

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

**TO: BARROWFORD AND WESTERN PARISHES COMMITTEE**

**DATE: 6<sup>TH</sup> JULY 2022**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 6<sup>TH</sup> JULY 2022

**Application Ref:** 21/0885/FUL

**Proposal:** Full: Major: Erection of 3 No. Industrial Buildings forming 8 units (3,577sq.m.) (Mixed Use Classes E/B2/B8).

**At:** Land North East Of Vantage Court, Riverside Way, Barrowford

**On behalf of:** Barnfield Contractors UK Ltd.

**Date Registered:** 01/02/2022

**Expiry Date:** 13/06/2022

**Case Officer:** Alex Cameron

This application has been brought before Committee as it is a major development, the application was deferred from June's meeting.

### **Site Description and Proposal**

The application site is open land to the north east of Vantage Court, the land is within the settlement boundary of Barrowford and designated as protected Employment Land (B1 only). To the north west is the Trough Laithe housing development, Pendle water and Nelson and Colne College to the north east and Barrowford Road and dwellings beyond to the south east. Footpath No.28 runs through the site from the south to link up with Footpath 2 following Pendle Water.

The proposed development is the erection of three industrial buildings, divided into eight units with a total floorspace of 3,577m<sup>2</sup> for business, industrial or storage and distribution uses.

### **Relevant Planning History**

13/92/0216P - Business Park (Outline) - Approved on Appeal (Non-determination) January, 1993.

13/95/0637P - Business Park (Reserved Matters) - Consent Granted - September, 1996.

13/98/0213P - Modify landscape Conditions 1 and 2 13/95/0637 - Approved 1998.

13/03/0680P - Business Park (3.5 hect. ) Housing (2.1 hect.) Outline - Withdrawn.

13/05/0944P - 9 two B1 units (Detailed); 17 B1 units (outline) - Revised Scheme - Appeal Against non-determination - Withdrawn, August, 2006.

13/06/0442P - Erect 9 two storey buildings (3,710 m<sup>2</sup>) for B1 use (Phase 1) and Outline application for erection of B1 office buildings (8 hectares) (Phase 2) - Approved September, 2006.

13/08/0218P - Outline; Major; erect B1 office accommodation including access and layout Approved July 2008.

13/09/0552P - Outline; Major; Develop land as a Business Park (8.86 hect) to provide a maximum of 21,727 sq.m. B1 floorspace (access and layout details only) on land North of Barrowford Road, Barrowford - Approved 8th March, 2010.

13/10/0369P - Outline: Major: Erect 55 bedroomed hotel, Pub/Restaurant (768 sq m), Creche (500 sq m) and two office buildings (890 sq m each) (Access and Layout Only) Approved 14/9/2010.

13/13/0462P - Extension of Time: Extend time limit of Planning Permission 13/10/0369P for Major Outline development for a hotel/pub/restaurant, crèche and two office buildings - Approved 11th November, 2013.

13/15/0111P - Extension of Time: Major: Extend time limit of Planning Permission 13/09/0552P for Outline: Major: Develop land as a Business Park (8.86 hectares) to provide a maximum of 21,727 m<sup>2</sup> B1 floor space (Access and Layout details only). Approved.

## **Consultee Response**

United Utilities – Request drainage conditions.

Lead Local Flood Authority – Objects, the drainage strategy is inadequate.

LCC Highways – Requests additional assessment of nearby junctions to determine the highway capacity considering the committed development which has been approved in recent years, including Trough Laithe.

PBC Countryside Access - The proposed development is in close proximity to public footpath 13-2-FP 28. The layout has clearly taken account of the position of the footpath but could I please ask that an advisory note is included if planning permission is granted.

Lancashire Fire and Rescue – Comments related to building regulations.

Barrowford Parish Council - No Objection in Principle but objections to designs materials impact on visual amenity and level of parking provision. Riverside Business Park since its inception was restricted to B1 with buildings of higher quality with traditional roof and wall construction. The Parish Council is aware that business planning classes have been changed with many being combined but the Parish Council would still like to see the ethos of traditional designs and materials adhered to. The inclusion of steel framed construction with box profile steel sheets of indeterminate colours would materially affect the setting and visual amenity of the Trough Laithe Strategic Housing Site currently under construction and the wider area. The lack of adequate off-road parking for seven of the proposed units will lead to on road parking problems, these possibly affecting access to the strategic housing site with potential obstruction to the proposed heavy goods vehicle turning areas within the offroad area. If future development of this business park is allowed to become more akin to Lomeshaye Industrial Estate in regards of building materials and mismatched finishes it could have a serious effect on the viability of the strategic housing site and the setting of the Carr Hall Road and Wheatley Lane Conservation Area. The Council has concerns that a PROW is not marked on the plans and would like the Footpath Officer to check if any PROW run through this site.

## **Public Response**

Site and press notices posted and nearest neighbours notified – No response.

## **Officer Comments**

### **Policy**

Pendle Local Plan Part 1: Core Strategy

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.

Policy ENV5 (Pollution and Unstable Land) seeks to minimise air, water, noise, odour and light pollution.

Policy SDP2 (Spatial Development Principles) States that proposals to develop outside of a defined settlement boundary will only be permitted for those exceptions identified in the Framework, or policies in a document that is part of the development plan for Pendle.

Policy SDP4 (Employment Distribution) states that the provision of employment land should follow the settlement hierarchy set out in Policy SDP2.

Policy WRK2 (Employment Land Supply) states that support will be given to new employment development that helps to reinforce Barrowford's position as the focus for employment provision in the north of the borough and enhance the functionality of the area's existing specialism in advanced manufacturing.

### National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

### **Principle of the Development**

This application proposes a mixed use of Class E, B2 and B8. The land is designated as a Protected Employment Area (B1 only) saved policy 22 of the RPLP states that within the Protected Employment Area (B1 only) planning permission will be granted for B1 development only, for other protected employment areas it states that permission will be granted for B1 use provided that it is not more than 25% of the total floorspace of the Protected Employment Area and B8 provided that it is not more than 10%.

Those restrictions are not included in policy WRK2, which simply states that within Protected Employment Areas Use Classes B1, B2 and B8 will be permitted.

Use Class B1 has since been replaced by Class E(g) in September 2021 and at the time of the adoption of the Replacement Pendle Local Plan there was a greater need for B1 office space in the Borough than there is now, with the changes in the demand for commercial office space since then there is no longer the necessity for this Protected Employment Area to be restricted to B1 only. In terms of the proportions of the uses within the protected employment area, the land has remained undeveloped despite application being granted in the past for its development, taking this into account and the economic benefits of the development a mixed use of Class E(g), B2 and B8 is acceptable.

Class E includes retail and other uses that should be accommodated within a town centre as a first order of priority. Therefore, in order to protect the viability and vitality of town centres, it is necessary to restrict the Class E use to E(g) only.

Therefore this is an acceptable location for the proposed development in accordance with policies SDP2, SDP4 and WRK2.

### **Visual Amenity**

The proposed design of the buildings are typical of such commercial buildings seen elsewhere. The site is on low lying land sloping down to Pendle Water, it would be largely screened from view from the south and east by existing belts of trees, it would not be prominent in the landscape and where seen with be in the context of the existing commercial development to the south west. Although it would be opposite to the Trough Laithe housing development it would be on lower land and distinctly separate from it. The land is designated for employment use and is of no special landscape or heritage value, taking this into account the proposed development is acceptable in terms of design and visual amenity impacts.

The proposed development is therefore acceptable in terms of visual amenity in accordance with Policies ENV1 and ENV2.

### **Residential Amenity**

The end users and uses of the units are unknown at this stage, following discussions with Environmental Health it has been agreed that before the commencement of the use of each unit that an assessment of the noise impacts of the proposed use are undertaken, and any necessary mitigations put in place before that use commences. This would adequately protect the residents of the existing and approved dwellings nearby from noise impacts.

The scale and proximity of the proposed units to dwellings would not result in any unacceptable overshadowing or overbearing impacts or loss of privacy.

The development is therefore acceptable in terms of residential amenity impacts in accordance with Policies ENV2 and ENV5.

### **Highway Issues**

Queries have been raised by LCC Highways in relation to the level of car parking proposed within the site and additional details requested in relation to traffic generation, and requested some minor changes to the internal layout to link pedestrian footpaths and ensure adequate visibility within the site. The applicant has submitted additional details and LCC Highways have been consulted on those details.

Concerns have been raised by the Parish Council in relation to impacts of public rights of way, a public right of way does run through the site but would not be obstructed.

### **Drainage and Flood Risk**

A Flood Risk Assessment has been submitted with the application, however, there was inadequate detail in relation to the drainage strategy to demonstrate that the development would not result in an unacceptable increase in off-site flooding.

Additional details have been submitted and the Lead Local Flood Authority consulted on those details.

## Ecology

An ecology survey has been carried out and found that the site has limited ecological value, the development provides an opportunity in its landscaping to create species-rich habitats which will support a greater range of flora and fauna. The report recommends enhancement measures including bat and bird boxes landscaping wood piles and a wildlife pond. With a condition to control those measures the proposed development is acceptable in terms of its impact on ecology.

## Conclusion

It is recommended that the approval of the application and any conditions necessary is delegated to the Planning, Economic Development and Regulatory Services Manager subject receipt of acceptable details in response to LCC Highway and Lead Local Flood Authority comments.

## 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 all relevant regards. 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: Delegate Grant Consent

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: TBC

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development hereby approved samples of the external materials of the walls and roof the development, including their colour and finish 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:** In the interest of visual amenity.

4. There shall be no external storage within the application site unless otherwise approved in writing by the Local Planning Authority. Any external storage thereafter shall at all times be carried out only in strict accordance with the approved details.

**Reason:** In the interests of visual amenity.

5. The development shall be carried out and operated in strict accordance with the recommendations of the Extended Phase 1 Report dated 16/12/2021. Prior to the

commencement of the use of the development a scheme of ecological mitigation and enhancement measures shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance prior to the commencement of the use of the development or an alternative timescale approved as part of the scheme.

**Reason:** To ensure the protection and enhancement of ecology and protected species habitats.

6. Prior to the commencement of the use of the buildings hereby approved details of any external lighting of the building and site shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity, direction and timing of illumination of the lighting and shall include lighting of the diverted public right of way. Any external lighting shall at all times be in strict accordance with the approved details and the diverted public right of way shall be illuminated at all times outside of daylight hours.

**Reason:** In the interest of residential amenity and to preserve the habitat of protected species.

7. No development shall commence unless and until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- Hours of operation
- Hours of deliveries
- Construction site noise and vibration
- Control of Dust
- Control of burning on-site

**Reason:** In the interest of residential amenity.

8. No development shall commence unless and until a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall detail how:-

- a)** an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
- b)** a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

- (i)** Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii)** Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii)** This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

**Reason:** In order to protect the health of the occupants of the new development and in order to prevent contamination of the controlled waters.

9. The development hereby approved shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme 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 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 that the development is adequately landscaped so as to integrate with its surroundings.

10. The use of the buildings and land hereby permitted shall be confined to that of Class E(g), B2 and B8 and uses ancillary to those uses only and for no other purpose, including any other use within Class E of Schedule 2 of the Town and Country Planning (Use Classes) Order, 1987 (as amended).

**Reason:** In order to protect the vitality and viability of town centres.

11. Prior to the commencement of the use of each unit an assessment of indoor and outdoor activity noise and fixed mechanical plant noise following BS 4142:2014 shall have been submitted to and approved in writing by the Local Planning Authority. Any noise attenuation shall be fully installed in accordance with the recommendations of the approved assessment



for that unit prior to the commencement of the use of that unit and the unit shall be operated in accordance with the approved assessment at all times thereafter unless an alternative assessment is submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interest of residential amenity.

Notes: The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of the development. Any breach of the legislation which protects public rights of way can result in legal action, fines and default action carried out and re-charged to the landowner. Any proposals for the temporary diversion or closure of a footpath should be made to Lancashire County Council's public rights of way team. An enquiry about permanently diverting or closing the footpath may be made to Pendle Council.

**Application Ref:** 21/0885/FUL

**Proposal:** Full: Major: Erection of 3 No. Industrial Buildings forming 8 units (3,577sq.m.) (Mixed Use Classes E/B2/B8).

**At:** Land North East Of Vantage Court, Riverside Way, Barrowford

**On behalf of:** Barnfield Contractors UK Ltd.

## REPORT TO BARROWFORD & WESTERN PARISHES COMMITTEE 6<sup>TH</sup> JULY 2022

**Application Ref:** 22/0012/HHO

**Proposal:** Full: Demolition of existing single storey outriggers and erection of single storey extension to the front elevation.

**At:** Cross Lane Farm, Cross Lane, Barley

**On behalf of:** Sarah Spencer

**Date Registered:** 28/01/2022

**Expiry Date:** 25/03/2022

**Case Officer:** Laura Barnes

The proposal has been deferred from the last Committee, amended plans have been submitted.

### **Site Description and Proposal**

The application site is a two storey detached dwelling, which has two single storey extensions to either side and a porch to the front entrance, sited within the Open Countryside and Forest of Bowland Area of Outstanding Natural Beauty (AONB). Public Rights of Way provide vantage points of this site to the north. 13-8-FP-40 runs along the western boundary of the site, in a north-west direction. Public Bridleway 13-8-BW-41 runs along the valley floor adjacent to the route of the Ogden Clough and there are other Public Rights of Way further north stretching up towards Pendle Hill, from which the site is highly visible.

The proposal is for the demolition of the existing single storey extensions and erection of a single storey extension to the front of the dwelling. The length of the main part of the proposed extension is to be 20.5m and the width is to be 6.7m. The height of the proposed extension is 4.5m. The residential accommodation would comprise a four bed dwelling, increasing from an existing three bed roomed one. The proposed accommodation would comprise two bedrooms, both with ensuite facilities to the first floor. To the ground floor it would comprise a further two bedrooms (both with ensuite facilities), a dressing room, office, utility room and kitchen / family room.

### **Relevant Planning History**

None relevant.

### **Consultee Response**

#### LCC Highways

Having considered the information submitted, 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. Therefore, the Highway Development Control Section would raise no objection to the proposal on highway safety grounds.

#### Barley Parish Council

##### Location

Cross Lane Farm is located on the hillside road above Barley, off Cross Lane.

It is just over 400m outside of the Barley settlement boundary by road and it is in the open countryside.

It has a prominent position overlooking Barley Green, Barley and Pendle Hill.

As such it is a well-known landmark and it is highly visible from Cross Lane and Footpaths 39, 40, 41, 53, 67 and from those on the slopes of Pendle Hill.

It is located within the Forest of Bowland AONB.

#### Application

To demolish outbuildings, including a garage, to the two-storey farmhouse and to extend the farmhouse.

To construct another building to the south (uphill side) of the existing farm house which is offset to the west so that there are clear views across to Pendle Hill through the large glass windows included in the application.

The two buildings will be linked by what appears to be a form of an Atrium.

The white paint render from the farmhouse will be removed and the whole of the new structure will be faced with "stone" and glass.

There is provision for three parking spaces, with turning area, but no garage.

#### Impact on the Character of the Area

The site is located within the Area of Outstanding Natural Beauty. National Guidance (NPPF) states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty and the Historic Environment. It confirms that great weight should be given to conserving landscape and scenic beauty, and that AONBs have the highest status of protection in relation to these matters. The NPPF also identifies good design as being 'fundamental to what planning and Development should achieve...and helps to make development acceptable to communities.'

Against this background Parish Councillors made the following observations:

#### Layout & Size

The architects describe the proposal as an extension and this is a fair description in relation to extending the existing farm house. However, our view is that the building to the south is a new building in the open countryside simply linked by a glass structure. PBC policy states new dwellings in the open countryside should only be permitted in special circumstances, none of which are apparent in this case.

In terms of size, this is a doubling in size from the existing building and an almost doubling in length of the north facing elevation which is so prominent from most aspects of the valley. Such a large structure will draw attention to it and be an intrusion in the open countryside and will not be harmonious with the local landscape.

The scale of this proposed building will in fact reduce the area of open countryside which government policy seeks to protect.

#### The Site

The Council consider part of the application includes a new building outside the settlement boundary and within the open countryside. Permission for such buildings requires an exceptional high standard of design and blending in to the landscape, this is not evident in this application.

#### Design

The Council considers the design to look modern and has far too much large glass which will make it stand out on the landscape. The new building will have large glass face (circa 80%) on the north elevation. This elevation is clearly visible from the public footpaths referred to above. It will have an unsympathetic appearance to the rural character and will tend to draw the eye from the wider landscape. Sunlight reflection, the high visibility of contents and movement will be a distraction and the night time lighting will be a visual intrusion in the AONB.

It would not achieve the quality of design and conservation set out in Policy EVN 2 as it would detract from the natural beauty of the AONB by way of its location, size and appearance. The Borough Council has previously rejected applications within the Barley area where glass has dominated the visible frontage of a property eg Ing Head Farm 16/0797/FUL.

Whilst there are a handful of buildings within the local area that are incongruous with the rest, the vast majority are traditional stone built rural dwellings with small glassed areas on visible elevations from footpaths and roads. This modern glass fronted "extension" would not conserve or enhance the natural or built environment.

The absence of a garage raises concerns regarding storage space for vehicles and equipment around the property and how this might affect the appearance from the road.

There are some positives to the application including the low profile of the new building and the proposed use of natural stone providing the stone is random (not coursed as shown) and the new is a match for the existing when exposed.

However, the application fails in relation to its large scale relevant to the existing building and other local buildings and the large amount of glass used, both of which will make the property highly visible within its surroundings.

In consideration of the above, Barley Parish Council strongly objects to this planning application.

### **Public Response**

Letters were sent to the nearest neighbours to notify them of the application, multiple comments have been received, raising the following issues:

- The property is in the AONB, this will double the ground floor
- Without the link hallway this is a new development (building) in the Open Countryside
- The building should be subject to a 25% rule (increase in area)
- The building is excessive in scale and would harm the visual amenity of this rural farmhouse
- Large expanse of glazing is not appropriate
- Highly visible site from Public Rights of Way

### **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 SPD2 (Spatial Development Principles) sets out the hierarchy of settlements for which growth would be directed towards, in order of preference. Barley is classed as a "Rural Village" in this hierarchy.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to protect, enhance and conserve natural and historic environments.

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 1 restricts the type of development which is acceptable within the Open Countryside and AONB, although this policy is out of date and is not consistent with the Framework it has not entirely been replaced by the Site Allocations Part 2: Local Plan.

Saved Policy 2 specifically refers to development within the AONB, setting out that the natural beauty of this area should be protected.

Saved Policy 31 sets out the maximum parking standards for development.

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

The Open Countryside SPG sets out guidance for development within Open Countryside and Areas of Outstanding Natural Beauty. The application site is located within the Moorland Fringe.

## 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.

The Framework sets out a high standard for proposed development within the AONB. Footnote 7 deals with designated areas, including AONB amongst other things, with reference to the overall presumption in favour of sustainable development contained at paragraph 11 of the Framework.

Paragraph 134 of the Framework sets out that development which is not well designed should be refused.

## **Design**

The Design Principles SPD advises that extensions to the front elevation of dwellings, including porches, need to be carefully designed. It states that porches usually benefit from having a pitched roof, using the same construction materials as the original dwelling and being not greater than 1.25m in depth (or less than half the distance between the front elevation and the highway boundary).

In this particular location the front extension is not a porch, it is a single storey extension which one may ordinarily find to the rear of a building. It appears as a new building unsympathetically positioned in front of the existing dwelling. The proposed development has not been carefully designed, as required by national policy.

Given the nature of the land levels and the drop from south to north within the application site boundary, the rear elevation is particularly visible and the design of this is of particular importance in the overall scheme. As set out above the dwelling is particularly prominent in views from Public Rights of Way to the north. The photo in fig.1 indicates the prominence this building has from 13-8-FP-32, due to its elevated position above Barley.

To change the existing simple, traditional, modest cottage into a sprawling development with a linked extension effectively connecting two buildings together would be to wholly change its

character. The character of the original building would be lost to a modern, unsympathetic addition to the front elevation which is very prominent in the roadside position off Barley Lane. The position of the modern extension right in front of the existing dwelling would totally change the character of the building, particularly when viewed from the roadside. This is particularly evident from the proposed south elevation plans.

Fig.1



The rear of the dwelling has been designed with a large expanse of glazing, including a set of folding / sliding doors, with eight roof lights above. This large expanse of glazing is not traditional and would draw attention to the elevation as being out of character with the surrounding character.

The building is to be constructed of stone with a slate roof, these are traditional materials and appropriate in this location. However, the bulk of the building and the fact that the extension is effectively a new building positioned to the south, make for an unsympathetic design which is modern and wholly uncharacteristic of the surroundings in terms of visual amenity. This point can be clearly seen from the Proposed Site Plan. Moreover, when viewed from the south the proposed development would look like two dwellings one positioned behind the other, which would significantly alter the appearance of the overall site and cause harm to the wider visual amenity. This represents poor design, contrary to paragraph 134 of the Framework.

## **Landscape**

The proposed development is located within the Moorland Fringe as defined in the Open Countryside SPG. This recommends that proposed development is of local stone in natural colours and with dark grey / blue stone coloured material to the roofs. The reason for this is to assist in assimilating the building into its position within the surrounding landscape character.

Although it is acknowledged that there is some use of traditional materials, the way the overall design has been put together with a modern dwelling effectively positioned in front of the existing original dwelling makes for an adverse impact upon the surrounding character and appearance of the wider visual amenity and AONB.

There are Public Rights of Way to the North of the application site, the visual impact of the extension to the building would be significantly different, particularly given that one of the rights of way almost forms the western boundary of the garden, as it drops down the slope to the valley floor to meet the Ogden Clough. Users of the public right of way would be met with a modern, bulky, unsympathetic dwelling which is not characteristic of the original modest two storey dwelling nestled into the hillside.

As demonstrated from the photograph in Fig.1 the building is prominent in the wider area of the AONB given its elevated position on the hillside above Barley. The photo from 13-8-FP-32 is just one example of where this visual prominence is evident within the wider surrounding landscape.

The proposals are contrary to Policies ENV1 and ENV2 of the Local Plan: Part 1 Core Strategy.

### **Residential Amenity**

The Design Principles SPD seeks to ensure that householder developments do not as a result of their design, scale, massing and orientation have an unduly adverse impact on amenity. The proposed extension is not within a 21m distance of any neighbouring dwelling, as such it would not result in an unacceptable impact in terms of a loss of privacy or overbearing effect.

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 increase the size of the dwelling by one bedroom. This requires three car parking spaces to be provided off-street. The Site Plan indicates sufficient amount of car parking. There is no objection in this regard.

### **Trees**

There are trees within the application which have been the subject of an arboricultural impact assessment. One of the sycamore trees is unsuitable for retention due to its extensive loss of bark, it is indicated as Category U within the report. A tree protection fencing plan is in place within the arboricultural report which details the protection measures which will be put in place during the construction period to protect trees and their roots from damage.

## **RECOMMENDATION: Refuse**

For the following reason:

The proposed development would result in a modern bulky extension to the front elevation of the existing traditional two storey dwelling which does not result in a development which would be sympathetic to the character and appearance of the wider visual amenity within the AONB. It takes a prominent position within the surrounding context and views of the proposed development can be seen from key public rights of way across the area. By virtue of the positioning of the extension to the front elevation, resulting in a new building being sat in front of the existing original dwelling, combined with the scale, massing and choice of glazed fenestration to the rear, the proposed development would be uncharacteristically modern in its design and would not relate

well to the position in which it is located, contrary to paragraph 134 of the Framework. The proposed development would result in a development which is out of character with the area, contrary to Policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy, the Design Principles SPD and the Open Countryside SPG.

**Application Ref:** 22/0012/HHO

**Proposal:** Full: Demolition of existing single storey outriggers and erection of single storey extension to the front elevation.

**At:** Cross Lane Farm, Cross Lane, Barley

**On behalf of:** Sarah Spencer