

REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: COLNE & DISTRICT COMMITTEE

DATE: 12th MAY 2022

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE ON 12 MAY 2022

Application Ref: 21/0986/FUL

Proposal: Full: Erection of agricultural building.

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 for site visit.

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 plans have been amended reducing the size of the proposed building from a footprint of 18.3m x 9.1m to 13.7m x 9.1m with 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. One response received objecting to the development on the following grounds:

- The proposed building appears excessive compared to the land maintenance requirement.
- The building will cause harm to the character and visual amenity of the area.
- The land should not be classed as agricultural, it is now more residential than agricultural.
- The land is not suitable for significant agricultural use as it is a former landfill site.
- The wood is inaccessible and extends to no more than 20 trees.
- The size of the building exceeds the space reasonable necessary for storage and it could be accommodated within the existing buildings.

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 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.

The justification details submitted details that the proposed storage building is required for the maintenance of the agricultural land state that the existing stone barn is not suitable to accommodate the proposed storage of machinery. In terms of the existing barn, The Agent has provided details of the existing attached stone barn detailing that it is split into three different levels and only a small area can be accessed from the outside and it is therefore not suitable to accommodate the proposed storage.

There is also a building to the rear of the barn that has recently been erected as a replacement for an existing building, which is used as a domestic garage for parking of a motorhome. This building appears to be unauthorised and the applicant has been made aware it will require planning permission.

The plans have been amended reducing the size of the proposed building from a footprint of 18.3m x 9.1m to 13.7m x 9.1m and an internal layout plan provided detailing the area required for storage.

Taking into account the above it has been acceptably demonstrated that the proposed agricultural storage building is necessary and the amended building is proportionate to the needs of the agricultural land.

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. The building would be prominently visible from the public right of way that runs up the access track and immediately past the site of the proposed building, however, the minor visual harm caused by the proposed building in views from the footpath would outweighed by the benefits of supporting agricultural use of the land.

The proposed building is therefore acceptable in accordance with policies ENV1, ENV2 and 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.

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 acceptable in terms of design, amenity and highway safety. 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: TS286-1 – received 16/03/2022, TS286-2 – received 16/03/2022, TS286-3 – received 16/03/2022.

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

3. Prior to the cladding of the external walls and roof of the building hereby approved samples of the upper wall and roof cladding materials 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 a satisfactory form of development in the interest of visual amenity of the area.

Application Ref: 21/0986/FUL

Proposal: Full: Erection of agricultural building.

At: Piked Edge Farm, Skipton Old Road, Colne

On behalf of: Mr A. Swales

REPORT TO COLNE AND DISTRICT COMMITTEE ON 12 MAY 2022

Application Ref: 22/0052/FUL

Proposal: Full: Demolition of former poultry sheds, removal of silo feed hoppers and erection of agricultural building (For storage of equipment) measuring 15m x 10m x 5.2m in height (To ridge).

At: Hildene, Rock Lane, Keighley Road, Trawden

On behalf of: Mr Ian Barker

Date Registered: 01/02/2022

Expiry Date: 29/03/2022

Case Officer: Alex Cameron

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

Site Description and Proposal

The application site is a group of agricultural buildings located adjacent to the settlement of Trawden and within the Trawden Forest Conservation Area. The site is located on the valley side with a garage colony to and dwellings to the south and east and fields to the north and west.

The proposed development is the demolition of existing sheds and a hopper and erection of an agricultural building for livestock and machinery storage with a footprint of 15m x 10m. The building would have Yorkshire boarding upper walls, concrete block lower walls and powder coated profiled metal sheet roof.

Relevant Planning History

None.

Consultee Response

LCC Highways – No objection.

Environment Agency – Although part of the land is within Flood Zone 2 all built development would be within Flood Zone 1, no objection.

PBC Environmental Health – Please attached a construction management condition and a note relating to contamination.

Trawden Forest Parish Council – Object, the Councillors question the size of the building for the size of the acreage owned. They feel that the building is disproportionate to the acreage held. It will also be highly visible from many aspects around the village.

Public Response

A press and site notice has been posted and nearest neighbours notified – One response objecting on the following grounds:

The negative impact the demolition/building work will have on wildlife, in particular roosting bats which live in the poultry sheds, ground nesting birds and newts also inhabit nearby.

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.

Principle of the Development

Although this is a relatively small agricultural holding at 1.38 hectares, the proposed building would replace a group of dilapidated sheds which are collectively of a similar size. The building is proposed to support the maintenance of the agricultural land and the production of a hay crop. Taking these factors into account the proposed agricultural building is acceptable in principle.

Conservation, Visual Amenity and Landscape impact

The proposed building would replace a group of dilapidated sheds and an unsightly metal hopper. The design and materials of the building are typical of other modern agricultural buildings in the area and its scale would be similar to the collective scale of the structures it replaces. Overall the replacement of the existing buildings with the proposed building would enhance the character and appearance of the Conservation Area.

The proposed development therefore accords with policies ENV1, ENV2 and the guidance of the guidance of the Development in the Open Countryside SPG.

Amenity

The nearest dwellings are located adjacent to the east boundary of the site. Taking into account that it would replace existing agricultural buildings the proposed building would not result in any unacceptable residential amenity impacts.

Ecology

A bat survey has been submitted with the application, this concluded that there is negligible potential for bat roosting within the buildings to be demolished.

The site of does not have features that would make it suitable as habitat for other protected species including newts and subject to the recommendations of the bat survey the ecology of the site would be enhanced.

Highways

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

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 acceptable in terms of design, amenity and highway safety. 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: 648/1, 648/5, 648/6, 648/7.

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

3. Prior to the cladding of the external walls and roof of the building hereby approved samples of the upper wall and roof cladding materials 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 a satisfactory form of development in the interest of visual amenity of the area and significance of the Conservation Area.

4. The development shall be carried out in strict accordance with the recommendations of the submitted Preliminary Bat Roost Assessment Report.

Reason: To ensure that protected species are not harmed and the biodiversity of the site is enhanced.

Application Ref: 22/0052/FUL

Proposal: Full: Demolition of former poultry sheds, removal of silo feed hoppers and erection of agricultural building (For storage of equipment) measuring 15m x 10m x 5.2m in height (To ridge).

At: Hildene, Rock Lane, Keighley Road, Trawden

On behalf of: Mr Ian Barker

REPORT TO COLNE & DISTRICT COMMITTEE 12TH MAY 2022

Application Ref: 22/0092/FUL

Proposal: Full: Siting of static caravan 9m x 3m to house the Club's professional cricketer.

At: Colne Cricket Club, Byron Road, Colne

On behalf of: Colne Cricket and Bowling Club

Date Registered: 1st March 2022

Expiry Date: 26th April 2022

Case Officer: Yvonne Smallwood

Committee decision due to applicant being a Council employee.

Site Description and Proposal

The application site is located within the grounds of Colne Cricket Club between Byron Road and Keighley Road. To the north of the application site is the Pavilion and the bowling green is to the south.

This application seeks retrospective consent to site an Atlas Applause static caravan of circa 9m in length, 3m width and 3m in height. The caravan would provide accommodation for Colne Cricket Club's professional cricketer for six months of the year. There is adequate existing tarmac hard-standing for the static caravan and to park a vehicle.

Relevant Planning History

21/0261/FUL - Full: Erection of permanent two lane practice facility comprising of practice surface and fixed netting – Approved with Conditions 26th March 2021

19/0862/ADV – Advertisement Consent: Display of 1x freestanding non-illuminated advertisement – Approved with Conditions, 2019

13/04/0242P – Full: Erect new club house (demolish existing) – Approved with Conditions, 2004

13/99/0620P – Full: Two storey extension to clubhouse to provide lounge and pool room with balcony above and storage in basement, 1999

13/99/0068P – Full: Erect six floodlighting columns around bowling green – Approved with Conditions, 1999

13/90/0578P – Full: Erection of tea room – Approved with Conditions, 1990

Consultee Response

Highways LCC –

ALU Architectural Liaison

ENVHLT Environmental Health

PBCENG PBC Engineering

PATHS PBC Public Rights of Way

Colne Town Council

Public Response

Nearest neighbours notified by letter without response.

Officer Comments

Policy

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 WRK5 (Tourism, Leisure and Culture) supports the provision of new or improved facilities for leisure where they are of an appropriate scale and will not have a significant detrimental effect on the natural or historic environment, local amenity or character of the area.

Policy 3.81 Tourism and Recreation relates to open space. The cricket club is allocated as protected open space.

Principle of Development

The application site is situated in the settlement of Colne. The principle of development for a caravan to be used residentially in the settlement complies with policy LIV1 and the provisions of the Framework.

Design

The Atlas Applause green caravan is circa 9m in length, 3m in width and 3m in height and would be visible over the boundary wall, however the caravan does not have an unacceptable visual impact and is therefore acceptable in terms of design in accordance with Pendle Policy ENV2.

Residential Amenity

The unit would be placed on open space and used to facilitate housing the club professional cricketer and as such is related to the operation of the cricket club.

The caravan would be located circa 60m from the nearest dwellings and would not result in any unacceptable residential amenity impacts, it is appropriate in scale and would not have an unacceptable detrimental impact on local amenity or the character of the area and would therefore accord with policy ENV2 and Policy WRK5.

Highways

The retrospective application for a static caravan for the professional cricketer does not result in any loss of operational space. The cricketer does not have a car, so there is no additional need for parking.

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 acceptable in terms of policy, visual amenity, residential amenity and highway safety. 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan and Site Plans, received 14.02.22

Caravan Plan, received 22.02.22

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

2. The caravan shall be used for the sole purpose of residential accommodation for the professional cricketer at Colne Cricket Club.

Reason: For the avoidance of doubt and to ensure that the caravan is removed if it is no longer necessary.

Following the Committee meeting on 31st March 2022 –

This static caravan proposal is a retrospective application – Colne Cricket Club have confirmed the drainage proposal – they have confirmed that it has been connected into the existing foul manhole on the site.

Application Ref: 22/0092/FUL

Proposal: Full: Siting of static caravan 9m x 3m to house the Club's professional cricketer.

At: Colne Cricket Club, Byron Road, Colne

On behalf of: Colne Cricket and Bowling Club

REPORT TO COLNE AND DISTRICT COMMITTEE ON 12 MAY 2022

Application Ref: 22/0127/FUL
Proposal: Full: Alterations to shopfront window to create openable window.
At: 26 Church Street, Colne
On behalf of: About Coffee
Date Registered: 23/02/2022
Expiry Date: 20/04/2022
Case Officer: Alex Cameron

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

Site Description and Proposal

The application site is a café within the town centre of Colne and Albert Road Conservation Area.

The proposed development is an alteration to the existing timber shop window to install and opening timber window frame.

Relevant Planning History

None.

Consultee Response

LCC Highways – No objections in principle, however, the applicant should confirm whether the proposed window would open inwards or outwards. If it is proposed that it will open outwards, then it will need to be firmly secured in the open position and details of how it would be secured should be provided. This is to ensure that the window would not project over the adopted footway so posing a hazard to pedestrians, especially those visually impaired.

Colne Town Council – No response.

Public Response

Site notice posted. No response.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 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) 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.

The above policies are supported by the Design Principles SPD and the Conservation Area Design and Development SPD.

Visual Amenity and Heritage Impact

The proposed alteration to the shop window to create an opening frame within it is very minor and of acceptable design and materials in keeping with the existing shop window, it would have no adverse impact upon the appearance of the shopfront or the character and appearance of the Conservation Area and would therefore preserve its significance in accordance with policies ENV1 and ENV2.

Residential Amenity

The proposed development would raise no unacceptable residential amenity impacts.

LCC Highways

A condition is necessary to ensure that either the window can only open inwards or, if capable of opening outward details of provision for securely securing the windows in their opened position and so they do not project over the footway must be submitted. With this condition in place the proposal is acceptable in terms of highway safety.

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 acceptable in terms of design, amenity, highway safety and would preserve the significance of the Conservation Area. 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, 20-1450-1.

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

3. All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: To allow the Local Planning Authority to control the external appearance of the development.

4. Upon its installation the window frames hereby approved shall be painted in a colour to match the shop front and maintained as such at all times thereafter.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area and the character and appearance of the Conservation Area.

5. Unless the windows hereby approved are at all times restricted to inward opening only, details of means of securing the windows in their fully opened position shall be submitted to and approved in writing by the Local Planning Authority prior to their installation, the windows shall thereafter installed in strict accordance with the approved details and shall at no time be allowed to project over the footway.

Reason: In the interest of pedestrian safety.

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 11th April 2022