

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

**TO:** WEST CRAVEN COMMITTEE

**DATE:** 7<sup>th</sup> JUNE 2022

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning application.

# **REPORT TO WEST CRAVEN COMMITTEE 7<sup>TH</sup> JUNE 2022**

**Application Ref:** 21/0666/FUL

**Proposal:** Full: Erection of 3 holiday lodges with associated parking, access and amenity area.

**At:** Land to the rear of the Greyhound, Manchester Road, Barnoldswick.

**On Behalf of:** Greyhound Cottages Ltd

**Date Registered:** 9 August 2021

**Expiry Date:** 4 October 2021

**Case Officer:** Laura Barnes

This application has been deferred from the last meeting for a site visit

## **Site Description and Proposal**

The application site is an area of undeveloped land located within the settlement of Barnoldswick. The site staggers the Barnoldswick and Calf Hall and Gillians Conservation Areas with the Grade II listed Hey Farm located immediately to the southeast. It is surrounded by dwellings of varied styles and a Public House to the north and east with fields and allotment gardens to the south and west. The site has been previously used as a pub car park and allotments.

Previously permission has previously been granted for the erection of a total of 12 three bedroom cottages although not as far into the land as this proposal.

This proposal seeks permission for the erection of three holiday lodges to the south west of the site using the existing access from Manchester Road via Crow Foot Fold. Electric security gates are proposed to the entrance of the holiday lodges.

The holiday lodges would all be two storey detached units finished in natural stone and slate and cream timber doors and windows with lounge/dining, kitchen and utility to ground and two beds and bathroom at first floor.

Units 1 – 6 of the adjacent residential development have been completed and some are occupied. Units 7 -12 are still under constructed.

This area of land was proposed to be landscaped and provide a bund under the previous permission as a physical barrier to the approved development and the conservation area/listed building.

## **Planning History**

13/11/0145P – Full: Erection of 4 detached dwellings (Re-submission) – Refused – May 2011.

13/12/0263P – Full: Erection of 4 detached dwellings – Approved with Conditions – September 2012.

13/15/0089P – Full: Erection of 9 dwellings with associated access, parking and landscaping – Approved with Conditions – April 2015.

13/16/0015P – Outline: Residential development (0.49 hectares) (Access only) – Refused – March 2016.

16/0470/RES – Outline: Major: Residential development (14 dwellings) (Access, Appearance, Layout and Scale) (Re-Submission) – Refused – September 2016. Appeal Dismissed 6<sup>th</sup> February, 2017.

18/0076/CND – Approval of Details Reserved by Condition: Discharge of Conditions 6 (Drainage), 7 (Materials), 8 (Window & Door Colour), 9 (Landscaping), 15 (Contamination) and 16 (Construction Method Statement) of Planning Permission 13/15/0089P – Conditions Partially Discharged.

19/0760/FUL – Erection of no. 9 two storey dwelling houses – Approved.

### **Consultee Response**

United Utilities – In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as main river.

LCC Highways – Having considered the information submitted, the Highway Development Control Section does not have any objections regarding the proposed development at the above location, subject to the following comments being noted, and conditions being applied to any formal planning approval granted.

The proposed development would be accessed from Crow Foot Fold, which is a privately maintained road.

### **Plot 7**

It is proposed to amend the off-road parking for Plot 7 as previously approved under planning permission 19/0760/FUL. Parking for two vehicles is now proposed in front of the dwelling. This should be a minimum of 5.8m wide to provide joint vehicular and pedestrian access and needs amending on the submitted plan.

### **Holiday lodges**

### **Car & cycle parking**

The proposed holiday lodges all have two bedrooms. Two parking spaces are proposed, which is an adequate level of parking for the type and size of development.

As the development is aimed at visitors, who would be unfamiliar with the site layout, the central landscaped feature should be removed from the scheme as it encroaches into the manoeuvring area. The removal of the landscaping would also improve the manoeuvring area for vehicles servicing the site, eg refuse vehicles.

The Planning Statement refers to the use of a car not being necessary or essential as there are cycling opportunities available from the site (page 3). However, no cycle storage facilities have been provided. Secure, covered storage for at least two cycles should be provided for each lodge.

### **Internal road**

As the internal road would remain private the developer should provide details of the proposed arrangements for the future management and maintenance of the road. These should include the establishment of a private management and maintenance company.

### **General**

The use of the development should be controlled by condition as holiday let only, so that traffic generated by the development can be assessed and managed.

An electric vehicle charging point should be provided for each lodge.

Subject to the receipt of an amended parking/layout plan conditions should be attached to any grant of permission relating to future management and maintenance of the internal road, parking and manoeuvring areas, cycle storage and electric vehicle charging points.

PBC Environmental Health – Requests contamination and construction methodology conditions.

PBC Conservation – The Barnoldswick Conservation Area covers the eastern section of the site, however the bulk of the site lies within the Calf Hall and Gillians Conservation Area, which at this point marks the transition from the historic urban to rural character at the settlement edge of Barnoldswick.

The design, scale and materials of the completed row of houses are to a good standard, and reflect the character and density of existing terraced cottages to the north and east of the site.

The Grade II listed Hey Farm and its attached Cottage lie close to the southern boundary of the site. However any increased impact arising from this proposal on the setting of the LB would be limited, due to the separation distance between the buildings, the intervening stone wall and vegetation, and also the change in levels between the two sites. The main significance of the LB lies in its south-facing frontage and east facing gable, seen most importantly from Manchester Rd to the east. The extension of the site area could affect these views of the building. The development would project southwards towards the boundaries of the LB's affecting their setting within open countryside.

Barnoldswick Town Council - We object on the basis of the proximity to the conservation area and listed buildings.

### **Public Response**

The nearest neighbours have been notified by letter and a Site Notice was posted. No public comments have been received.

### **Officer Comments**

The main considerations for this application are the principle of the development, design and the conservation, residential amenity, highways and drainage.

The Pendle Local Plan Part 1: Core Strategy (2011 – 2030) is the starting point for considering planning applications. Policies that conform to the NPPF and are up to date must be given full weight when planning applications are considered. Other relevant material considerations are then set against the Policies of the Local Plan and contribute to the decision making process.

### **National Planning Policy Framework ('the 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 paragraphs 7 to 211 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.

### **The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:**

Policy ENV1 (Protecting and Enhancing our Natural and Historic Environments) seeks to ensure a 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 the wider locality;

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused;

Policy ENV 5 (Pollution and Unstable Land) states that new development is required to address the risks arising from contaminated land or unstable land, including that arising from mining legacy, through remediation work that makes the site suitable for the proposed end use;

Policy LIV1 (Housing Provision and Delivery) sets out the Councils requirement to deliver new housing at a rate of 298 dwellings per annum;

Policy LIV5 (Design Better Places to Live) states that the layout and design of new housing should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties. Provision for open space and/or green infrastructure should be made in all new housing developments.

Saved Policy 31 of the Replacement Local Plan (Parking) sets out appropriate parking standards.

The Conservation Area Design and Development Guidance Supplementary Planning Document (SPD) gives guidance on suitable developments within Conservation Areas.

Design Principles Supplementary Planning Document (SPD) sets out the aspects required for good design.

### **Principle of Housing**

Although the application site is located beyond the settlement boundary, it is surrounded by residential properties to two sides with services, facilities and regular public transport links all within walking distance. The development would be within a sustainable location for housing and is acceptable in principle thereby according with Policies LIV1 and LIV5.

### **Design and Impact on Heritage Assets**

Paragraph 134 of the Framework contains guidance on achieving well-designed places and buildings. Policy ENV2 reiterates those requirements and is relevant to the determination of this application. The Conservation Area SPD advises that materials used for the construction of new houses should harmonise with those of surrounding properties. In addition, window styles should match those of neighbouring dwellings and any regular spacing between dwellings should be respected, with adequate garden areas.

Whilst the site itself is relatively level, the surrounding area is on a gradient running up from north to south. Because of this, the properties at Hey Farm stand higher (around 1.7m) and the terraced, cottage style dwellings on Crow Foot Row sit lower. When viewed from public vantage points to the west, and the Calf Hall and Gillians Conservation Area, the proposed development would be taken in the context of those dwellings.

The amount of built form proposed would not be significantly greater than the 12 dwellings already approved, despite the modest scale of the units this would erode the landscaping area and bund which assist in screening the Listed Building from view.

A public footpath runs adjacent to the site along the front of Crow Foot Row, meaning the development would be visible from a number public vantage points. The overall configuration and position of the site means that the dwellings would not contribute to or impact on the wider street scene in general. Therefore, the main design considerations should be how the proposal sits within its immediate surroundings and potentially affects the character of the Conservation Areas. In a previously refused housing scheme at this site, an Inspector found that the limited scale of the scheme meant that any impacts on the heritage assets would be less than substantial. However he did raise concerns that the Calf Hall and Gillians Conservation Area (which covers approximately one third of the site, with the Barnoldswick Conservation Area covering the remainder) may be impacted on by new development, being at the transitional cusp between urban form and open land beyond.

*20. [...] the section of land to the west and north west of the established rear boundaries of Hey Farm Cottage and Hey Farm and to the south of Overdale makes a positive contribution to the character of open countryside in the immediate surroundings of Gillians Beck. Furthermore, this part of the site also serves an important role in the transition to a rural setting at the edge of the Barnoldswick settlement and from the different character of the neighbouring Barnoldswick Conservation Area. Accordingly, the western part of the site makes a positive contribution to the rural character and significance of the Calf Hall and Gillians Conservation Area in its present undeveloped state. (Appeal Decision APP/E2340/W/16/3163643)*

The application site is located entirely within the Gillians & Calf Hall Conservation Area and also partly within the Barnoldswick Conservation Area. These Conservation Areas are Heritage Assets, for the purpose of making an assessment in accordance with the Framework. The proposed development would result in land which serves as an important transition from urban to rural setting being built on, as such this would cause harm to views both into and within the Conservation Area. The impact upon the Heritage Asset would be “less than substantial” harm, which in accordance with the Framework (paragraph 202) must be outweighed by public benefit. Although there would be some public benefit arising from the scheme in terms of contributions to the local economy, this is not sufficient to outweigh the harm caused to the Heritage Asset. As

such, the scheme conflicts with paragraph 202 of the Framework. Hey Farm adjacent is a Grade II Listed Building, which is also a Heritage Asset. The proposed development would result in harm to the immediate setting of the Listed Building, given the proximity of the built form to the Listed Building. This would result in a detrimental impact upon views of the Listed Building from public vantage points. Again, this conflicts with paragraph 202 of the Framework. This is because although there are some public benefits of the scheme to the local economy, these benefits would be limited and are not sufficient to outweigh the harm caused to the Heritage Asset. As such, the proposed development fails to comply with paragraph 202 of the Framework, Policies ENV1 & ENV2 of the Local Plan Part 1 Core Strategy and the Conservation Area Design & Development SPD.

The increase in density at the site does raise concerns regarding the layout and impact on the characteristics of the immediate area. The proposal therefore fails to comply with Policies ENV1 and ENV2 and the guidance of the Conservation Area and Design Principles SPDs.

### **Residential Amenity**

The Design Principles SPD states that development proposals must adequately protect neighbours enjoying their homes. Minimum distances of 21m must be provided between directly facing main habitable room windows to preserve domestic privacy. The massing of proposed dwellings must not appear overbearing in relation to the immediate neighbours, or cause any unacceptable losses of light.

### **Highways and Parking**

The plans show parking for two cars to service each dwelling which is acceptable in accordance with the Parking Standards of Saved Policy 31. The development would utilise an existing and suitable access and the number of traffic movements involved would be similar to the sites former use as a pub car park. LCC Highways have raised no principle objections and I concur with their findings.

Subject to appropriate conditions being added relating to parking provision, the estate road construction and the submission of a revised Construction Method Statement, the proposed development would have no unacceptable impacts on highway safety in accordance with Policy ENV4.

### **Drainage**

Adequate foul and surface water drainage could be required through condition and therefore the proposed development is acceptable in terms of drainage.

### **Trees and Ecology**

An ecological appraisal has been submitted in support of this application. No issues have been identified and there is no requirement for further ecological investigation. A tree survey has also been submitted and this recommends re-stocking the existing hedgerow to the south and east of the site, in addition to new native hedgerows to the south and west. There are no outstanding issues in this regard.

### **Summary**

The proposal involves the erection of 3 holiday units, together with associated works. The development would not be acceptable in terms of the potential impact on heritage assets and therefore fails to accord with paragraph 202 of the Framework, Policies ENV1, ENV2 and the guidance of the Conservation Area SPD.

## **RECOMMENDATION: Refuse**

For the following reasons:

1. Due to its position in an area which plays an important role in the transition of the rural setting and the edge of Barnoldswick, the proposed development would result in an unacceptable impact upon both the Gillians & Calf Hall and the Barnoldswick Conservation Areas. The proposal would also result in a harmful impact upon Hey Farm, a Grade II Listed Building, this harm is not outweighed by any public benefit, contrary to paragraph 202 of the Framework, Policy ENV1, ENV2 of the Local Plan Part 1: Core Strategy and the Conservation Area SPD.

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**On Behalf of:** Greyhound Cottages Ltd

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NPW/MP**

**Date:** 25<sup>th</sup> May 2022