



REPORT FROM: **PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER**

TO: **BARROWFORD & WESTERN PARISHES COMMITTEE**

DATE: **29th October 2020**

Report Author: Neil Watson
Tel. No: 01282 661706
E-mail: neil.watson@pendle.gov.uk

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO BARROWFORD COMMITTEE 29TH OCTOBER 2020

Application Ref: 20/0433/FUL
Proposal: Full: Erection of a detached dwelling house (Re-Submission).
At: Land to the North of 1 Barleydale Road, Barrowford
On behalf of: Mrs Annabel Thomas
Date Registered: 20.07.2020
Expiry Date: 02.11.2020
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 comprises of an open cobbled courtyard area and grassed agricultural land beyond. The site is adjacent to an 18th century barn, Grade II listed which itself is found within the Higherford Conservation Area. The application site lies outside of the conservation area.

This application is for the erection of a two storey detached dwellinghouse. The dwelling would comprise of four bedrooms. It would have a patio to the rear and driveway to the front. The proposed property would be constructed of natural stone, natural blue slate roof and softwood windows and doors.

Relevant Planning History

19/0623/FUL
Full: Erection of a single dwellinghouse.
Application Withdrawn. 2019.

19/0896/FUL
Full: Erection of a single dwelling house (re-submission).
Refused. 2020.

Consultee Response

LCC Highways

The development site is accessed off Barleydale Road, which is a privately maintained road, therefore our comments are only general ones.

For the type and size of development proposed parking and manoeuvring areas for three vehicles should be provided to allow vehicles to enter and leave the site in forward gear. None is shown on the submitted Site Plan (Drawing No 2019/11/4D), although it would appear that this can be accommodated on site. This provision

could be controlled by condition if the local planning authority is minded to approve this application.

The above proposal raises no highway concerns the Highway Development Support Section would raise no objection to the proposal on highway grounds.

PBC Conservation Officer

The main part of the site lies just outside the Higherford CA boundary. To the south of the site lies Crowtrees, an early C19th house with earlier C17th origins, listed Grade II. An C18th barn is attached to the rear of the house, being covered by the Grade II listing of the house by virtue of its attachment. The attractive gable elevation of the barn is prominent immediately adjacent to Barleydale Road at the entrance to the site, with the barn frontage facing directly onto the site. Further to the south lies the Grade II listed Higherford Mill. The former mill lodge behind the site was constructed in the early 1800s as part of the complex system of water power infrastructure to serve Higherford Mill, and as such, does have some heritage significance itself, together with the associated mill races which link the mill lodge and the mill. The Heritage Trust for the North West are currently undertaking an archaeological survey of this early water-power infrastructure which will assist in assessing its full heritage significance.

The development of the site would therefore have potential to affect the settings of both the LB and the CA. Any harm to the significance of designated heritage assets from development within their settings should require clear and convincing justification, and should be weighed against the public benefits of the proposal (NPPF 194 and 196).

Any adverse impact on the setting of Grade II listed Crowtrees House itself would be slight, as the house faces away from the site and is well separated and screened from the site by a tall stone wall and trees. The attached barn however is very prominent at the entrance to the site, where the substantial front elevation is seen across a traditional stone cobbled yard, with attractive open views past the mill lodge to the trees and hillside beyond. It is important therefore that any new building is appropriately sited and of a suitable scale and design to respect this historic setting and the existing views.

The previous proposal for the site comprised a 2-storey stone and slate house with a large garage/utility addition to the side, which extended the overall length and footprint, resulting in a rather over-scaled building for the site. The addition of a raised front entrance porch for flood protection reasons also increased the scale and massing of the building.

The current proposal is for a more simple vernacular style of building which would include elements of a barn design, with a large arched doorway and a traditional small lean-to on one gable. The overall footprint of the house would be smaller and the height lower than the previous design, enabling the building to sit more comfortably within the plot without appearing to dominate it. The more informal and vernacular style of the building, given good quality natural materials and detailing,

would appear more appropriate within the immediate context of the barn and cobbled former farmyard.

However in order to preserve open views from the site entrance past the barn frontage and through to the mill lodge, trees and hillside beyond I would suggest that the footprint of the house be pushed further northwards into the site; this would enable an open view to be maintained between the buildings, preserving a better sense of space around the barn and to maintain visual connection with the historic setting. The window placement to the rear elevation and SW gable could also be varied in order to create a less formal and regular arrangement.

Should the application be approved I would suggest the usual conditions relating to natural stone and slate, windows/doors, rainwater goods, also plain eaves and verges.

The existing cobbled courtyard and stone boundary wall should be retained, with any new hard surfacing being sympathetic to this, and the area in front of the house should be kept open.

Heritage Trust for the North West

The trust raise an objection to the proposal and request refusal of the application, on the following grounds:

- Protecting and enhancing our natural and historic environments
- Achieving quality in design and conservation
- Tourism, leisure and culture
- Buildings of special architectural or historic interest and their settings
- The historic significance of the water power structures
- Inaccuracies and Lack of Information
- Ownership
- Safety Maintenance Access
- Lodge Dam Stability

We are particularly concerned that the application does not meet so many basic requirements of the Pendle Core Strategy and Local Plan policies listed above.

This important water power location lies within an even earlier domestic handloom setting centred on Crowtrees land, right in the heart of this historic environment which has exceptional group significance as well as also being within the curtilage of the Crowtrees Grade II listed cloth manufacturer and mill owner's house.

The waterpower works are specifically listed in the Historic England list entry for Higherford Mill, so they and their curtilage (including access for maintenance across the application site) should, under current legislation also be afforded Grade II listed buildings protection.

The local planning authority is under a legal obligation to pay special attention to the desirability of preserving the setting of this complex of related listed buildings and preserving or enhancing the character and appearance of the conservation area. We submit that the proposal does the opposite and would cause harm to this historic environment. No public benefit or justification has been evidenced.

The Trust therefore asks that planning permission for this scheme be refused.

United Utilities

No objection, subject to suitable conditions.

Barrowford Parish Council

Barrowford Parish Council objected to the original application due to size and massing and close proximity to the mill lodge dam. Although the new proposed dwelling is of a more modest design the reduced number of windows overlooking adjacent properties with the vast majority overlooking the mill lodge would improve privacy to neighbouring properties. The proposed development is still close to the mill dam and perhaps an 8m easement like stipulated by the environmental agency could have helped. Although this may not be the correct development for this site, the Parish Council feels that two smaller dwellings may be appropriate given the number of new houses Barrowford must supply in the Local Plan.

Public Response

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

- Increased number of vehicles using Barleydale Road.
- Poor access onto Gisburn Road at junction.
- Harmful to the Conservation Area and the Grade II Listed Building.
- The application site is a green field site, and not brown field.
- Inaccuracy in the plans and as described.
- Damage to archaeological features.
- Access to the mill dam for maintenance would be compromised.
- No justification for the harm to the adjacent listed building.
- Loss of valuable views across the farmyard.

Officer Comments

Policy

The site is located within the Higherford Conservation Area, and so there is a duty under section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) identifies that development should make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments. New developments in the natural environment should be kept to a minimum and consider the character of an area.

Policy ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets.

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

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

Section 16 of the Framework relates to conserving and enhancing the historic environment, this applies to Conservation Areas and Listed Buildings. Paragraph 193 requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 indicates that harm to the setting of a heritage asset needs to be considered. Unlike for listed buildings the setting of a conservation area is not protected in statute but para 194 introduces a policy test.

Paragraph 196 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Any harm should be clearly and convincingly justified. Where development will lead to substantial harm to a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when assessing any development which affects a listed building or its setting, special regard should be had to the desirability of preserving the building, its setting and any special features it possesses.

Conservation Area Design and Development Guidance Supplementary Planning Document (SPD) 2008.

Supplementary Planning Guidance: Development in the Open Countryside (SPG) 2002.

Principle of Development

The application site is located within the Open Countryside, outside the settlement boundary of Barrowford. However, the site is located directly adjacent to the settlement boundary and within an established group of dwellings and is not isolated. Therefore, Paragraph 79 of the NPPF does not apply and the principle of a new dwelling is acceptable in this location.

Impact on the Conservation Area and Setting of a Listed Building

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The application site is located partially within the Higherford Conservation Area, which is characterised by the crossing points of Pendle Water and is linear in nature. It is the access area that lies within the conservation area. The area generally is heavily influenced by the two scattered farming settlement, which later diversified to become factory-based construction at Higherford Mill.

In addition, to the immediate south of the application site lies Crowtrees, a Grade II Listed early 19th century house. An early 18th century barn is attached to the rear of the house, being covered by the Grade II listing by virtue of its attachment. The attractive gable elevation of the barn is prominent immediately adjacent to the entrance to the site, with the barn frontage facing directly onto the application site.

The site is also bounded to the rear by the former mill lodge that served for the Grade II Listed Higherford Mill. The mill lodge was constructed in the early 1800s as part of the water power infrastructure to serve Higherford Mill, therefore it does hold some heritage significance. It is however not within the conservation area and as such is not a designated heritage asset.

The proposed dwelling would not result in alterations or additions to either listed building, however it would be viewed as part of the setting of the listed buildings. As detailed above the setting of listed buildings are required by statute to have special regard to preserving the setting.

The previous proposal for the site comprised a two storey dwelling, with a large garage addition to the side, extending the footprint of the dwelling, as well as a raised front entrance. Combined, this resulted in an over scaled building for the plot, of a size and massing unsympathetic to the area. Moreover, the addition of a large granite sett forecourt, would have lost the traditional cobbled yard which is a key feature of the adjacent listed barns setting.

In contrast, this current proposal is for a simpler barn style building, with a large arched doorway and small lean-to on one side. The garage element has been removed and the footprint is smaller, combined with a lower overall height.

Moreover, in response to comments from the PBC Conservation Officer, the dwelling was re-sited 5m further north into the site, in order to preserve the open views from the site entrance past the barn frontage and through to the mill lodge.

The application proposes the use of natural materials, natural blue slate roofing, natural stone elevations and wooden windows and doors, which is appropriate. It also aims to preserve the existing cobbled former farmyard, which is a key feature of this setting.

As a result this revised proposal is appropriately sited within the plot, is now of a suitable scale and is of a traditional barn design with natural materials to adequately respect the historic setting and existing views through the site. The setting of the listed building and conservation area will be slightly adversely affected by the proposal. This impact would lead to less than substantial harm.

When considering this harm it would be on the lower end of the scale on the less than substantial harm impact. There would be public benefits from increasing housing supply and supporting the development industry. Even though one house would lead to modest public benefits the less than substantial harm caused would be on the lower end of the impact spectrum and hence the public benefits would outweigh that harm.

Therefore, the application accords with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and the NPPF.

Residential Amenity

The application site is located to the south west of No.3 Barleydale Road, maintaining a minimum separation distance of 11.8m from the boundary. The side elevation of the Grade II Listed barn, to the east of the site, would be sited 19 m from the front of the proposed dwelling. The north and west of the site is adjacent to open countryside and a water dam.

The proposed dwelling retains sufficient separation distances with adjacent properties. Amended plans have been requested for the first floor north east side elevation bedroom window to be removed and as such the proposal would not result in significant detrimental overlooking impacts to No.3 Barleydale Road.

Highways

The development proposes to use an existing access to the site and includes a driveway on plot which provides sufficient parking provision for the proposed dwelling. The addition of one single dwelling would not significantly increase the intensity of use of Barleydale Road or cause traffic congestion. The existing access point onto Gisburn Road is used by all existing dwellings on Barleydale Road, the addition of one additional dwelling would not result in significant highway safety concerns over and above the existing situation. Therefore, no objections are raised in relation to parking provision or highway safety.

Flooding and Drainage

A Flood Risks Assessment and Drainage Strategy Report was submitted as part of the application. It noted that the site is subject to some Pluvial Flooding and Reservoir Flooding, mainly due to the former mill pond sited to the north of the site. It

states that although the site is at risk of Reservoir flooding, these are managed assets and so the likelihood of such a flooding event is considered to be small. Moreover, the exceedance for the pond is to the north, directly flows towards Pendle Water. The proposed dwelling would add mass to the mill pond embankment providing a betterment to the pre-existing arrangement.

The information provided is sufficient to alleviate concerns regarding flooding and for no objections to be raised in this regard.

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 development would result in less than substantial harm to designated heritage assets but this would be outweighed by the public benefits. The proposed development is acceptable, thereby complying 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: 2019/11/2E, 2019/11/3E and 2019/11/4E

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted, including details of external hard surfacing, fenestration, rainwater goods, elevation and roof materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

Reason: To ensure a satisfactory appearance to the development in the interest of visual amenity.

5. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Foul and surface water shall be drained on separate systems. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer. The scheme shall be constructed and completed in accordance with the approved plans before the dwelling is occupied.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

6. Prior to the commencement of development a detailed landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

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

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

Application Ref: 20/0433/FUL

Proposal: Full: Erection of a detached dwelling house (Re-Submission).

At: Land to the North of 1 Barleydale Road, Barrowford

On behalf of: Mrs Annabel Thomas

Date: 20th October 2020