



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

**TO: COLNE & DISTRICT COMMITTEE**

**DATE: 31<sup>st</sup> March 2022**

**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 applications.

## REPORT TO COLNE AND DISTRICT COMMITTEE ON 31 MARCH 2022

**Application Ref:** 21/0986/FUL  
**Proposal:** Full: Erection of agricultural building (167 sqm).  
**At:** Piked Edge Farm, Skipton Old Road, Colne  
**On behalf of:** Mr A. Swales  
**Date Registered:** 28/01/2022  
**Expiry Date:** 11/04/2022  
**Case Officer:** Alex Cameron

This application was deferred from the previous Committee meeting to allow for the submission of amended plans and additional justification. This has not yet been received but the Committee will be updated of any additional details received.

### **Site Description and Proposal**

The application site is farmhouse with 1.4 hectares of associated land located within the open countryside. There is a large poultry building to the north which was previously associated with the farmhouse but is now in separate ownership.

The proposed development is the erection of an agricultural storage building. The proposed building would have a footprint of 18.3m x 9.2m, an eaves height of 3.2m and a ridge height of 5m. It would have timber clad walls and a fibre cement sheet roof.

### **Relevant Planning History**

13/08/0509P - Erection of an agricultural building to house free range laying hens - Approved

13/06/0017P - Raise and level field no. 5171 to form new pasture land - Approved

### **Consultee Response**

LCC Highways – No objection.

Lanshawbridge Parish Council - Objection: Councillors feel that, an agricultural holding of this size does not warrant a building so large. The farm site is relatively small, and a building of this size would be more appropriate with a substantially larger farm.

### **Public Response**

A site notice has been posted and nearest neighbours notified. No response.

### **Officer Comments**

#### **Policy**

Pendle Local Plan Part 1: Core Strategy

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG.

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. Developments should maintain the openness of the Green Belt.

### **Principle of the Development**

The building is very large in comparison to the 3.5 acres (1.4 hectares) area of land with a footprint of 18.3m x 9.2m, an eaves height of 3.2m and a ridge height of 5m.

The land comprises an approximately 0.3 hectares of woodland to the north of the house and a field of approximately 0.9 hectares, so the actual amount of agricultural/forestry land is around 1.2 hectares in total.

It is stated that a high degree of mechanisation is required manage the land. However, the scale of the building appears to be beyond the size necessary to store the equipment detailed and no details have been provided of space required set against the necessary machinery and other space requirements.

Furthermore, the existing agricultural barn and whether that could be used for such storage has not been addressed.

Therefore the application has not provided sufficient demonstration of need for a building of the size proposed.

### **Visual Amenity and Landscape impact**

The application site is located on a relatively flat plateau on the hillside, set down below the land to the north where there is an existing large poultry building. Due to the topography of the site the building would not be prominently visible in the landscape and where it is it would be set against the existing buildings and so would not appear isolated. However, the building would be prominently visible for the public right of way that runs up the access track and immediately past the site of the proposed building.

Due to its scale the building would result in harm to the character and visual amenity of the area in views from the public right of way and that harm would not be offset by the public benefits of supporting agriculture and the overall maintenance of the land because, as detailed above, its scale had not been adequately justified.

The proposed building is therefore contrary to policies ENV1, ENV2 and the guidance of the guidance of the Development in the Open Countryside SPG.

### **Amenity**

The building itself is a sufficient distance from the nearest residential properties to ensure that it would not result in any unacceptable residential amenity impacts.

### **Highways**

The proposed development would not result in any unacceptable highway safety impacts.

## Summary

The applicant has failed to demonstrate that the size of the building is commensurate to the needs of the land and the size of the proposed building would result in an unacceptable visual amity impact in views from the adjacent public right of way. It is recommended that the refusals of the application is delegated to the Planning, Economic Development and Regulatory Services Manager subject to the expiry of the publicity period.

### **RECOMMENDATION: Delegate Refusal**

For the following reason:

1. The applicant has failed to adequately demonstrate that the size of the proposed building is commensurate to the agricultural/forestry needs of the land. Due to its size, the proposed building would cause unacceptable harm to the visual amenity of the area contrary to policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy and the guidance of the Supplementary Planning Guidance: Development in the Open Countryside.

## REPORT TO COLNE & DISTRICT COMMITTEE 31<sup>st</sup> MARCH 2022

**Application Ref:** 22/0086/HHO

**Proposal:** Full: Demolition of conservatory, erection of two storey rear extension and loft conversion (Re-Submission).

**At:** Hollin Hall Barn, Hollin Hall, Trawden

**On behalf of:** Mr S Whalley

**Date Registered:** 10/02/2022

**Expiry Date:** 07/04/2022

**Case Officer:** Laura Barnes

### Site Description and Proposal

The application site is a two storey barn conversion located within the Conservation Area of Trawden Forest. The property is located within the defined settlement boundary of Trawden.

The proposal is for the demolition of an existing conservatory along with the erection of a two storey rear extension to accommodate an additional bedroom to the first floor and an additional bedroom to the second floor. To the ground floor the proposed extension would comprise a kitchen dining area. The proposed extension would be constructed of natural stone to match the existing dwelling, with a slate roof to match the existing.

### Relevant Planning History

13/02/0151P: Erection of porch, conservatory and detached garage  
Approved with conditions

13/10/0318P: Full: Demolition of existing garage & erection of detached dwellinghouse (height - 7.7m to ridge, 6m to eaves).  
Refused

13/10/0477P: Full: Demolition of existing garage and erection of detached dwelling house (Height 7.5m to ridge and 5.8m to eaves).  
Approved with conditions

13/10/0477C1: Approval of Details Reserved by Condition: Discharge Condition 11 (Drainage) of Planning Permission  
Conditions discharged

16/0300/FUL: Full: Erection of a detached dwelling house and change of use of agricultural land to residential use.  
Refused

17/0323/FUL: Full: Erection of detached dwelling house.  
Approved with condition

18/0027/CND: Approval of Details Reserved by Condition: Discharge of Condition 3 (Materials), Condition 4 (Windows/Doors), Condition 7 (Obscure Glazing), Condition 9 (Boundary Treatments),

Condition 10 (Earth Works), Condition 11 (Drainage), and Condition 12 (Garage Doors) of the Planning Permission 17/0323/FUL.

Conditions Discharged

18/0835/VAR: Full: Variation of Conditions: Vary Condition 4 (Window Materials) of Planning Permission 17/0323/FUL for the erection of a detached dwelling house.

Approved with conditions

21/0735/HHO: Full: Demolition of existing conservatory and erection of two storey rear extension with rooms in the roofspace.

Refused

## **Consultee Response**

### **LCC Highways**

Having considered the information submitted, together with site observations, the above proposal raises no highway concerns. An adequate level of off-road parking for the type and size of development proposed will be retained, as shown on the 1:500 off-road parking plan. Therefore, the Highway Development Control Section would raise no objection to the proposal on highway safety grounds.

### **Trawden Forest Parish Council**

The Councillors question the number of parking spaces to the rear of the property. It appears to only be large enough for one vehicle. If approval is granted, the Council would like to see this conditioned.

It is visible from a number of footpaths around the area of the property.

It is encouraging that the roof tiles are to be heritage style.

The extension is to the ridge of the existing property.

All windows and doors should be wooden as we are in a conservation area.

The extension should be at a reduced ridge height in order to show that this has been an addition to the original structure.

### **Conservation Officer**

Comments awaited – expiry 11/03/2022

## **Public Response**

A site and press notice have been displayed and the nearest neighbours notified.

Two letters of support have been received, stating that the proposed extension would be more in keeping with the dwelling than the existing conservatory.

## **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.

### Replacement Pendle Local Plan

Saved Policy 31 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 of 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 202 of the Framework sets out that where development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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

Conservation Area Design and Development Guidance SPD 2008 sets out key aspects of development to ensure the special character of the conservation area are maintained.

### Trawden Forest Neighbourhood Plan

The application site is located within the Trawden Forest Neighbourhood Plan area.

Policy 1 of the Neighbourhood Plan seeks to support development within the settlement boundary.

Policy 4 of the Neighbourhood Plan encourages developers to reflect the parking guidelines set out at Appendix 4 of the Neighbourhood Plan. This suggests a minimum parking space size of 3.3m x 7m.

## **Design & Heritage**

The Design Principles SPD advises that two storey extensions should be subordinate to the existing dwelling and should have a pitched roof.

The extension is to have a pitched roof which is at the same ridge height as the main dwelling. The proposed extension is to project out 3.5m from the rear wall and be 7.5m in width. The extension is to be constructed of natural stone with the full roof being replaced with grey slate & reclaimed grey slate, to match the existing. The proposed windows are to be cream UPVC to match the existing and the proposed doors are to be anthracite UPVC also to match the existing. Although the Parish Council have raised concerns about the window frames and doors not being timber in a

Conservation Area, the existing property has UPVC windows and doors throughout, as such it would be unreasonable for the Council to request timber window frames and doors in this circumstance.

The front of the building is most prominent but the rear also is seen from the track leading down from higher land above. To the rear of the application site, there is a new house that has been built that frames the scale and setting of the site. The proposed extension would not be out of context with the rear of the site and the design reflects the design that has been approved on the building to the rear of the site.

The comments of the conservation officer in the previous scheme related to the height of the extension rising above the eaves. This is no longer the case and the proposed extension which is now before the Council for consideration has an eaves height the same as that of the original dwelling.

The development is proportionate in its scale to the building and surroundings, reflects the design of adjacent premises and does not have a detrimental impact on the character of the conservation area.

The development therefore would not harm the conservation area and would not have a negative impact on its significance.

### **Residential Amenity**

The Design Principles SPD advises that windows should normally be limited to rear facing, to avoid neighbour amenity issues. The proposed windows to the rear of the dwelling (including a set of patio doors and small kitchen window to the ground floor as well as the apex window serving the first and second floors) are to be sited 12m from the side gable of the new property known as Hollin House. However, the windows to the side elevation of Hollin House are obscure glazed to the first floor and there are no windows to the ground floor. As such, the proposed extension would not result in an unacceptable neighbouring amenity issue.

To the side elevation, closest to the Public Right of Way there are to be two small windows serving a bedroom (first floor) and kitchen (ground floor). These are set in from the existing side elevation of the dwelling where there are other side elevation windows serving habitable rooms. To this side the application site is not bound by any other residential property, as such it would not result in an unacceptable impact. There are no windows proposed to the side closest to No. 59 and 60.

The Design Principles SPD advises that rear extensions will be acceptable only where they do not breach the 45 degree rule. The proposed extension set away from the neighbouring dwelling to ensure that the 45 degree rule is not breached. Due to the scale of the proposed extension, it would not have an overbearing impact upon neighbouring dwellings.

Therefore, the proposed development is acceptable in terms of residential amenity in accordance with Policy ENV2 and the Design Principles SPD.

### **Highways**

The proposed development would result in an increase in the number of bedrooms serving the dwelling. The Highways Authority have not objected to the proposals, given the number of existing off-street car parking spaces. As such, the proposal accords with Policy 31 of the Replacement Local Plan.



The Parish Council have raised an issue over the size of the car parking spaces, particularly to the rear of the dwelling. The site plan indicates two cars parked in the spaces to the rear and one to the front of the dwelling. The Highways Authority have not raised any objection in this regard. Whilst Policy 4 of the Trawden Forest Neighbourhood Plan encourages developers to provide spaces at least 3.3 x 7m this is a guideline and in this case cannot physically be accommodated, due to the size of the site. However, the proposed car parking spaces accord with Policy 31 of the Replacement Local Plan and as such are acceptable.

## Summary

On balance, whilst the design is not necessarily the most appropriate in this prominent location, this proposal reflects the modern dwelling immediately adjacent to the rear. The impact upon the Conservation Area would be neutral.

## 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 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:  
Proposed Plan: ref 1002 received on 22/02/2022

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

3. Samples of materials including descriptions, name of source/quarry shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

**Reason:** In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

## REPORT TO COLNE AND DISTRICT COMMITTEE ON 31<sup>ST</sup> MARCH 2022

**Application Ref:** 22/0106/ADV

**Proposal:** Advert Consent: Installation of 2 No. externally illuminated fascia signs to replace existing externally illuminated fascia signs.

**At:** 14-16 Market Street Colne

**On behalf of:** Althams Travel Services Ltd

**Date Registered:** 22<sup>nd</sup> February 2022

**Expiry Date:** 19<sup>th</sup> April 2022

**Case Officer:** Yvonne Smallwood

### **Site Description and Proposal**

The application site is a commercial premises located in Colne Town Centre within Albert Road Conservation Area.

This application seeks the replacement of two externally illuminated fascia sign.

### **Relevant Planning History**

13/96/0079P (16-18 Market Street) – Erect signs, Approved with Conditions, 1996

### **Consultee Response**

LCC Highways –

Colne Town Council – Members of the Council would prefer the signage to be a little more sympathetic to the Conservation Area and the application site. Members have expressed that the Burton's building has recently been sensitively restored and is 'a fine piece of work.' It is a prominent site within the Conservation Area and they believe the signage would 'let down this fine Deco building and the wider Conservation Area.' They believe it to be highly worthy of scrutiny and would like the signage to 'reflect the high standard of design of the building itself and the area in which it sits.'

### **Public Response**

Nearest neighbours notified by letter.

### **Officer Comments**

The issues to consider in this application are Impact on Amenity and Highway Safety.

The existing externally illuminated signage is corrugated plastic with strip lights above. The proposed illuminated signage would be the same dimensions of 13m x 1.15m on the Market Street Elevation and 8.06m x 1.15m on the Market Place elevation. The material would be 3mm Aluminium Composite Material (ACM) tray signs. The existing strip lights would be replaced with 3 x 3m LED strip lights in white, two of which would be above the signage on Market Street and one above the signage on the Market Place elevation.

## **Conservation Area**

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that the historic environment and heritage assets of the borough (including Listed Buildings, Conservation Areas, Scheduled Monuments, non-designated assets and archaeological remains), including and their settings, will be conserved and where appropriate should be enhanced.

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

Policy SUP 4 (Designing Better Public Places) seeks to achieve well designed, high quality public buildings and spaces.

Conservation Area Design and Development Guidance SPD 2008 sets out key aspects of development to ensure the special character of the conservation area are maintained.

## **Impact on Conservation Area**

The Conservation Area Design SPD highlights that shopfront advertisements should relate well to the building on which they are displayed. Simple and restrained signs are often more effective in advertising a business.

The proposed illuminated fascia signs and lighting would be very similar to existing. Therefore the proposed signs would preserve the character and appearance, and thus the significance, of the Conservation Area.

## **Amenity**

The proposed signage is within a commercial area and would have limited impact on the visual amenity, there is similar existing signage and is therefore acceptable.

## **Highway safety**

The signage scheme would not adversely impact on highway safety and therefore is acceptable in this aspect.

## **Summary**

The proposed replacement signage with external LED lighting is acceptable and would not have any unacceptable adverse impacts on amenity or highway safety.

## **Reason for Decision**

The externally illuminated signage scheme is acceptable and would not adversely impact on amenity or highway safety.

## **RECOMMENDATION: Approve**

Subject to the following conditions:

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

1475 – 1 and Location Plan, received 15<sup>th</sup> February 2022

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

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the land entitled to grant permission.

**Reason:** Condition imposed by the Regulations.

3. No advertisement shall be sited or displayed so as to -
  - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

**Reason:** Condition imposed by the Regulations.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

**Reason:** Condition imposed by the Regulations.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

**Reason:** Condition imposed by the Regulations.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in condition that does not endanger the public or impair visual amenity.

**Reason:** Condition imposed by the Regulations.

7. The surface brightness of the advertisement shall not exceed 600 candelas/sq. metre and shall not include any intermittent light source, moving features or reflective material.

**Reason:** In the interests of amenity and public safety.

## LIST OF BACKGROUND PAPERS

Planning Applications

**NPW/MP**

**Date: 22<sup>nd</sup> March, 2022**