



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 07th October 2020

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 7TH OCTOBER 2020.

Application Ref: 20/0210/HHO

Proposal: Full: Demolition of the existing front boundary fence and erection of a 2m boundary wall and erection of a detached double garage.

At: Meadowcroft, Barden Lane, Brierfield

On behalf of: Mr Stephen Martin.

Date Registered: 06.07.2020

Expiry Date: 09.10.2020

Case Officer: Charlotte Pinch

Site Description and Proposal

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

The application site is a detached dwelling, located off Barden Lane, Brierfield. The site is in a relatively isolated location within Open Countryside and Green Belt.

The proposal is for the erection of a boundary wall on the front boundary with Barden Lane, to replace a previous boundary fence. In addition to the demolition of existing sheds and a garage, with the erection of a detached double garage. The boundary wall and the garage would be constructed of concrete block and painted render.

The proposed garage and boundary are partially constructed, however this is not in accordance with the plans proposed as part of this application. Subject to permission, the works on site will be amended in accordance with the approved plans.

Relevant Planning History

18/0659/HHO

Full: Erection of two storey extension to rear and 5m high acoustic fence to southern boundary. Withdrawn. 2018.

Consultee Response

LCC Highways

The following comments are made in response to further plans submitted, namely, Visibility Splays Plan - Proposed and Elevation Plan - Proposed, received on 9 September 2020. The Highway Development Support Section is of the opinion that this additional information is satisfactory and withdraws its previous objection on highway safety grounds.

Boundary wall proposals

The Elevation Plan - Proposed now shows only one point of access to and from Barden Lane, for both vehicles and pedestrians, using the existing access, which would be widened.

The height of the wall either side of the access has also been reduced to 0.9m, which would aid visibility to and from the site. The height of the remaining length of wall, including the piers, as shown on the above plan is now acceptable.

Visibility splays

Visibility splays should be provided as shown on the Visibility Splays Plan - Proposed. Nothing should be erected or planted within these visibility splays.

Reedley Hallows Parish Council

The Parish Council wish to object to this application on the following grounds:-

1. Meadowcroft is located on Barden Lane where the road is quite narrow and there is no footpath on the left hand side of the road at that point, and now the footpath on the right-hand side going passed Meadowcroft has been reduced to around 150mm. The proposed work will have serious implications for both road safety and pedestrian safety.
2. There are access and egress issues for those living at the property.
3. There are poor site lines for road users despite mirrors that have been installed on the road to help.
4. The Parish Council are of the opinion that the wall should be no more than 1 metre in height.
5. The applicant states that he is reducing the height of the new wall from 2.5 metres to 2 metres. The Parish Council are aware that originally the new wall was well over 2.5 metres and that the old wall/fence was well below at 2 metres.
6. The application is factually incorrect as the driveway has now more than doubled in size by getting rid of a lawned area.
7. On the application they have stated no trees near the development however they have planted Leylandii within 0.5 m of the development. They have been planted on the perimeter of the garden and the border of agricultural land.
8. Lastly there is a question over what is going to happen to surface water and will new drainage be put in as without it all water will run down either to Sandiford House or land belonging to Sandiford House

Public Response

Two letters of objection were received from neighbouring occupiers, their comments can be summarised as follows:

- Concerns over surface water drainage, run-off from existing tarmac and paving.
- Proposed wall is too high and restricts the existing pavement.
- A busy road which makes it very narrow for pedestrians.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

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

Policy ENV2 (Achieving Quality in Design and Conservation) 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 Policy states that all proposals should protect or enhance the natural environment, and maintain the openness of the Green Belt, by way of their siting, size, design and appearance.

Replacement Pendle Local Plan

Saved Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

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 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraphs 143-147 of the NPPF deal with proposals affecting the Green Belt. Inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

Supplementary Planning Guidance: Development in the Open Countryside. 2002.

Design Principles Supplementary Planning Document 2009.

Principle of Development

Policy ENV2 states all proposals should protect or enhance the natural environment, and maintain the openness of the Green Belt, by way of their siting, size, design and appearance.

The proposed garage would be set within the curtilage of the existing dwellinghouse and be erected as a result of demolition of three previous outbuildings on the site. It would be of a modest scale in relation to the property and would not be considered a disproportionate addition.

Similarly, the proposed boundary wall would replace a previous boundary fence, in the same location and of a similar height.

The proposed development would be of an acceptable design and appearance. The siting within the curtilage of the dwellinghouse would be appropriate, and not result in a spread of development which would be harmful to the openness of the Green Belt. Small scale domestic outbuildings in this setting are generally acceptable in the Green Belt, in addition to appropriate boundary treatments.

As a result, the principle of development in this location is acceptable and would not be inappropriate development within the Green Belt.

Design

Policy ENV2 of the Pendle Local Plan Part 1 aims to ensure that all new development should viably seek to deliver the highest possible standards of design. It is advised that proposals should protect or enhance the natural environment, contribute to a sense of place and make a positive contribution to the historic environment, local identity and character and developments should support inclusive communities, in terms of accessibility and permeability.

The Design Principles SPD advises that garages and outbuildings should respect the design and materials of the building it is serving. It should be of a modest scale and appear as an ancillary addition. Flat roofs should be avoided and traditional materials should be used.

The proposed garage would allow for parking of two vehicles internally. The building would be sited to the front of the dwellinghouse, in place of two shed buildings. It would have a sympathetic dual pitched roof and retain a proportionate height, in relation to the main dwellinghouse. The building would have a modest floor area, no larger than a double garage, appearing proportionate in relation to the plot. The garage will be well screened by the proposed front boundary wall and mature vegetation on the western side boundary. As a result, it would not be readily visible in the street scene and would not be an obtrusive addition in the area.

The boundary wall to the front of the site, although 1.8m in height and sited directly adjacent to the highway, would not be significantly out of keeping with other boundary treatments in the area. In addition, due consideration must be given to the previous boundary fencing in the same location along this boundary. Moreover, a large vehicular opening would be retained, which would assist in providing some visibility into and out of the site.

The proposed garage would be constructed of concrete blocks, to be rendered and painted. The boundary wall will also be constructed of concrete blocks, rendered and painted, with coping slabs and pier caps. Further details and samples of the materials to be used will be secured by condition.

The design of the proposed development would be sympathetic to the character of the surrounding buildings and constructed of in keeping materials. It is therefore acceptable in accordance with Policies ENV1 and ENV2.

Residential Amenity

The proposed single storey garage is set within the curtilage of the existing dwellinghouse and is proposed to be used for domestic purposes only. A condition will be applied to ensure the building is used ancillary to the main dwellinghouse.

The proposed detached garage would be sited in the north western corner of the site, located 2m from the western side boundary with the adjacent property. The garage would have a maximum height of 3.6m and a dual pitched roof reducing the bulk of the building. Mature vegetation and trees provide sufficient screening along the western boundary. The scale and size of the proposed garage would not result in significant overbearing or loss of light impacts to neighbouring occupiers.

The proposed boundary wall would be sited on the northern boundary of the site, adjacent to Barden Lane. Whilst it would have a maximum height of 1.8m, the wall would not be directly adjacent to any neighbouring property boundaries or habitable rooms of neighbouring occupiers.

As a result, this development would raise no significantly detrimental residential amenity impacts in accordance with Policy ENV2.

Highways

The proposed development would not result in an increase in the number of bedrooms at the property. In addition, the application site benefits from a driveway to the front of the dwelling and the proposed double garage, providing sufficient on plot parking in accordance with Policy 31.

Some concerns were raised regarding the proposed vehicular access points onto Barden Lane, in addition to visibility as a result of the boundary wall. As a result, amended plans were received, closing off the proposed pedestrian access point, lowering the wall height at the vehicular access point and showing the achievable visibility splays. As a result, subject to conditions, no objections were raised by the highway authority in relation to highway safety.

Drainage

Concerns have been raised regarding drainage from the site and surface water run off as a result of this development. Given the topography of the site, which falls away steeply to the south, towards Pendle Water, in addition to the works being undertaken as part of this proposal, surface water drainage is a consideration. As a result, a condition will be applied requiring details of surface water drainage to be submitted and approved prior to any above ground works.

Reasons 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 accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. 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: Location Plan 1:1250, Visibility Splays Plan – Proposed Submitted on 09.09.2020, Elevation Plan – Proposed Submitted on 09.09.2020, Previous Layout North Facing Elevation Submitted on 01.07.2020, Site Plan – Existing Submitted on 01.07.2020, Site Plan – Proposed Submitted on 01.07.2020, A03, A04, A05, A02 and A01.

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

3. Prior to any above ground works occurring samples of external materials to be used in the development hereby permitted, including the elevations, roof, doors and windows of the garage and elevations of the boundary wall (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local

Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

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

4. A scheme for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works. The scheme shall be constructed and completed in accordance with the approved details before first use of the approved garage.

Reason: In order to prevent flooding.

5. The garage hereby approved shall be used solely incidental to the occupation and enjoyment of the dwelling to which it serves, nor shall it be converted into habitable accommodation without the prior written consent of the Local Planning Authority.

Reason: To prevent a separate residential property being erected in the Green Belt contrary to Paragraph 145 of the NPPF.

6. Before the access is used for vehicular purposes, 45° visibility splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway. Any walls or fences forming the visibility splays shall be no higher than 0.9m.

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

7. The unauthorised vehicular access formed adjacent to the boundary with Sandyford House shall be physically and permanently closed and the existing footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the amended existing access.

Reason: In the interest of highway safety to limit the number of access points and maintain the proper construction of the highway.

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At: Meadowcroft, Barden Lane, Brierfield

On behalf of: Mr Stephen Martin.

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 18th September 2020