

## **Barrowford and Western Parishes Committee Update 30<sup>th</sup> July 2020**

### **20/0259/FUL - Stone Fold Farm, Stump Hall Road, Higham**

Neighbour Notification - Additional comments have been made in relation to impacts on Listed Buildings and the Sabden Fold Conservation Area.

LCC Highways - Having considered the further information submitted (visibility splay plan, Drawing No. H3288-H-01 Rev P1, dated 15/06/2020), the Highway Development Support Section makes the following comments, in addition to those dated 18 May 2020.

The above plan indicates visibility splays of 2.4m x 43m x 1.05m in both directions from the junction of the site access track onto Stump Hall Road. A Stopping Sight Distance (SSD) of 43m would be required for a road with a maximum speed limit of 30mph.

As the highway authority has stated in previous responses (to application 18/0563/FUL, dated 1 October 2018, and the initial resubmission of 20/0259/FUL, dated 18 May 2020) Stump Hall Road is subject to a national speed limit of 60mph, for which an SSD of 215m should be provided.

Whilst 85th percentile speeds may be below 60mph due to the narrow nature of the Stump Hall Road, no data has been provided to indicate traffic speeds of 30mph.

The above plan also shows a vertical height of 1.05m for the visibility splay. However a vertical height of no greater than 0.9m would only be accepted by the highway authority, given that visitors to the site will be unfamiliar with the road network, the road's narrow and enclosed nature, and that there was a collision resulting in personal injury outside the access in April 2019.

The construction of appropriate visibility splays would require works to the embankment/wall significantly more than those proposed so that the visibility splays, particularly the one to the West of the access, would have no future maintenance issues.

Unless the applicant can demonstrate that visibility splays of 215m can be achieved in both directions then, in the absence of any supporting data, the Highway Development Support Section maintains its objection to this application on highway safety grounds.

However, if the local planning authority is minded to approve this application, the following amended condition should be applied to any formal planning permission granted, in addition to those outlined in the highway authority's previous response dated 18 May 2020.

#### **Condition**

1. No part of the development hereby approved shall commence until a scheme for the construction of the amended site access, including appropriate visibility splays,

has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority.

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

#### Officer comments

The case officer for the application has changed to Neil Watson.

Further assessment has been made of the likely speed of traffic on Stump Hall Road by the case officer. In the judgement of the officer average speeds are likely to be below 30mph and taking that into account the proposed 2.4m x 43m visibility splays would provide an adequate level of visibility for the junction. The recommendation is therefore changed to approval with additional conditions relating to the proposed off-site highway works and provision of passing places.

The nearest Listed Buildings are at Lower Houses Farm 62m to the north east and Dean Farm 650m to the west, the boundary of the Sabden Fold Conservation Area is approximately 350m to the north of the site. Taking into account those substantial separation distances and the acceptable visual and landscape impacts of the development, the proposed development would not unacceptably impact upon the setting of the Conservation Area or any Listed Building.

#### **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 in accordance with the policies of the Pendle 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 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: 2046\_001, 2046\_010 Rev B, 2046\_011 Rev B, 2046\_020 Rev B, 2046\_030 Rev B, Barn Existing and Proposed Floor Plans, Barn Existing And Proposed Elevations.

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

3. Prior to the siting of the cabins on the land samples of the external materials of the walls and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in strict accordance with the approved materials.

Reason: To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity and to preserve the natural scenic beauty of the AONB.

4. The windows and external door of the barn shall be of timber construction only, prior the installation of new doors and window frames in the barn samples of the colour and finish shall be submitted shall be submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be finished and thereafter maintained in accordance with the approved details.

Reason: To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity and to preserve the natural scenic beauty of the AONB.

5. The holiday lets and cabins hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of the occupiers of the holiday lets and cabins and of their main home addresses 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 units and to prevent the establishment of permanent residency.

6. The development shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme 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 within the first planting season following the commencement of the use 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.

7. The development shall be carried out and operated in full accordance with the recommendations of the Preliminary Ecological Appraisal and Bat Roost Assessment dated 13/08/2018, bat survey dated 10/09/2018 and Ecology Report dated 28/11/2019. The details of the mitigation measures for the loss of bat habitat shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works to the barn and shall be installed in accordance with the approved details prior to the first occupation of the barn conversion hereby approved.

Reason: To ensure protection of ecology and wildlife.

8. No external lighting shall be installed within the approved application site unless and until details of the lighting have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity and direction of the lighting. Any external lighting shall at all times be in strict accordance with the approved details.

Reason: In order to prevent light pollution causing harm to wildlife and the open rural character of the countryside.

9. No development shall take place unless and 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 and mechanical road sweeping provision
- v) A scheme for recycling/disposing of waste resulting from clearance and construction works
- vi) Details of working hours
- vii) Routing of delivery vehicles to/from site
- viii) Timing of deliveries
- ix) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
- x) Measures to control construction noise and vibration
- xi) Measures to control dust.

Reason: In the interest of highway safety and residential amenity.

10. Prior to first use of each building hereby approved, the parking spaces and manoeuvring areas serving that building shall be laid out and surfaced in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, the parking spaces and manoeuvring areas shall thereafter at all times remain free from obstruction and available for vehicle parking and manoeuvring purposes.

Reason: To allow for the effective use of the parking and manoeuvring areas in the interest of highway safety.

11. The development shall not commence unless and until details of foul and surface water drainage have been submitted to and approved in writing by the local planning authority. The foul and surface water drainage for each building shall be installed and operational in accordance with the approved details prior to the occupation of the building it serves.

Reason: To ensure acceptable foul water drainage to prevent flooding and pollution.

12. The permission hereby granted is for the conversion of the existing barn building only and does not imply or grant permission for any demolition or re-building of the external walls of that building.

Reason: For the avoidance of doubt in the interests of the character and appearance of the area.

13. 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, G & H 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 AONB.

14. The use of the development hereby approved shall not commence unless and until off-site highway works to provide visibility splays of 2.4m x 43m in each direction have been completed in accordance with drawing No. H3288-H-01 Rev. P1 or an alternative scheme that has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works.

Reason: To ensure adequate visibility is provided at the junction in the interest of highway safety.

15. The use of the development hereby approved shall not commence unless and until passing places have been formed on the access track in accordance with

a scheme to be submitted to and approved in writing by the local planning authority prior to the commencement of the works to form them. The passing places shall thereafter be maintained free from obstruction and available for vehicle passing purposes.

Reason: To ensure adequate passing places on the access track to prevent vehicles from reversing onto the highway in the interest of highway safety.