market Street, Colne

On Behalf of: Mr Martin Petty

REPORT TO COLNE & DISTRICT COMMITTEE 4th APRIL, 2019

Application Ref: 19/0041/HHO
Proposal: Full: Demolition of outrigger and erection of single storey extension to rear.
At: 3 Spring Grove, Colne
On behalf of: Mrs L Hurlstone
Date Registered: 24 January 2019
Expiry Date: 21 March 2019
Case Officer: Kathryn Hughes

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

Site Description and Proposal

The application site is a residential house located in a residential area outside of the settlement boundary of Colne. The site is designated as Green Belt.

The dwelling is accessed to the rear via a private track off Keighley Road with a pedestrian path to the front elevation.

The proposed development is demolish an existing outrigger and erect a single storey rear extension.

Relevant Planning History

None.

Consultee Response

LCC Highways – The Highway Development Support Section does not have any objections regarding the proposed demolition of an outrigger and erection of a single storey extension to the rear at the above location, subject to the following comments being noted, and condition being applied to any formal planning approval granted.

The development site is accessed via a private access track from Keighley Road, which is classed as a strategic route. There is a bus shelter adjacent to the entrance to the private track.

The developer should provide a construction method statement. It should cover the parking of vehicles during developments works, including the loading and unloading of plant and materials, demonstrating that these would not have a detrimental impact on the surrounding highway network, given the on-road parking restrictions in the immediate vicinity on both sides of Keighley Road. Access to the site by large construction vehicles should also be restricted to avoid peak traffic flows on Keighley Road. We recommend that these are not before 9.00am and after 3.30pm.

We request that a condition relating to a construction method statement is attached to any grant of planning permission.

Colne Town Council – Object strongly to the piercing of the original Edwardian façade with black pvc patio doors, which will completely spoil the street scene.

Public Response

Nearest neighbours notified by letter. One response received noting that the proposed extension passes over an existing combined sewer which serves neighbouring properties. Should planning permission be granted protection arrangements need to be put in place. Should this matter be judged to be outside the scope of planning then please confirm that this will be a matter for consideration under Building Regs.

Officer Comments

The main considerations for this application are impact on Green Belt, impact on residential amenity, impact on amenity, design and materials and highway issues.

1. Policy

The relevant policies are:

ENV1 seeks to protect and enhance the natural and historic environments and in particular assess the impact of development on the significance of any heritage asset including its setting.

ENV2 sets out general design principles, openness of Green Belt and climate change.

Saved Replacement Pendle Local Plan policy 31 sets out the parking standards.

The Design Principles SPD is also relevant here.

2. Impact on Residential Amenity

At present there is an existing single storey extension sited between the existing rear elevation and the detached garage.

This would be demolish and a replacement extension erected. A new 1.8m high fence is proposed to be erected between the replacement extension and the garage.

The proposed extension is slightly larger in term of footprint and height but will not unduly impact on either neighbour.

The proposal therefore accords with policy in this respect.

3. Impact on Green Belt

Policy ENV2 should be considered for all developments within Green Belt. Schemes should be proportionate to the site and retain the openness of the Green Belt.

The agent has provided some calculations of the existing house and proposed extensions to order for the increase in volume to be considered as part of this assessment.

The existing extension as a proportion of the existing dwelling was an increase of 7.7% whilst the proposed extension would result in an increase of 13.5%.

Given the position of the extensions between the existing house and the garage this single storey extension would not result in any greater impact on the openness of the Green Belt than the existing and therefore the proposed extension would result in limited impact on the Green Belt.

The proposal is therefore acceptable in relation to the openness of the Green Belt and complies with policy ENV2.

4. Design and Materials

The proposed extension is larger in footprint 4m x 4.6m with a height to eaves of 2.1m finished in render and concrete tiles. This is similar to the existing extension and matches the existing house.

The windows and doors would be upvc which is acceptable in this location.

This would be acceptable in terms of design and materials.

The replacement of the window with patio doors on the front elevation referred to in the Colne Town Council comments would be permitted development and does not form part of this application.

The proposal is therefore acceptable in terms of policy and the Design Principles Supplementary Planning Document.

5. Highway Issues

The proposal would not result in any increase in the number of bedrooms and therefore no additional parking is required and accords with policy 31.

6. Summary

The scheme as proposed would not have an unacceptable impact on the openness of the Green Belt and is acceptable in terms of design and materials subject to appropriate conditions. The scheme therefore accords with policies ENV1 and ENV2 of the Core Strategy and the Design Principles Supplementary Planning Document.

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 would not adversely impact on the openness of the Green Belt and would be acceptable in terms of design and materials and 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

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.

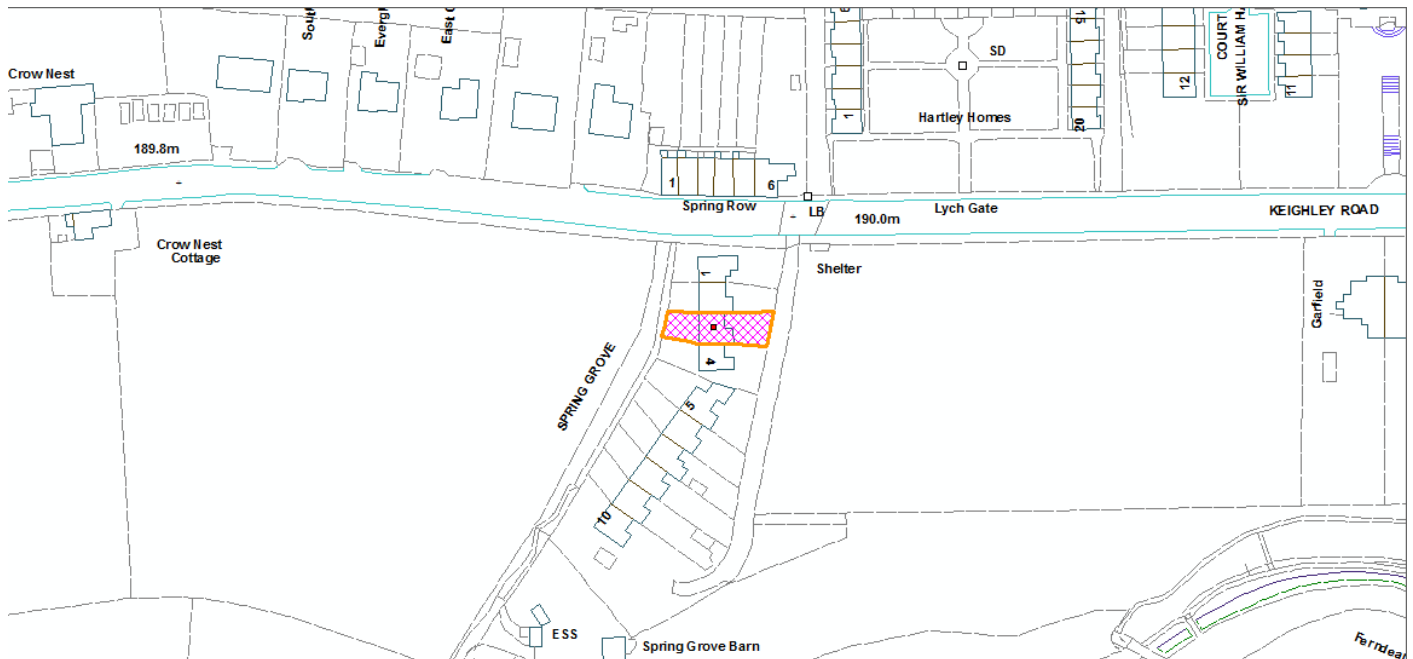
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

531 01, 02, 03 & 04.

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

3. The external materials to be used on the extension hereby permitted shall match the existing dwellinghouse in terms of texture, colour, shape and size unless otherwise approved in writing by Local Planning Authority.

Reason: In order to ensure a satisfactory appearance for the development.



Application Ref: 19/0041/HHO

Proposal: Full: Demolition of outrigger and erection of single storey extension to rear.

At: 3 Spring Grove, Colne

On behalf of: Mrs L Hurlstone

REPORT TO COLNE & DISTRICT COMMITTEE ON 4th APRIL, 2019

Application Ref: 19/0050/CND

Proposal: Approval of Details Reserved by Condition: Discharge of Condition 13 (Invasive Species) of Planning Permission 13/14/0580P.

At: Land to the East of Windermere Avenue Colne

On behalf of: McDermott Homes Ltd

Date Registered: 22 January 2019

Expiry Date: 19 March 2019

Case Officer: Kathryn Hughes

Site Description and Proposal

This application is made under article 21 of the Town and Country Planning (General Development Procedure) Order 1995 to seek confirmation of compliance with conditions on planning permission 13/14/0580P.

This application requests the discharge of condition number 13 on the Planning Permission. This condition is listed below:

13) Prior to any earthworks an Invasive Species Management Plan detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Japanese Knotweed shall be submitted to and agreed in writing to the local planning authority. The agreed Plan shall be adhered to and implemented in full.

Relevant Planning History

13/94/0084P - Outline: Application for Residential Development (9.8 acres) -Refused 25/04/1994. Appeal Dismissed, 21/12/1994.

13/95/0031P - Outline: Erect 87 detached dwellings (9.8 acres) – Withdrawn 24/02/1995.

13/98/0407P - Erect 78 houses and associated access roads – Withdrawn 13/04/1999.

13/99/0026P - Outline: Erect 78 houses and associated access roads - Refused 04/03/1999.

13/14/0580P - Outline: Major: (Access only from Skipton Old Road and Castle Road) Erection of up to 90 dwelling houses including estate roads, footways and open space provision – Refused 08/06/15. Appeal Allowed 28/09/16.

13/14/0581P - Outline: Major: (Access only from Skipton Old Road and Castle Road) Erection of up to 270 dwelling houses including estate roads, footways and open space provision – Refused 08/06/15. Appeal Dismissed 28/09/16.

18/0865/REM – Reserved Matters: Major: Erection of 82 dwellings and associated infrastructure (Appearance, Landscaping, Layout and Scale) – Pending.

Consultee Response

As required.

Public Response

None necessary.

Officer Comments

This application requests the discharge of condition number 13 on the Planning Permission.

13) Prior to any earthworks an Invasive Species Management Plan detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Japanese Knotweed shall be submitted to and agreed in writing to the local planning authority. The agreed Plan shall be adhered to and implemented in full.

An Ecological Survey and Assessment was submitted as part of the outline application which was approved on Appeal subject to the condition stated above.

The survey refers to Invasive Species at 3.2.38 with stands of Japanese knotweed and Himalayan Balsam detected on the western boundary of the site.

A management plan has been submitted which details the proposals to deal with the Japanese Knotweed on the site

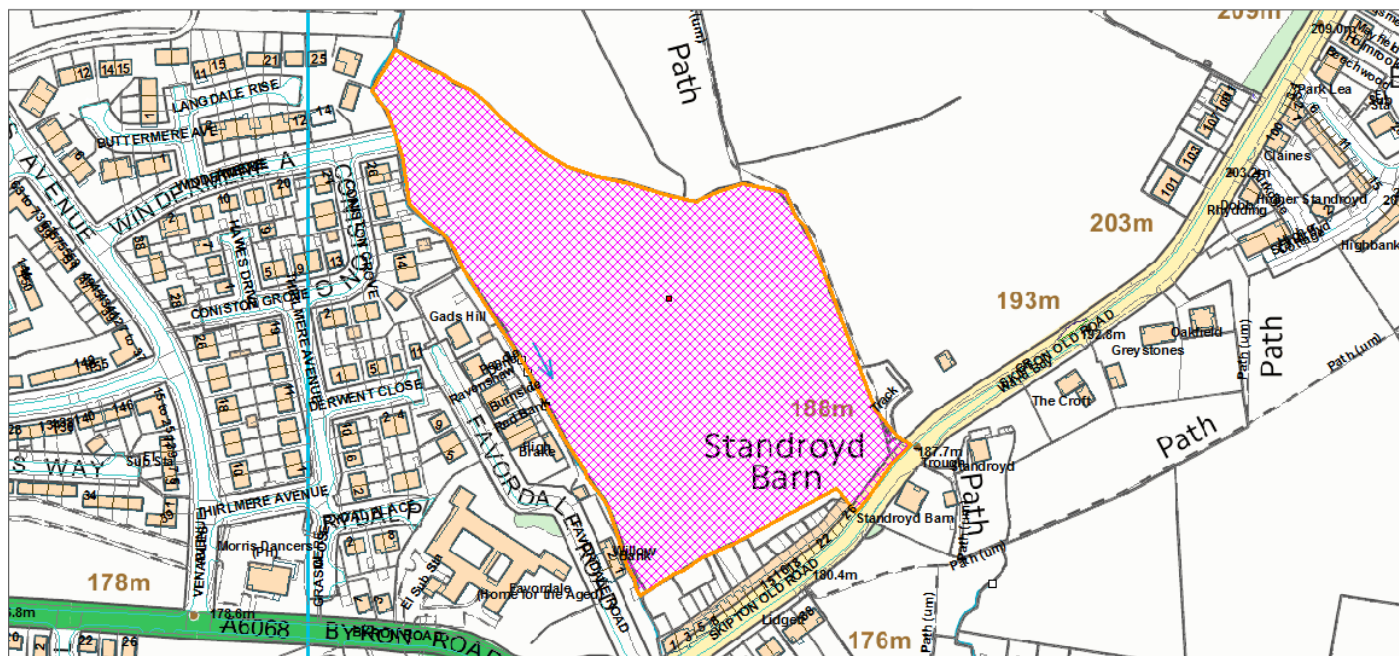
However, the submitted details do not deal with the Himalayan Balsam which is also present on the site. The applicant has been requested to amend the report to reflect this otherwise this condition cannot be discharged.

The amended report is expected prior to the meeting and an update will be provided at that time.

Summary

Condition 13 required a scheme for the management of Invasive Species on the site. Details have been submitted which are not acceptable as it does not include the treatment of Himalayan Balsam on the site and therefore this condition cannot be discharged at this time.

RECOMMENDATION: Refuse discharge of condition 13 relating to the treatment of Invasive Species on the site.



Application Ref: 19/0050/CND

Proposal: Approval of Details Reserved by Condition: Discharge of Condition 13 (Invasive Species) of Planning Permission 13/14/0580P.

At: Land to the East of Windermere Avenue Colne

On behalf of: McDermott Homes Ltd

REPORT TO COLNE AND DISTRICT COMMITTEE 4TH APRIL 2019

Application Ref: 19/0099/FUL

Proposal: Full: Retention of shop front to south and west elevations (Retrospective).

At: 57 Market Street, Colne

On Behalf of: Mr Martin Petty

Date Registered: 21 February, 2019

Expiry Date: 18 April, 2019

Case Officer: Christian Barton

This application has been called into Committee by a Member.

Site Description and Proposal

The application seeks to retain an unauthorised shop front installed to the west and south elevations of 57 Market Street in Colne.

The site is a commercial stone built building of traditional design. It is currently used as a barbers shop. It sits on a main road and has a dual frontage facing Market Street and Dockray Street. It is surrounded by commercial premises to three sides with Colne library sited to the west.

The site is located within the settlement boundary and Colne town centre.

Relevant Planning History

18/0888/ADV - Advertisement Consent: Retention of illuminated fascia sign to west elevation (Retrospective) - Pending.

Consultee Response

LCC Highways - With respect to this application we would not wish to raise any objection on highway grounds. It is noted that the works to the shop front to south and west elevations are unauthorised. A condition relating to a Construction Method Statement should be attached to any grant of permission.

Colne Town Council - Colne Town Council objects to this application in the strongest possible terms. Not only do we encourage this application to be refused, is our view that the local authority should, at the same time enforce the entire unapproved façade being removed. The workmanship of the façade is less than satisfactory.

Public Response

The nearest neighbours have been notified by letter without response.

Officer Comments

The main considerations for this application are design and materials and impact on amenity.

5. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV2 (Achieving Quality in Design) identifies the need to protect and enhance the 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 the siting and design of development should be in scale, context and harmony with the wider locality;
- CS Policy SUP 4 sets out general principles to achieve well designed, high quality public buildings and spaces. Applications should have regard to the general design requirements set out in Policy ENV2.

Other guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to commercial applications and sets out the aspects required for good design.

6. Design

Policy ENV2 requires developments to deliver the best possible standards of design. In relation to buildings in the public realm, Policy SUP4 reiterates this and aims to ensure the materials used are in keeping with the established character of the area. The Design SPD states that shop fronts should have regard to the appearance of the rest of the building along with the wider street scene.

The shop frontages are clearly visible in the context of the town centre. They have been finished with timber cladding and moulded timbers affixed to both the west and south elevations and cover the entire ground floor façade of both elevations. A pale brown wood stain has been applied throughout.

Concerns have been raised about the design. The shop frontages installed have no regard to the appearance of the existing building and those adjacent to it. The window frontages introduce discordance with the upper floor window styles given their wide area and framing finishes. The large expanses of glazing are awkward and relate poorly to the shop fronts of the adjoining buildings.

A single pale brown colour scheme has been applied that appears overly garish in the street scene. The use of softwood cladding to the entire façade is out of character and unsympathetic to this prominent corner property. Owing to the choice of materials, poor design and colour scheme, the shop front installed is highly visually discordant with the appearance of the adjoining buildings and the surrounding street scene. It thereby fails to accord with Policies ENV2 and SUP4 and the Design Principles SPD and is not acceptable.

7. Highways

LCC Highways have raised no objections to the development and I concur with their findings. The development has no effect on highway safety. LCC Highways have recommended a Construction Method Statement condition. However, as the shop front has been installed this is not necessary.

8. Summary

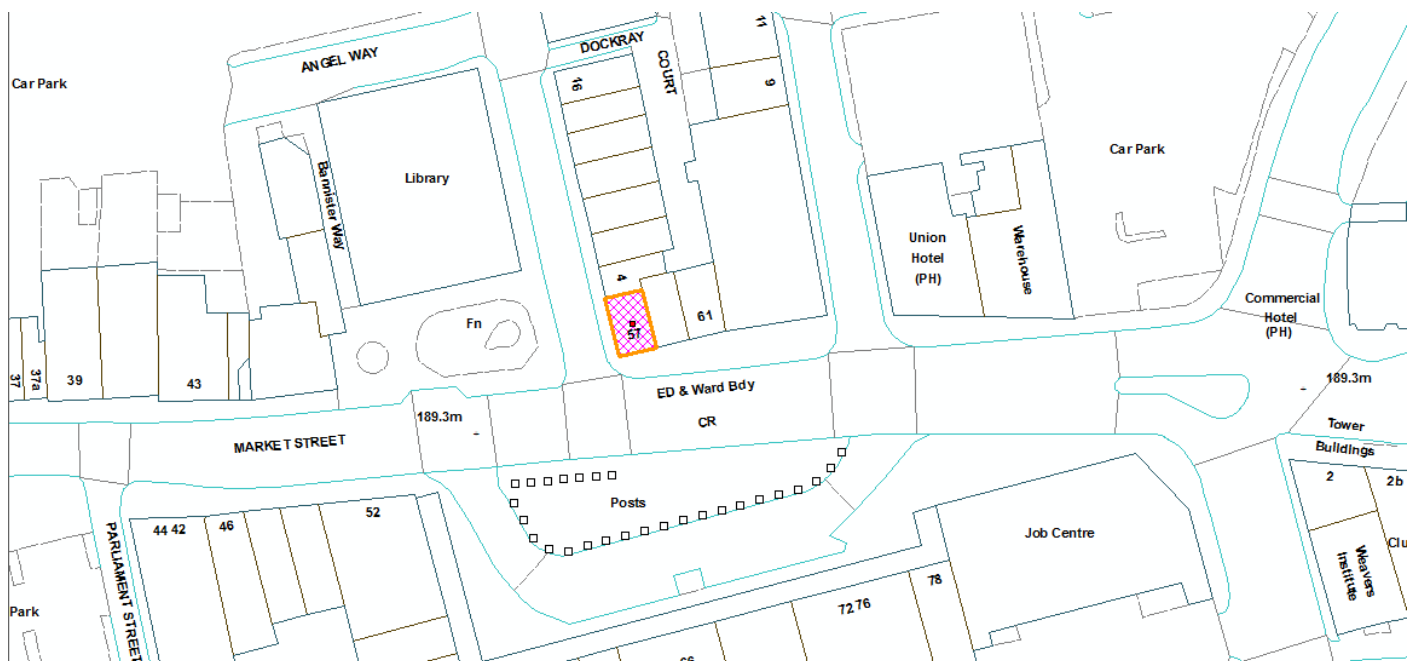
The proposal seeks to retain an unauthorised shop front installed on the south and west elevations. The shop front is inappropriate in terms of design, materials and colour schemes for this prominent town centre building. The development fails to comply with Policies ENV2 and

RECOMMENDATION: Refuse

1. The shop front installed is unacceptable in terms of design, materials and colour scheme to the detriment of the appearance of this building and street scene, together with the visual amenity of the town centre location. The development thereby fails to accord with Policies ENV2 and SUP4 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.

Enforcement Action

As the shop frontages are unacceptable in terms of design, materials and colour scheme a Section 171 (A) Enforcement Notice has been served requiring removal and reinstatement of the previous shop frontages. The deadline for compliance with the Notice is 11th June 2019.



Application Ref: 19/0099/FUL

Proposal: Full: Retention of shop front to south and west elevations (Retrospective).

At: 57 Market Street, Colne

On Behalf of: Mr Martin Petty

LIST OF BACKGROUND PAPERS

Planning Applications **NPW/MP**

Date: 21st March 2019