



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES

TO: WEST CRAVEN COMMITTEE

DATE: 3rd January 2023

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE ON 03 JANUARY 2023

Application Ref: 22/0413/FUL

Proposal: Full: Major: Change of use of land from agricultural and engineering operations to form 61 caravan pitches and erection of new amenity / shower block.

At: Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth

On behalf of: Mr & Mrs N. Hudson

Date Registered: 26/10/2022

Expiry Date: 25/01/2023

Case Officer: Alex Cameron

This application has been brought before Committee as it is a major development.

Site Description and Proposal

The application site is an agricultural field on the hillside to the north west of Lower Green Hill Caravan Park. The caravan park lies between the villages of Kelbrook and Salterforth. The site is situated in open countryside and is surrounded by agricultural fields to the south, and west. To the north is woodland and a dwelling at Lower Green Hill Barn. The site would be accessed off the B6383 Kelbrook Road via existing internal caravan park road which also serves as access to Lower Green Hill Farm and Barn.

The proposed development is the change of use of the land and works to form 61 touring caravan pitches as an extension to the existing caravan park and erection of a amenity and shower block. The works include cut and fill of up to approximately 2.5m cut and 1.2m fill and the erection of a communal facilities building of 15m x 10m footprint and 5.1m ridge height to be located centrally within the existing caravan site.

Relevant Planning History

13/87/0859P – Change of use of farm land to caravan site at Lower Greenhill Farm, Salterforth.

13/91/0152P – Erect caravan utility block. Approved 05/91.

13/95/0206P – Form access to Kelbrook Road Field NO 2220. Approved 06/95.

13/95/0338P – Increased use of site up to 23 caravans and 5 mobile homes. Approved 08/95.

13/95/0603P – retain site extension at caravan park and increase use to 23 caravans and 5 mobile homes. Approved 01/96.

13/12/0241P - Full: Extend touring caravan site, reconfigure plot layout and erection of a two storey building. Approved 07/12

13/12/0503P - Full: Removal of conditions 4 and 6 from Planning Permission 13/12/0241P - Approved 21/12/2012.

13/13/0561P - Full: Change of use of land for siting a caravan for permanent warden's accommodation. Approved

13/14/0272P - Full: Change of use of land from agricultural land to caravan park extension for siting 27 static caravans. Approved.

17/0659/FUL - Full: Change of use of land to accommodate 5 static caravan pitches. Approved.

17/0690/FUL - Full: Erection of two storey building comprising office/reception, laundry and storage at ground floor and holiday accommodation at first floor (Retrospective). Approved.

18/0283/FUL - Major: Full: Change of use from Agricultural to a Caravan Park and siting of 36 Holiday Lodge Caravans and 20 Touring Caravan Pitches. Withdrawn.

19/0069/FUL - Major: Full: Change of use from Agricultural to a Caravan Park and siting of 36 Holiday Lodge Caravans and 20 Touring Caravan Pitches. Appeal allowed with costs.

20/0393/FUL - Full: Variation of Conditions: Vary Condition 2 (Plans) of Planning Permission 19/0069/FUL. Approved

20/0412/FUL - Full: Creation of access into the site for emergency service vehicles use from Kelbrook Road. Refused

20/0657/FUL - Full: Removal of an existing caravan and erection of one dwelling house. Approved

Consultee Response

LCC Highways - The Transport Statement provides some speed data collected on Thursday 11th August 2022 which recorded 85%ile speeds 44.5mph and 44.3mph, eastbound and westbound respectively. Splays of 2.4m by 122m and 121m are required and the existing splays exceed this. The visibility splays are considered acceptable. A trics assessment has been prepared and records 5, 2-way vehicle movements in the am peak 8am-9am and 15, 2-way vehicle movements during the pm peak 5pm-6pm. The increase in vehicle movements does not require a full junction assessment and the cumulative impact is not anticipated to cause a significant impact to highway safety. There have been no collisions recorded on Kelbrook Road in the vicinity of the site within the previous 5 years. There is a continuous footway along Kelbrook Road connecting the site to bus stops within walking distance. There is no objection to the proposal, the following condition is requested.

1. The secondary point of access onto Kelbrook Road to the south eastern boundary of the site should not be used by customers of the static, touring or camping elements of the site. Reason : Insufficient junction geometry.

Lead Local Flood Authority – No objection subject to conditions for compliance with the submitted Flood & Drainage Assessment, a surface water drainage strategy, a construction phase surface water management plan, drainage operation and maintenance and validation report.

Earby and Salterforth Internal Drainage Board – No response.

Yorkshire Water – Water supply: 1.) This site can be supplied subject to property height and demand. 2.) There may be private water mains crossing the site for which the Company holds no records. 3.) Some off-site mainlaying may be required at Developer's cost. Waste Water: 1.) The submitted 'Flood & Drainage Assessment' 325 prepared by Coda, dated 20/10/22 is acceptable. In summary, the report states that a.) Foul water will discharge to public combined water sewer via private network b.) Surface water will discharge to soakaway. Requests condition for compliance with the submitted Flood & Drainage Assessment.

Salterforth Parish Council – No response.

Public Response

Press and site notices posted and nearest neighbours notified.
Responses received objecting on the following grounds:

Harm to the landscape, character and visual amenity of the area

Issues relating to deposit of material from the previous extension

Responses received supporting the application:

- Benefits for tourism and the economy of the area
- The existing site is well managed and maintained
- Loss of privacy
- Increase in traffic and highway safety impacts

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. The impact of new developments on the natural environment (biodiversity and geodiversity) should be kept to a minimum.

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.

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 ENV7 (Water Management) states that The design of all new developments (Policy ENV2) must consider:

1. The potential flood risk to the proposed development site.
2. The risk the proposed development may pose to areas downslope / downstream.
3. The integrated, or off-site, use of Sustainable Drainage Systems (SuDS) to help reduce surface water run-off from the development.
4. The availability of an adequate water supply and disposal infrastructure.

Policy WRK5 (Tourism, Leisure and Culture) states that Proposals associated with the provision of new or improved facilities for tourism, leisure and cultural activities, including accommodation for visitors, will be supported where they:

1. Promote sustainable tourism associated with walking, cycling, waterways and the appreciation of the area's natural and historic environment.
2. Help to improve the quality and diversity of the existing tourism offer, and extend the tourist season.
3. Do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport (e.g. walking and cycling).
4. Support conservation, regeneration and/or economic development objectives, including the promotion of cross-border initiatives.
5. 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.
6. Achieve high environmental standards in terms of design and accessibility.

Principle of the development

The proposed change of use would be an expansion of the existing tourism use, this would provide improved facilities for tourism. The site is in an acceptably assessable location for a tourist accommodation use approximately 450m walking distance from bus stops and the settlement of Salterforth. The economic and social benefits of supporting tourism weigh in favour of the development and it is acceptable in principle accordance with policy WRK5.

Visual Amenity and Landscape Impact

The existing site, although visible in medium to long distance views from the south, particularly along the A56 and the hillside to the south east of that, sits low in the landscape set against the hillside to the north west.

In allowing the appeal for the recent extension of the caravan park the Inspector concluded that the visual impact in medium to long distance views of the caravan park extension would be acceptable in the context of the landscape and nearby settlements.

From the north and west the proposed site would be largely screened by the existing woodland to the north east and hill to the south west. However, the south eastern. Viewed from the south east the site would sit above the existing site on the crest of the hillside this would potentially be a more prominent location for the siting of caravans. However, extensive landscaping is proposed, which would once established effectively screen the development and would integrate with the landscape. An acceptable timescale for that establishment could be ensured by requiring the planting of more mature standard trees.

A Landscape and Visual Impact Assessment has been submitted with the application which concludes that there would be a slight adverse effect on the landscape in the opening year of the development which would then become an overall neutral impact once the landscaping matures and I agree with that assessment.

With a condition to ensure adequate landscaping the proposal is acceptable in terms of visual and landscape impacts in accordance with policy ENV2 and WRK5.

Residential Amenity

The proposed extension of the caravan park would be approximately 190m from dwellings at Bashfield Farm, and the nearest caravan plots would be approximately 40m from the adjacent dwellings to the north east and 40m from the proposed facilities building. These distances are sufficient to ensure there would be no unacceptable residential amenity impacts upon the occupants those properties from the proposed development. It appears that the facilities building would be capable of hosting gatherings, however, noise generating use could be controlled by condition. The development would also increase the level of traffic passing Lower Greenhill Farm, the increase in traffic would not result in an unacceptable residential amenity impact upon the occupants of that or the other adjacent dwellings.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

Highways

The site would be accessed via the existing caravan site access. The junction was improved as part of the recent extension of the site and this provides acceptable access to the site. A transport statement has been submitted which acceptably demonstrates that the existing access can safely accommodate the additional traffic that would be generated by the proposed touring caravan extension.

A condition is also necessary to ensure that the existing access to the field from the access road to Bashfield Farm is not used for vehicular access to the site. That access would be unsuitable to accommodate traffic from the development.

An adequate level of car parking of one space per caravan plot is proposed for the development.

The proposed development is acceptable in terms of highway safety in accordance with policy ENV4.

Ecology

An ecology survey has been submitted with the application this found potential value for bats birds and terrestrial mammals which can be preserved and enhanced with bat and bird boxes and planting. It makes recommendations for mitigation in the form of timing of any works to avoid bird breeding season, a low-level lighting scheme, bat boxes attached to trees and additional hedgerow planting. The proposed development is acceptable in terms of ecology impact in accordance with policy ENV1.

Drainage

The Flood Risk Assessment (FRA) submitted for the application states that the site is not at risk from either fluvial or pluvial flooding. In terms of off-site flood risk the FRA states that the proposed touring caravan site will not increase the impermeable area of the site as permeable surfacing will be used, the proposed facilities building will result in a minor increase in impermeable area, however, the FRA demonstrates that the existing surface water storage basin serving the previous

extension of the site is of sufficient capacity to accommodate the attenuation of the surface water discharge from the building.

The Lead Local Flood Authority have assessed this and raise no objection to the development subject to conditions. The development would not result in an unacceptable risk of on-site flooding or increase in the risk of off-site flooding.

Foul sewage is proposed to be drained to the existing foul sewer running along Kelbrook Road.

With conditions to control the details of the drainage and its maintenance the proposed development is acceptable in terms of drainage and flood risk.

Summary

The proposed extension of the caravan site would constitute sustainable development and subject to necessary conditions is acceptable in terms of visual and landscape impacts, residential amenity, highway safety, impact on ecology and drainage. It is recommended that the application be approved.

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 in accordance with the policies of the Pendle Local Plan Part 1: Core Strategy and the saved policies of the Replacement Pendle Local Plan. 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 permitted shall be begun before the expiration of three years from the date of the 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: 2022-25 400C, 2022-29 1255A, 2022/020 P3 2022-29 200E, 7325/21 P3, 7325/33 P3, 7325/034A.

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

3. The site shall be used for the siting of touring caravans only and there shall not be more than 61 caravans sited within the approved application site and they shall be laid out in accordance with the approved plans.

Reason: to ensure that the visual impact of the touring caravans is mitigated in the interests of the visual amenity of the area.

4. The caravan pitches shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all owners of caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: In order to ensure proper control of the use of the holiday units and to prevent the establishment of permanent residency.

5. Provision shall be made within the site for the parking of not less than one car per caravan pitch, together with a turning space such that vehicles serving may both enter and leave the site in a forward gear, in accordance with the approved plans. The caravan pitches hereby approved shall not be occupied unless and until the access, parking and turning areas have been laid out, surfaced and made available for use and the parking and turning area shall thereafter remain free from obstruction and available for parking and manoeuvring purposes at all times thereafter.

Reason: In order to ensure satisfactory levels of off street parking are achieved within the site to prevent parking on the county highway to the detriment of highway safety.

6. There shall be no vehicular access to the site from the access road to Bashfield Farm.

Reason: The junction of the access road to Bashfield Farm with Kelbrook Road is inadequate to accommodate the nature of traffic that would result from the development.

7. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

8. No caravans shall be sited on the approved application site 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 commencement of the use 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.

9. The development shall be carried out and operated in full accordance with the mitigation and compensation recommendations of the Preliminary Ecological Appraisal Report September 2022. No caravans shall be sited on the approved application site unless and until a scheme for installation of bat and bird boxes has been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the approved scheme prior to the commencement of the use of the development and maintained thereafter.

Reason: To ensure protection of ecology and wildlife.

10. No external lighting shall be installed within the approved application site unless and until details of the lighting have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity and direction of the lighting. Any external lighting shall at all times be in strict accordance with the approved details.

Reason: In order to prevent light pollution causing harm wildlife and the open rural character of the countryside.

11. The facilities building hereby approved shall be for the use of people accommodated at the caravan site only and there shall be no amplified music played within the facilities building unless details of volume control measures and hours of operation have been submitted to and approved in writing the Local Planning Authority. The use of the building shall thereafter be in strict accordance with the approved details.

Reason: In the interest of residential amenity and to prevent the establishment of an unrestricted assembly and leisure equivalent use.

12. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (20th October 2022 / 7325 / CoDa Structures)

The measures shall be fully implemented prior to the first use of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

13. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment and indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event + 35% climate change allowance
- iii. 1% (1 in 100-year) annual exceedance probability event + 40% climate change allowance,

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.

d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

14. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be

discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase.

15. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained.

16. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references)

of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems.

Application Ref: 22/0413/FUL

Proposal: Full: Major: Change of use of land from agricultural and engineering operations to form 61 caravan pitches and erection of new amenity / shower block.

At: Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth

On behalf of: Mr & Mrs N. Hudson

REPORT TO WEST CRAVEN COMMITTEE ON 3RD JANUARY 2023

Application Ref: 22/0510/FUL

Proposal: Full: External alterations involved in conversion from bank to clinic including insertion of a new door & window and replacement of doors and windows.

At 2 Newtown, Barnoldswick

On behalf of: NHS Property Services Ltd

Date Registered: 31.10.2022

Expiry Date: 26.12.2022

Case Officer: Yvonne Smallwood

Site Description and Proposal

The application site was formerly Yorkshire Bank and lies within the defined Town Centre of Barnoldswick within Barnoldswick Conservation Area. It is a stone building with an existing shopfront, surrounded by retail and commercial properties. The premises would become an NHS Doctor's Surgery.

The proposal seeks to replace all of the windows and doors. A door and window to the front elevation would be transposed. An additional window would be created to the front elevation. The extract plant equipment would be removed from the rear of the site.

Relevant Planning History

13/15/0102P - Advertisement Consent: Erection of two internally illuminated fascia signs and one internally illuminated projecting sign – Approved with Conditions 26.02.2015

13/14/0493P – Full: Alterations to window openings and replacement of door – Approved with Conditions, 22.10.2012

13/03/0882P - Full: Extend ramp to give level access to premises – Refused 18.12.2003

Consultee Response

Highways -

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

Newtown (U40151, is an adopted unclassified, single carriage way minor road with a 20 mph speed limit. The development site is in a town centre location, close to local facilities and amenities, including public transport, therefore it is considered to be in a sustainable location.

As a new entrance door and window has to be formed and all windows and doors to be replaced (Ref Drawing 6582-T02, Proposed floor plans and elevations, Jan 2022, and Heritage Statement submitted: 4.1 C, D, & E), please see the informative note.

No parking is available with this application, however, given the site's sustainable location, this may be considered a car-free development.

There are traffic regulation order restrictions in the form of no waiting at any time on Newtown on both sides of road from its junction with Church St to its junction with Albert Road. Careful consideration should, therefore, be given to access by delivery vehicles during the construction and fit out phases. We recommend that a condition is applied restricting the times of deliveries to ensure that there is no conflict with traffic, both vehicular and pedestrian, at peak times.

If the local planning authority is minded to approve this application, the following condition should be applied to any formal planning approval granted.

Condition

- Deliveries to the approved development shall only be accepted between the hours of 9.30am and 2.30pm, to avoid peak traffic on the surrounding highway network. Reason: In the interest of highway safety.

- A construction management plan should be produced to highlight how deliveries during construction will be managed and where workers on the site will park during construction. Reason: to minimise the impact of construction on pedestrians in the vicinity of the site.

I would recommend the following informative note:

Informative Note

- The developer should be aware that any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highway Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lanashire.gov.uk or on 01772 533433.

Parish/Town Council

Cadent Gas

United Utilities

PBC Engineering

Architectural Liaison Unit

Environmental Health

Yorkshire Water

Public Response

A Press Notice and Site Notice has been placed and nearest neighbours notified by letter with 16 responses, summarised below:

- The site is unsuitable for use as an NHS clinic, too small, with inadequate facilities and a new purpose-built facility is requested. Three clinical rooms is not enough
- Parking and traffic concerns, insufficient drop-off/pick-up space. Illegal parking would be likely to increase
- Access for disabled workers to the second storey
- Access and parking for people who are disabled or infirm. The pavement is not level and there are steep narrow stairs.
- Suggested relocation to Rainhall Road, similar to Sainsbury's, Colne
- Not enough room for expansion with growing population/increased housing
- The Butts should be overhauled and used instead

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 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 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.

Saved Policy 31 of the Replacement Pendle Local Plan 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 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.

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

Policy 26 – Proposals to introduce non-shopping uses in town centres and local shopping centres.

Conservation Area Design and Development Guidance SPD - Planning and the Historic Environment considers the setting of a Conservation Area to be important in preserving or enhancing the area.

Officer Comments

Design and Materials within Conservation Area

The building itself is relatively modern and possesses no heritage value. The building is specifically mentioned within the conservation area character appraisals as being harmful to the character and appearance of the conservation area and therefore makes no contribution to its significance.

The proposal entails the repositioning of the existing front door to an existing window opening and the existing door opening would be altered to form a window. The repositioning of the existing doorway is required to better suit the proposed internal layout. The proposed window would have obscure glazing, which would serve the proposed disabled WC, which is to be located at the point of the existing entrance door.

One additional window opening would be created serving the proposed Clinical Room 3 at ground floor level as the existing room is not served by a window and has no means of natural lighting and ventilation.

The proposal would be acceptable in regard to design and materials and therefore accords with ENV1, ENV2, Design Principles SPD and Conservation Area Design and Development Guidance SPD.

Residential Amenity Impacts

The proposal seeks to replace all of the windows and doors. A door and window to the front elevation would be transposed. An additional window would be created to the front elevation. The extract plant equipment would be removed from the rear of the site. The proposed alterations to the windows and doors would not have any unacceptable adverse impacts to residential amenity.

Other Matters

Objections have been raised relating to the suitability and size of the site and alternative premises have been suggested as preferable locations. It is not within our remit to consider other premises, as we are only able to deal with the application which has been made to us.

Parking and Highways Issues

There are no proposed parking spaces and there are equivalent of 7 full-time staff and patients who will be visiting the clinic. The opening hours would be 08:00 – 18:00 Mon – Fri and 08:00 – 17:00 Saturday and closed Sunday. There have been comments received raising concerns related to parking, access and highway safety. Highways LCC have assessed the parking and traffic requirements for this application within the hours of use and have raised no objection to the application. Highways LCC have recommended Conditions and an Informative. We concur with Highways that with these Conditions in place, the scheme would be acceptable. Therefore the proposal would not present any highway safety issues and would accord with Saved Policy 31 Parking Standards.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. 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 received 28.07.22, 6582-T02

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

3. All materials to be used in 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: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. Deliveries to the approved development shall only be accepted between the hours of 9.30am and 2.30pm, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety.

5. A construction management plan should be produced to highlight how deliveries during construction will be managed and where workers on the site will park during construction.

Reason: to minimise the impact of construction on pedestrians in the vicinity of the site.

I would recommend the following informative note:

Informative Note

- The developer should be aware that any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highway Regulation Team, who would need a minimum of 12 weeks'

Application Ref: 22/0510/FUL

Proposal: Full: External alterations involved in conversion from bank to clinic including insertion of a new door & window and replacement of doors and windows.

At 2 Newtown, Barnoldswick

On behalf of: NHS Property Services Ltd

REPORT TO WEST CRAVEN COMMITTEE ON 03 JANUARY 2023

Application Ref: 22/0551/FUL

Proposal: Full (Major): Change of use of land from storage and dismantling of vehicles to a mixed use of storage and dismantling of vehicles and a 5 plot Travelling Showpeople's Site comprising the siting of 5 static residential caravans, 5 touring residential caravans, equipment and associated vehicle storage, vehicle and equipment maintenance and gated access alterations on Moor Lane.

At: Salterforth Quarry, Moor Lane, Salterforth

On behalf of: Mr Frank Lee

Date Registered: 19/09/2022

Expiry Date: 19/12/2022

Case Officer: Alex Cameron

This application has been brought before Committee as it is a major application.

Site Description and Proposal

The application site is land adjacent to a former quarry most recently used for storage and dismantling of vehicles located in the open countryside approximately 600m to the south west of the settlement of Salterforth and accessed from Moor Lane.

The proposed development is a mixed use retaining the use for storage and dismantling of vehicles together with a 5 plot Travelling Showpeople's Site (each comprising the siting of one static residential caravans and one touring residential caravans) equipment and associated vehicle storage, vehicle and equipment maintenance and gated access alterations on Moor Lane.

Relevant Planning History

13/75/0365P – Extension of permission (SN 4737) for storage and dismantling of vehicles and parts. Approved

13/77/0535P – Temporary planning permission for siting of a caravan. Approved

13/83/1684P – Renewal of temporary planning permission for siting of a caravan. Approved (expired)

Consultee Response

LCC Highways – The highway authority considers that the highway network is not suitable for the proposed development, in particular the use for storage of fairground rides transported to and from the site on low loaders. Given the narrow carriageway widths and no footways on Moor Lane/Salterforth Lane for the majority of its length between the site and Kelbrook Road, Salterforth there is the potential for conflict between oversized vehicles and vulnerable highway users, such as walkers and cyclists, especially adjacent to Salterforth Bridge where there is access to the canal towpath, the Pennine Cycleway and a public car park adjacent to the canal. This is contrary to NPPF paragraph 110 d).

From the photographic evidence submitted in Appendix 5 of the Access Assessment it is not clear whether the low loader is empty or carrying a load. If the trailer/loader was empty then carriageway clearance would be less once carrying a load and may not clear the bridge deck at Salterforth Bridge. There are road surface scour marks at the bridge which, whilst the highway authority is not saying that these have been caused by the applicant's vehicles, does indicate insufficient clearance by low vehicles.

The low loader also has a rear tow bar, which, looking at the submitted photos, barely clears the carriageway on the bridge (Appendix 5 – photograph 4).

It should also be noted that Salterforth Lane at its junction with Kelbrook Road is signed as being unsuitable for heavy goods vehicles.

Site access

There is currently one access point to the site. A twin access is proposed but no justification for this layout has been provided. The submitted plans show conflicting use of both entrances. The swept path plan for the articulated vehicle (Appendix 3 Drawing No 848-22-70) demonstrates that this can enter and leave the site through the same access point, with no operational need for a second access point.

No connection into the highway surface water drainage system on Moor Lane would be permitted by the county council.

Visibility splays

The rationale for the provision of the visibility splays as outlined in Section 3 of the Access Assessment, in particular points 3.6 and 3.7, is acceptable. However, the visibility splay plan (Appendix 2 Drawing No 848-22-05) shows the measurement from the centre point between the two gateways which is not the correct position for a vehicle leaving the site.

The X measurement should be taken from the centre of the access, Whilst point 3.12 of the Access Assessment document states that there are no issues with the vertical visibility this has only been measured from an eye height of 1.05m above the carriageway level, which is the height for car drivers. Manual for Streets 1 states that lorry drivers need to be able to see obstructions 2m high down to a point 600mm above the carriageway (Section 7.6.3).

If it cannot be demonstrated that adequate visibility splays can be provided then this would be another highway safety reason for the highway authority to object to the development.

Conclusion

The highway authority considers that this type of development should be located close to the strategic road network, which can accommodate the large vehicle movements. Should the application be approved conditions covering the provision of an amended site access, with only one entry/exit point, visibility splays from the amended site access, and a scheme for the construction of the amended site access should be applied to any approval. Informative notes regarding the construction of the amended site and that no connection to the highway drainage network on Moor Lane would be authorised should also be applied.

Lead Local Flood Authority - Withdraws its objection to the above application as further information has been made available to the Lead Local Flood Authority, in order to satisfy the previous objection points, specifically fully assessing the surface water flood risk on site and

locating the most vulnerable areas of the development in areas of the lowest flood risk. The application will be acceptable subject to the inclusion of a surface water drainage condition.

Cadent Gas – No objection, informative note required.

PBC Countryside Access Officer - The recorded line of public footpath 2 passes through the site of the development and one of the static residential caravans is over the line of the recorded public right of way.

Further to my initial comments of 27th September 2022 following the recently submitted “Proposed Site Plan With Showmans Plots & Access Detailed – Rev A”. The revised plan shows the line of footpath 13-18-FP 2 and it can be seen that the proposed residential plots are all to the west of the footpath. The footpath is believed to have been blocked since at least the early 1970s and a nearby alternative route is thought to have been used instead since then. A process is underway to regularise the current situation with the footpath but this may take some years to be finally determined.

If it does not prove possible to formally remove the recorded line of footpath 2 from the definitive map and the path is reopened, then this could be accommodated within the proposed site layout. The owners of the quarry site could simply erect a fence adjoining the footpath for their own privacy and security.

Salterforth Parish Council – No response

Public Response

Press and site notice posted and neighbours notified – responses received objecting on the following grounds:

- Highway safety impacts, Moor Lane and the Canal Bridge at Salterforth is not suitable for large vehicles and risk to pedestrians, cyclists and horse riders.
- Restrictions should at least be places on operating hours and numbers of vehicals.
- Ecology impacts.
- Removal of trees.
- Impact on local amenities.
- Unsustainable location.
- Obstruction of the public right of way through the site.
- Concerns about future expansion.
- Inadequate parking layout
- Noise impacts
- Lack of identified need to accommodate Travellers in Pendle.
- Non-compliance with policy for Traveller sites and the Pendle Core Strategy

Officer Comments

Pendle Local Plan Part 1: Core Strategy

Policy SDP2 states that proposals for new development should be located within settlement boundaries. Proposals to develop outside of settlement boundaries will only be permitted for those exceptions outlined in the Framework.

Policy ENV1 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 states that 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.

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network, particularly in terms of safety. Where residual cumulative impacts cannot be mitigated, permission should be refused. Proposals should follow the settlement hierarchy approach in Policy SDP2 and minimise the need to travel by ensuring that they are developed in appropriate locations close to existing or proposed services.

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

Policy ENV7 (Water Management) states that the design of all new developments (Policy ENV2) must consider:

1. The potential flood risk to the proposed development site.
2. The risk the proposed development may pose to areas downslope / downstream.
3. The integrated, or off-site, use of Sustainable Drainage Systems (SuDS) to help reduce surface water run-off from the development.
4. The availability of an adequate water supply and disposal infrastructure.

Policy LIV1 (Housing Provision and Delivery) states that until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land will be supported.

Policy LIV3 (Housing Needs) States that where a need arises during the plan period, sites will be provided to meet the accommodation requirements of the Gypsy and Traveller community. Plots may also be provided for Travelling Showpeople. The site selection process should follow the criteria set out below.

Proposals for the development of Gypsy and Traveller or Travelling Showpeople sites, pitches or plots should:

- Avoid those areas where poor environmental conditions exist (e.g. pollution (Policy ENV5) and flood risk (Policy ENV7)).
- Be located in places which have access to employment, facilities and services including shops, schools, and health care provision.
- Be located and designed to respect the amenity of the existing settled community.
- Ensure that any potential impacts on the environment can be avoided or adequately mitigated and have regard to the requirements relating to protecting the natural and historic environment as set out in Policy ENV1.

Replacement Pendle Local Plan

Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

Paragraph 80 of the Framework states that local planning authorities should avoid the development of isolated homes in the countryside unless it meets one or more of five circumstances, including necessary accommodation for agricultural workers.

Principle of the development

Sustainability

The application site is located at Park Close, adjacent to a group of seven dwellings, an approved dwelling at Salterforth Plant Nursery and other dwellings along Salterforth Lane and the surroundings nearby. Taking this into account the development would not result in an isolated dwelling in the countryside for the purposes of paragraph 80 of the Framework.

However, in addition to considering isolation for the purposes of paragraph 80 it must also be considered whether the location of the development would be sustainable in terms of access to public transport and essential services, facilities and employment for the purposes of policies SDP2, LIV1 and ENV4 and the Framework as a whole.

The site is approximately 800m walking distance from the settlement of Salterforth and 1km from bus stops within the settlement providing public transport to other settlements. Furthermore, that distance would be in parts steep rural roads which are largely narrow, with no pedestrian footway or lighting. There are alternative routes by public right of way but those would involve walking on unmade tracks across agricultural fields. Therefore the pedestrian access to public transport and essential services, facilities and employment would be substandard.

That the residents would be away from the site for nine months of the year does not mitigate the sustainability impact.

Therefore, it must be considered whether the proposal would meet a policy exception for housing development in an unsustainable location or the sustainability impact would be offset by other factors.

Housing Need

Section 124 of the Housing & Planning Act 2016 amended the Housing Act 2004 to require that local housing authorities should consider the needs of people "residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed". An assessment was undertaken in the preparation of the Core Strategy in 2012 and this found no need for provision for Travelling Showpeople, or any other Gypsy and Traveller communities within Pendle. This was reaffirmed in the most recent Housing Needs Assessment published in 2020.

At West Craven Area Committee Members requested further clarification of the Council's duty in relation to provision of sites for Gypsy, Traveller and Travelling Showpeople. The Council has a duty to assess the need as above and if a need is identified provide a 5 year supply of suitable sites. If a need is identified and unmet that would be a material consideration weighing in favour of a proposal.

However, there is no identified need to make provision for sites for Travelling Showpeople, or any other Gypsy and Traveller communities in Pendle and therefore the consideration of this application begins from a standard planning balance rather than one weighed in favour of the development by an unmet identified housing need.

The national Planning and Travellers Policy states that for determining planning applications for Traveller sites Local Planning Authorities should consider the following issues:

a) the existing level of local provision and need for sites.

There is no existing identified need for provision for Travelling Showpeople in Pendle.

b) the availability (or lack) of alternative sites.

Although it is stated in the application that there are no other sites available, there has been no comprehensive demonstration that there are not alternative sites available.

c) other personal circumstances of the applicant

The applicants previously lived on a rented site in Hyndburn, which has now been vacated. It is stated that the applicants have some family connections to the Pendle area Mr and Mrs Lee having lived in Kelbrook and Blacko for 8 and 3 years in the past. However, there does not appear to be a strong existing connection to the area and it appears that the choice of this site was due to its availability rather than a necessity to maintain ties to Pendle.

There are also a number of personal circumstances detailed in relation to disability and other factors, however, those personal circumstances and the best interest of the children do not justify this residential use in this unsustainable location. It is not made clear how accommodation on this site would provide any benefit in relation to those personal circumstances and the best interest of children, in fact the unsustainable nature of the location, limiting access to essential services and facilities, and potential unsuitable living conditions together with the scrap yard use are likely to be detrimental.

d) locally specific policy criteria

The locally specific policy criteria are set out in Policy LIV3 states that Gypsy, Traveller and Travelling Showpeople sites should be located in places which have access to employment, facilities and services including shops, schools and health care provision. As detailed above this site is an unsustainable location that would conflict with this criterion of the locally specific policy.

e) that they should determine applications for sites from any Travellers and not just those with local connections

This merely makes it clear that lack of local connection should not be used as reason to refuse an application that is otherwise acceptable. For the reasons detailed in this section this proposal is not acceptable irrespective of local connections. The applicant was previously based in Hyndburn and the local connections and other personal circumstances detailed do not confer a duty on the Council that would outweigh the impacts of the unsustainable location of the site.

Policy D of the Planning and Travellers Policy states that rural exception sites should be considered in rural areas to provide affordable Traveller sites, however, Policy F states that mixed use sites, such as that proposed, should not be permitted on rural exception sites. Furthermore, Policy LIV4 of the LPP1 requires that rural exception sites, where justified, be located directly adjacent to a settlement boundary.

Therefore, the proposed Travelling Showpeople's site is not justified in terms of housing need in this unsustainable location.

Other Justification

The applicants have provided an additional statement relating to an Appeal Court judgement regarding a 2015 amendment to the definition of Travellers in the national Planning and Travellers Policy which was found to be discriminatory in relation to Travellers who has ceased travelling. However, that is not relevant to this application as that part of the definition is not being applied to the applicants and there is no dispute that they meet the definition of Travelling Showpeople.

Whilst a single dwelling has recently been approved at the adjacent plant nursery, that dwelling was approved on the basis that it allowed the operators of the existing nursery business to live at their place of work. It was determined that the provision of a single live-work unit, with a condition limiting its occupation to that, would reduce journeys to and from the site and therefore would offset the substandard access to public transport and essential services and facilities.

The proposed development differs from that in that it would be introducing a new use as a Travelling Showpeople's yard in addition to the existing use. That would result in an additional sustainability impact and therefore the proposal would not offset the potential impact of the existing lawful use of the site.

Furthermore, notwithstanding the previous temporary permission, approved in the 1980s under different national and local planning policy to that in place today, it has not been demonstrated that the operation of the lawful use of the site for vehicle dismantling and storage would viably justify the provision of even a single dwelling in this unsustainable location.

There is an extant permission for holiday accommodation in the former quarry to the south across Moor Lane, however, holiday accommodation is often acceptable in locations where other new dwellings would not be. Furthermore, there have been more recent appeal decisions at Whitemoor Pumping Station and Dales View Caravan Park that support the position this is an unsustainable location for new dwellings to be located.

The proposed residential accommodation is therefore contrary Policies SDP2, LIV1, LIV3 and ENV4 of the LPP1 and the guidance of the national Planning and Travellers Policy.

Design and Landscape Impact

The proposed use would not have significantly greater visual and landscape impacts than the existing lawful use, subject to similar conditions to the existing permission controlling the height of stored vehicles and parts on the land and area of that use.

Whilst it would be likely to intensify the overall use of the site and alterations to the access are proposed those impacts could be acceptably mitigated by a condition for additional landscaping. The development is therefore acceptable in terms of its impact on the visual amenity of the area in accordance with amenity of the area accordance with policies ENV1 and ENV2.

Amenity

The proposed uses would not result in additional impacts over that of the lawful use resulting in unacceptable residential amenity impacts on nearby residential properties. The existing use would however have the potential to adversely impact on the residents of the proposed residential plots. That the residents would be away from the site for nine months of the year does not in itself address this. The local and national policies are clear that site for travellers should provide an acceptable living environment, the proposed retention of the existing use as a vehicle dismantlers

would be incompatible with residential accommodation on the site contrary to policies ENV5, LIV3 and the guidance of the national Planning and Travellers Policy.

Trees and Ecology

There have been some trees removed around the entrance to the site, however, these were not protected and no permission would have been required from the Council. The proposed siting of caravans would not require the removal of trees. Landscaping can be controlled by condition to ensure adequate replacement and additional planting to offset the visual impacts of the development. Taking into account the lawful use the proposed development would not result in unacceptable ecology impacts.

Highways

The applicant has provided acceptable details in relation to the diversion of the public right of way which can be acceptably diverted.

Swept path and tracking information and details of the vehicles that will need to access the site and their access routes have been provided by the applicant. However, it has not been demonstrated that the large vehicles that would require access can safely and suitably achieve that. It has also not been demonstrated that the proposed altered access would provide acceptable visibility and safe and suitable access.

Whilst this site would potentially already be accessed by large vehicles, such as car transporters, in connection with its lawful use the proposed use for storage of fairground equipment would be in addition to the lawful use and therefore would result in additional potentially unacceptable highway safety impacts.

As detailed above this is not a sustainable location for the proposed residential element and the proposed use would be likely to result in unacceptable highway safety impacts contrary to policy ENV4.

Drainage and Flood Risk

A Flood Risk Assessment (FRA) has been submitted and this acceptably demonstrated that the identified surface water flow through the site would not result in an unacceptable flood risk impact. The development is therefore acceptable in terms of flood risk in accordance with policy ENV7.

RECOMMENDATION: Refuse

For the following reasons:

1. The site is located in an unsustainable location which would result in an unacceptable reliance on private motor vehicles to access essential services and facilities contrary to Policies SDP2, LIV1, LIV3 and ENV4 of the Local Plan Part 1: Core Strategy and the guidance of the national Planning and Travellers Policy.
2. The proposed mixed use would result in an unacceptable living environment for its residents contrary to Policies LIV3 and ENV5 of the Local Plan Part 1: Core Strategy and the guidance of the national Planning and Travellers Policy.
3. The Applicant has failed to demonstrate that safe and suitable access to and from the site could be achieved for the proposed use, from the details provided the development would

result in unacceptable highway safety impacts contrary to Policy ENV4 of the Local Plan Part 1: Core Strategy and the guidance of Section 9 of the National Planning Policy Framework.

Application Ref: 22/0551/FUL

Proposal: Full (Major): Change of use of land from storage and dismantling of vehicles to a mixed use of storage and dismantling of vehicles and a 5 plot Travelling Showpeople's Site comprising the siting of 5 static residential caravans, 5 touring residential caravans, equipment and associated vehicle storage, vehicle and equipment maintenance and gated access alterations on Moor Lane.

At: Salterforth Quarry, Moor Lane, Salterforth

On behalf of: Mr Frank Lee

REPORT TO WEST CRAVEN COMMITTEE ON 3RD JANUARY 2023

Application Ref: 22/0651/FUL

Proposal: Full: Major: Demolition of existing structures and erection of infill extension (over 2 floors), new block for employment use and associated works including parking, landscaping and boundary works.

At: Butts Mill, The Butts, Barnoldswick

On behalf of: Filtrox Carlson Ltd

Date Registered: 27/09/2022

Expiry Date: 27/12/2022

Case Officer: Laura Barnes

Site Description and Proposal

The application site relates to an existing commercial operation which has operated from the site since the 1950's. The site covers 1.6ha and includes various buildings which have been added to over time as the nature of the business has expanded and changed. The application site is adjacent to three Conservation Areas (Cornmill & Valley Gardens, Barnoldswick and Calf Hall & Gillians) which bound the site to the west, south and east sides.

The proposal is for the demolition of some older buildings on site (aggregated floor space for demolition 3,770m²) and replacement with new (aggregated floor space for new build 5,200m²). The net additional floor space would be 1,430m². The proposal would result in a new layout with more space created to store the products for onward distribution. At the same time, this would result in an increase in the number of staff which the facility is able to employ (an increase of 49 FTE jobs and an additional 20 jobs elsewhere in the local supply chain), along with the associated increase in number of car parking spaces and cycle shelters.

Relevant Planning History

13/08/0053P: Outline: Major: Erection of food store (3,575 m²), construct car park, servicing provision & landscaping; alterations to 4 & 6a The Butts to facilitate improvements
Withdrawn

13/09/0023P: Full: Major: Re-build west elevation of mill and increase height of building.
Approved with conditions

13/95/0231P: Construct New Roof
Approved with conditions

Consultee Response

LCC Highways

Having considered the information submitted, together with site observations, the Highway Development Control Section does not have any objections in principle regarding the proposed development at the above location, subject to the following comments being noted, and conditions and informative note being applied to any formal planning approval granted.

Site access

The site is accessed from both Calf Hall Road/Monkroyd Avenue and The Butts with one vehicular access on Calf Hall Road/Monkroyd Avenue and three on The Butts. There are no proposals to change the physical layout of any of the above vehicular access points.

Goods in are received via Calf Hall Road/Monkroyd Avenue and goods despatched via The Butts. Section 6.1 of the Design, Access & Sustainability Statement indicates that the improvements to processing on site could potentially increase traffic by approximately three to five HGVs a week. Whilst this is an increase it is not to a significant level for the highways authority to raise an objection to the proposed development.

Section 6.1 also indicates that the new warehouse/workshop would not be served by HGVs.

Car parking

The Existing Site Plan (Drawing No P5896_1100 Rev A) shows 19 formal parking bays in front of and opposite the office building, with seven additional bays in the North-East of the site, giving a total of 26 formal parking spaces. However, at the time of the site visit the area to the North-East was being used as an outdoor storage area. This would need to be cleared of, and kept free from, all obstructions to ensure that this could be used as off-road parking to prevent vehicles from parking on The Butts.

Due to the items stored it was not clear whether bays were marked out or whether this was an area of informal parking. If the latter, then the bays should be formally marked out to ensure this parking area is used efficiently. In addition, as bay 7 is adjacent to a wall it should be a minimum of 2.6m wide to allow vehicle doors to be fully opened.

The areas on the outer sides of the two end mobility parking bays, as shown on the Proposed Site Plan, should be at ground level so that level access to and from vehicles is provided. Otherwise, the layout of the four bays is in line with national guidance for the design and layout of disabled parking bays (Department for Transport's 'Inclusive Mobility'). However, the number of mobility parking bays proposed is below the level recommended in the borough council's Parking Standards. This should be provided at a ratio of 1:10 of the overall parking spaces, that is six spaces. This reduced level of mobility parking would need to be agreed with the local planning authority.

Cycle & motorcycle parking

There is currently no formal cycle storage or motorcycle parking on site. The proposed cycle storage (for 10 cycles) and motorcycle parking (three bays) are at the levels recommended in the borough council's Car & Cycle Parking Standards. The parking for cycles and motorcycles should be covered and secure so that these modes of transport offer a realistic alternative to the use of a car. As no details have been submitted these can be controlled by condition.

Electric vehicle charging points

Two parking bays for electric vehicles are proposed as shown on the Proposed Site Plan (Drawing No P5896_1200 Rev A). The Design, Access & Sustainability Statement also indicates that infrastructure for a further 11 bays will be provided (Section 5.1). The provision of electric vehicle charging points will promote sustainable forms of transport.

The charging points shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential buildings, which states charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicles. As no details have been submitted at this stage this can be controlled by condition.

Travel Plan

As the total gross floor area of the site will be over 5000 sq m a Travel Plan will be required. Whilst some information has been submitted outlining measures to reduce the reliance on the use of cars and single occupancy trips a formal Travel Plan should be provided. This should outline measures to reduce the number of single occupancy car trips and the promotion of sustainable forms of transport, given the proposed increase in the number of employees and the site's 24/7 working pattern.

The Travel Plan would need to include the following as a minimum:

- Contact details of a named Travel Plan Co-ordinator
- Results from the employee travel survey (within 3 months of occupation).
- Details of cycling, pedestrian and public transport links to the site
- Details of the provision of cycle parking.
- Objectives
- SMART Targets for non-car modes of travel, taking into account the baseline data from the survey
- Action plan of measures to be introduced, and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

The provision of a Travel Plan can be covered by condition.

Internal layout

Pedestrian access to the site from The Butts is via a privately maintained, unnamed road, over which Public Footpath 25 (ref 13-1-FP 25) also passes. There is currently no dedicated footway nor marked pedestrian route on the carriageway separating pedestrians from traffic entering or leaving the site.

The applicant has proposed the provision of an internal permissible walkway from The Butts, which would segregate pedestrians from vehicles. They have also indicated that the general public would be able to use this walkway as well as employees (Design, Access & Sustainability Statement p64 section 11.3). This should be made clear by appropriate signage at both ends of the walkway. The reduction in the stone boundary wall to 1m and the pedestrian crossing carriageway markings should be provided prior to first use of the new warehouse/workshop and car parking.

Swept path analysis plans have been submitted within the Highway Supporting Statement (p10-13). These demonstrate that large vehicles servicing the site, including 16.5m long articulated lorries, 7.2m long 7.5T rigid lorries, 9m long fire tenders and 11.6m long refuse vehicles, from both Monkroyd Avenue and The Butts, can enter and leave service yards 1 and 3 in forward gear. However, during the site visit it was noted that large areas of both service yards 1 and 3 were being used as outdoor storage. The swept path areas in both yards should be kept clear at all times to enable the large delivery vehicles to be able to enter and leave in forward gear.

Public Right of Way

It is noted that the line of Public Footpath 25 (ref 13-1-FP 25) has been diverted at some point from that shown on the Definitive Map of Public Rights of Way. This shows the Public Right of Way passing through the mill site in a direct line between Calf Hall Road and The Butts. The path from The Butts now passes in a North/South – South-West direction from the private access road to Parrock Street, with a spur from Calf Hall Road terminating at the site boundary.

It may be necessary to temporarily close a section of Public Footpath 25 leading from the private access road to Parrock Street during the demolition phase to protect pedestrians on this route. If it is necessary for this public footpath to be temporarily closed, it is the applicant's responsibility to ensure that this is done following the appropriate legal procedures. The borough council's

Countryside Access Officer can advise the procedure to be followed, together with a suitably worded information note should planning approval be granted.

There has been root damage to a section of the Public Footpath caused by a tree in the South-East of the site. This tree will be removed as part of the development. The damage should be repaired, and the footpath re-surfaced to an acceptable standard.

General

Due to the site's location adjacent to residential properties, the constrained nature of parts of the adopted highway network approaching the site, together with the significant demolition and construction works proposed a Construction Method Statement, including site plan, will be required. This should demonstrate how the above development will be undertaken without having a detrimental impact on the surrounding highway network, including access to and on-road parking for, neighbouring properties, both residential and commercial.

The following conditions and informative note should be applied to any formal planning approval granted.

Conditions

1. No development shall take place, including any works of demolition, 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:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of deliveries by HGVs to/from site
- x) Timing of deliveries
- xi) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

2. Prior to first use of the approved development the section of Public Footpath 25 (Barnoldswick) along the south-East boundary of the site damaged by tree roots (approx 3m in length) shall be repaired and re-surfaced to an appropriate standard.

Reason: In the interest of pedestrian safety.

3. Prior to first use of the approved development the permissible pedestrian walkway from The Butts to the car park entrance shall be provided, including the reduction in height to 1m along the full length of the stone boundary wall, appropriate signage in both directions and pedestrian crossing carriageway markings. Reason: In the interest of highway and pedestrian safety.

4. Prior to first use of the development hereby permitted the car parking areas shown on the approved plans shall be constructed, laid out and surfaced in bound porous materials. The parking areas shall thereafter always remain available for the parking of vehicles associated with the development and manoeuvring areas kept free from obstruction. Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

5. Prior to first use of the development hereby permitted secure, covered cycle storage facilities for 10 cycles shall be provided in accordance with a scheme to be approved by the Local Planning Authority and permanently maintained thereafter. Reason: To ensure that the development provides the infrastructure to support sustainable forms of transport.

6. Prior to first use of the development hereby permitted secure, covered motorcycle storage facilities for 3 motorcycles shall be provided in accordance with a scheme to be approved by the Local Planning Authority and permanently maintained thereafter.
Reason: To allow for the effective use of the parking areas.

7. Prior to first use of the development hereby permitted at least two electric vehicle charging points shall be provided in line with the approved plans. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available. Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

8. Within six months of the first use of the approved development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall contain immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority. Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

9. The swept path areas in service yards 1 and 3 as shown in the Highway Supporting Statement shall be kept clear at all times of all external storage and obstructions to allow for the turning of HGVs within the site to enable them to enter and leave in forward gear. Reason: In the interest of highway safety as vehicles reversing to and from the highway pose a hazard to other users.

Informative note

The setting of Public Footpath 25 Barnoldswick (ref 13-1-FP 25) may be affected by the proposed development. The grant of planning permission does not entitle a developer to obstruct a right of way. Any proposals for the temporary closure of the above footpath should be made to Lancashire County Council's Public Rights of Way team before any development works begin. They can be contacted by email at PROW@lancashire.gov.uk

– the location, district and planning application number should be included in any correspondence.

United Utilities

Following our review of the submitted High Level Drainage Strategy, prepared by Clancy Consulting, Rev 0, Dated 22/09/2022, we can confirm that whilst the proposals are acceptable in principle, there is insufficient information on the detail of the drainage design.

Should planning permission be granted without the provision of this information we request the following condition is attached to any subsequent Decision Notice.

CONDITION:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an

assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Management and Maintenance of Sustainable Drainage Systems

Condition

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Yorkshire Water

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

Water Supply

A water supply can be provided under the terms of the Water Industry Act, 1991.

1.) This site can be supplied subject to property height and demand, expected pressures are approx.

22m - 24m at ground floor level.

2.) A 150mm Ductile Iron live treated water main lies within redline boundary, if not required to be disconnected and removed. All costs to be borne by Developer.

3.) There may be private water mains crossing the site for which the Company holds no records.

4.) Some off-site mainlaying may be required at Developer's cost.

Lancashire Constabulary

Secure by Design Principles have been recommended, a copy of the details is available on the Council's website.

Lead Local Flood Authority

No objection, subject to conditions relating to:

- Final surface water drainage strategy
- Construction surface water management
- Sustainable Drainage System Operation and Maintenance
- Verification Report of Constructed Sustainable Drainage System

Environmental Health

A record of a noise complaint has been highlighted which relates to a specific piece of machinery. There has been an agreement in place that this piece of machinery shall not be used between certain hours in the interests of neighbouring amenity. The applicant has indicated that they are intending to continue with this approach, which could be secured by planning condition.

Cadent Gas

No objection, informative note recommended.

Growth Lancashire – Heritage Consultants

Duty under Act - Legislation

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should, in coming to decisions, consider the principle Act. Which states the following:

Conservation Areas – s.72

In undertaking its role as a planning authority the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In relation to conservation area decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and that development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

NPPF

In determining planning applications LPA's should take account of;

- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. The desirability of new development making a positive contribution to local character and distinctiveness.

P.199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

P.200 states that loss or harm to the significance of designated heritage assets needs clear and convincing justification.

P.202 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Local Plan

Policy ENV 1 and Policy ENV 2 of the Pendle Local Plan (2011-2030) - Protecting and Enhancing Our Natural and Historic Environments

Barrowford CAA – July 2010

Calf Hall and Gillians CAA – Sept 2005

Cornmill and Valley Gardens CAA – May 2003

Assessment

From my visit it is clear that the commercial site and use covers a large area of land on the western side of Barnoldswick. The Butts Mill site is however not prominent and because of the levels and existing road network is difficult to view onto, with the site being largely enclosed by adjoining housing areas.

Three Conservation areas adjoin/lie close to the site. These being Barnoldswick CA which largely lies to the east and south east; Cornmill and Valley Garden CA which lies to the north and adjoins a part of the site on The Butts and Calf Hall and Gillians CA which covers the area to the west off Calf Hall Road.

Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas, which have public access. Whilst setting is often expressed by reference to visual considerations it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.

I have read the appraisals for all three conservation areas and note that no reference is made of Butts Mill. It is perhaps telling that that the site was not considered to be relevant or of sufficient quality to be considered for inclusion in any of the three areas. Indeed all three conservations areas have a different focus and draw little or no value or significance from the site and the present commercial use. I saw nothing from my visit to feel this was an incorrect approach and I do not feel the present use/buildings contribute in any meaningful and positive way to the setting of any of the three conservation areas. The limited views of the existing commercial buildings and the restricted inter-visibility between the buildings and those in the conservation areas reinforces the fact that the current site plays no role in the significance of the three conservation areas. In this respect the proposed demolition of the buildings indicated in the submission will have no impact on their character or appearance.

In relation to the proposed new build I note the details/plans/elevations provided, which includes some wider perspective views of the former Mill complex. The scale of the new elements sits against buildings of a similar height and will have limited impact beyond the boundaries of the site. I do however note that the scheme involves works to the entrance area off The Butts and the reduction in the height of an existing stone wall which extends across an existing service yard and runs into the site. The wall forms the boundary of the site with Cornmill and Valley Gardens CA and ideally should be retained in height. However in the overall context of the CA I find that the reduction in the height of the wall would cause minimal harm and this element of the scheme would perhaps cause very low/negligible less than substantial harm.

The other most notable change in the context of the surrounding CA's is the development of the larger replacement building in the southern portion of the site. I noted from my visit that this area lies lower than the surrounding properties and that the existing Office building is barely visible from any key vantage point. The proposed new building is larger and moves closer to the southern boundary. This area is only glimpsed upon off Walmsgate and Parrock Street and is screened by existing trees/vegetation. Whilst this is not an important view I think some (replacement?) landscaping will perhaps be needed to filter any views of the new building. However I don't feel this amounts to any substantive harm the setting of either the Barnoldswick CA or Calf Hall and Gillians CA.

I think the setting to the listed Old Chapel House (Former Baptist Chapel – Grade 2 LB) which lies to the south off Walmsgate would be unaffected by the development.

Conclusion

As I am required to do so, I have given the duty imposed by s.72 of the P(LBCA) Act 1990 considerable weight in my comments.

NPPF Paragraph 199 states that great weight should be given to the conservation of heritage assets (which includes the contribution made by their setting) regardless of the level of harm. High Court decisions have been clear that even lower levels of harm does not equate to a lesser objection given the principle duty under the Act is to preserve. As indicated above the likely harm caused by the reduction in the boundary wall close to the entrance off The Butts would be very low. Paragraph 202 of the NPPF allows LPA's to weigh the level of harm against the public benefits of the scheme.

Public Response

Nearest neighbours notified by letter and a site notice has been displayed, five letters have been received in response, covering the following issues:

- Concerns regarding the heritage impact
- Increase in traffic
- Impact upon an unsafe bridge in Butts with additional lorries
- Play park nearby
- Water course running under the site
- The need for additional landscaping
- Air pollution
- Impact upon neighbouring amenity
- The previous mill would not have had any people arriving in cars
- Narrow access
- Concerns regarding a pipe from an individual property under the application site
- A light has previously been removed and local residents would like it to be reinstated
- Soundproofing would be helpful to keep the noise levels down
- Any external lighting should be directed away from nearby residential properties
- Trees should be retained

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 SDP2 (Spatial Development Principles) states that new development within settlement boundaries unless it is an exception outlined in the Framework or elsewhere in the LPP1.

Policy SDP4 (Employment Distribution) deals with the distribution of new employment land. It provides a spread based upon spatial areas, with West Craven Towns allocated to take 18.5% of employment growth within the borough.

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 WRK1 (Strengthening the Local Economy) sets out that proposals will be given support where they facilitate expansion.

Policy WRK6 (Designing Better Places to Work) states that proposals should take account of the general design principles set out in Policy ENV2, it encourages the incorporation of active frontages to promote vitality.

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.

Design Principles Supplementary Development Document

This document provides guidance such as appropriate separations distances between buildings and the principles of good design.

Conservation Area Design & Development Guidance

This document provides broad principles to follow in the conservation, enhancement and protection of heritage assets in particular Conservation Areas.

Officer Comments

The proposed application site is located beyond the Town Centre boundary but within the settlement boundary of Barnoldswick. It would add to an existing business, supporting the local economy, including the creation of jobs. The proposed development seeks to provide a more modern facility which is fit for purpose and to remove buildings which have become outdated as technology and machinery have moved on over the years.

The principle of development is acceptable here, in accordance with Policy WRK1 of the Local Plan: Part 1 Core Strategy, subject to conformity with design, heritage and amenity issues.

Design & Heritage

There are two main parts of the proposed development, the first is an infill extension towards the centre of the site and the second is a new two storey building to the south of the application site.

The application site is adjacent to three Conservation Areas. The current buildings do not contribute in a positive way to the significance of the Conservation Areas. Although the proposed development has been assessed as causing less than substantial harm to the heritage asset. In order to make an assessment of this, the harm must be weighed up against any public benefits of the scheme. In this case there would be an increase in the number of jobs to the local economy. This is a benefit which weighs positively in the planning balance and the less than substantial harm is outweighed by this. Accordingly, the proposed development meets the test set out in paragraph 202 of the Framework.

It is noted that the Heritage Consultant would prefer the boundary wall to remain at the height it currently is, for visibility and safety reasons it is necessary to lower it.

Overall, the proposed development accords with Policy ENV1 of the Local Plan: Part 1 Core Strategy, the Design Principles SPD and the Conservation Area Design & Development Supplementary Planning Document in relation to design.

Residential Amenity

The proposed development has been used for employment / industrial purposes for several decades. The current use has a 24 hour operation, on a shift pattern. There is no proposed change to the shift pattern. Whilst the proposed building to the south of the site would be closer to the medical facility to the east and the properties on Parrock Street & Walmsgate to the south, the increase in height would not be such that would cause an unacceptable overbearing impact. This is due to the proposed boundary treatment, landscaping area and the separation distance which is 15m. In addition the proposed warehouse building would not exceed the height of the existing residential properties, due to them taking an elevated position above the application site.

In relation to the infill extension to the existing building, this would be no closer to neighbouring dwellings than the existing structure. Therefore there would be no greater impact upon neighbouring amenity.

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

Highways

The proposed amount of car parking is sufficient for the size of the facility, it accords with Policy 31 in this regard. However, four disabled car parking spaces are indicated on the plan rather than six disabled bays which would be required. The proposed development would not result in a serious highway safety danger which would warrant a reason for refusal. As such, the proposed development is acceptable in this regard.

Noise

The application is accompanied by a noise impact assessment and a statement from the applicant regarding a particular piece of machinery known as the grinder.

The Environmental Health Officer has indicated that there has been a previous issue relating to a particular process in stock preparation with the grinder. It was agreed with Michael Duck (Environmental Health Officer for Pendle Borough Council) that the grinder operation would not run between the hours of 11pm and 7am. This limitation is still complied with and will continue to be, post any development. A condition can be attached to any grant of planning permission to limit the operating hours of the machine in question. Subject to this condition, the proposed development accords with policy in this regard.

Drainage

The applicant has put forward an indicative drainage strategy as a result of comments from the LLFA and United Utilities. This has resulted in a further investigation of the culvert which has concluded that this does not run under the existing building. The Lead Local Flood Authority have been re-consulted and their response is awaited. Subject to the satisfactory outcome of their response in relation to the drainage strategy, delegated powers are sought to grant consent in this case.

Trees

The proposed development does involve the loss of low grade trees. A suitable mitigation scheme for those which are to be lost can be secured by the inclusion of a suitable worded landscaping condition.

Other Matters

One issue has been raised regarding an unsafe bridge which a resident believes would be exacerbated as a result of additional traffic associated with the site. This is something which relates to an existing problem and the proposed development cannot be expected to mitigate this. An issue regarding a pipe from a residential property running towards the application site has been raised, this is a private matter between the parties involved and is not for the determination of this application. Similarly, an issue relating to an existing light which has been moved would be an issue which has been moved is an existing issue and not something which the proposed development would be expected to mitigate. The proposed development is not within an Air Quality Management Area, it is not anticipated that the levels of air pollution associated with the site would be increased to an unacceptable level as a result of the proposed development.

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: Delegate grant consent, subject to the satisfactory outcome of the LLFA comments on the drainage strategy

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: P5896 -1000 - Rev A - Site Location Plan, P5896 -1150 - Rev B - Existing Plans - GA – Demolition, P5896 -1200 - Rev B - Proposed Site Plan, P5896 -1250 - Rev C - Proposed Plans - GA - Floor 00, P5896 -1251 - Rev C - Proposed Plans - GA - Floor 01, P5896 -1252 - Rev B - Proposed Plans - GA – Roof, P5896 -1350 - Rev B - Proposed Elevations - GA – Works, P5896 -1351 - Rev B - Proposed Elevations - GA – Warehouse, P5896 -1360 - Rev A - Proposed Elevations - Works visualisation, P5896 -1361 - Rev A - Proposed Elevations - Warehouse visualisation, P5896 -1362 - Rev A - Proposed Elevations - Boundary Comparison, P5896 -1800 - Rev B - Proposed Boundary Treatments, P5896 -1801 - Rev B - Proposed Boundary Sections

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

3. All the external materials to be used in development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior written consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. No development shall take place, including any works of demolition, 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:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of deliveries by HGVs to/from site
- x) Timing of deliveries
- xi) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

6. Prior to first use of the approved development the section of Public Footpath 25 (Barnoldswick) along the south-East boundary of the site damaged by tree roots (approx 3m in length) shall be repaired and re-surfaced to an appropriate standard.

Reason: In the interest of pedestrian safety.

7. Prior to first use of the approved development the permissible pedestrian walkway from The Butts to the car park entrance shall be provided, including the reduction in height to 1m along the full length of the stone boundary wall, appropriate signage in both directions and pedestrian crossing carriageway markings.

Reason: In the interest of highway and pedestrian safety.

8. Prior to first use of the development hereby permitted the car parking areas shown on the

approved plans shall be constructed, laid out and surfaced in bound porous materials. The parking areas shall thereafter always remain available for the parking of vehicles associated with the development and manoeuvring areas kept free from obstruction.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

9. Prior to first use of the development hereby permitted secure, covered cycle storage facilities for 10 cycles shall be provided in accordance with a scheme to be approved by the Local Planning Authority and permanently maintained thereafter.

Reason: To ensure that the development provides the infrastructure to support sustainable forms of transport.

10. Prior to first use of the development hereby permitted secure, covered motorcycle storage facilities for 3 motorcycles shall be provided in accordance with a scheme to be approved by the Local Planning Authority and permanently maintained thereafter.

Reason: To allow for the effective use of the parking areas.

11. Prior to first use of the development hereby permitted at least two electric vehicle charging points shall be provided in line with the approved plans. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

12. Within six months of the first use of the approved development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall contain immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

13. The swept path areas in service yards 1 and 3 as shown in the Highway Supporting Statement shall be kept clear at all times of all external storage and obstructions to allow for the turning of HGVs within the site to enable them to enter and leave in forward gear.

Reason: In the interest of highway safety as vehicles reversing to and from the highway pose a hazard to other users.

14. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
 - a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;

- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. All works to be carried out in accordance with the relevant British Standards. 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.

- 15. The grinder machine shall not be operational between the hours of 11pm and 7am, in accordance with the statement submitted by the applicant, dated 12/12/2022.

Reason: In the interests of neighbouring amenity.

- 16. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the indicative surface water sustainable drainage strategy (22nd September 2022 / 1/21453 - Revision: 0 / Clancy Consulting) submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
- iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;

- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
 - c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
 - d) Evidence of an assessment of the existing on-site surface water drainage systems, watercourses and culverted watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
 - e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

17. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent runoff rate from the site prior to redevelopment.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

18. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;

- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
 - f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
 - g) Means of access for maintenance and easements.
- Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

19. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

Informative notes

The setting of Public Footpath 25 Barnoldswick (ref 13-1-FP 25) may be affected by the proposed development. The grant of planning permission does not entitle a developer to obstruct a right of way. Any proposals for the temporary closure of the above footpath should be made to Lancashire County Council's Public Rights of Way team before any development works begin. They can be contacted by email at PROW@lancashire.gov.uk
– the location, district and planning application number should be included in any correspondence.

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Application Ref: 22/0651/FUL

Proposal: Full: Major: Demolition of existing structures and erection of infill extension (over 2 floors), new block for employment use and associated works including parking, landscaping and boundary works.

At: Butts Mill, The Butts, Barnoldswick

On behalf of: Filtrox Carlson Ltd

REPORT TO WEST CRAVEN COMMITTEE ON 3RD JANUARY 2023

Application Ref: 22/0697/PIP

Proposal: Permission in Principle: Erection of one dwelling and detached garage and removal of existing garages and stables.

At: Land in Field 7366, Manchester Road, Barnoldswick

On behalf of: Mr G Ellison

Date Registered: 18/10/2022

Expiry Date: 15/11/2022

Case Officer: Laura Barnes

Site Description and Proposal

The application site is located off Manchester Road and is to be accessed off a lane leading to Letcliffe Park. It is located beyond the settlement boundary, within the Open Countryside. The site is partly within the conservation Area, with the Conservation Area Boundary running right through the site splitting it in half between north and south.

This is an application for Permission in Principle for the erection of one dwelling on the site.

Relevant Planning History

None relevant

Consultee Response

LCC Highways

The applicant has indicated in the above-mentioned Planning Statement that access to the site would be taken from the unadopted lane leading to Letcliffe Country Park and not from the existing entrance on Manchester Road.

On the basis of the above, the highway authority accepts that an appropriate access can be constructed to the site, which addresses the concerns raised in our initial response dated 7 November 2022. The principle of development is therefore acceptable.

However, the existing access onto Manchester Road must be physically closed up. The height of the stone boundary wall should be retained and/or reduced along the Manchester Road frontage, the unadopted lane and at the new access - nothing over 0.9m where physically possible - to improve visibility, particularly at the junction with Manchester Road.

Nothing over 0.9m in height should be permitted within the site forward of a line measured back 2.4m from the junction of the lane and Manchester Road to improve and protect visibility. This can be addressed at Technical Details Stage, if permission is granted.

Whilst the site has a low sustainability score, given the distance from the majority of local amenities and facilities, and the consequent reliance on the use of private motor vehicles, it is

located within a line of existing residential properties fronting onto Manchester Road, and in the vicinity of other residential properties accessed off the lane leading to the country park.

Technical details stage

If Permission in Principle is granted a number of matters would need addressing at the technical details stage. These include, but are not exclusive to:

- Provide a new vehicular access onto the unadopted lane leading to the country park – including construction, surfacing and drainage details – and appropriate visibility splays.
- Physically close up the existing access on Manchester Road.
- Site boundary details including height(s). Nothing over 0.9m in height above the carriageway level of Manchester Road along its frontage and at the junction with the lane to the country park.
- Plan showing boundary treatment and landscaping details forward of a line set back 2.4m into the site from its boundary with Manchester Road; nothing over 0.9m in height.
- Provide off-road car parking for the dwelling in accordance with Pendle Borough Council's Parking Standards. That is:
 - one space for a one bedroom dwelling
 - two spaces for two – three bedroom dwellings
 - three spaces for four plus bedrooms. There should also be adequate internal manoeuvring space to allow vehicles to enter/leave the site in forward gear.
- Provide secure, covered cycle parking for at least two cycles.
- To be counted as one parking space single garages should have minimum internal dimensions of 6 x 3m. This size of garage could also provide secure storage for two cycles. To count as two parking spaces a double garage should have minimum internal dimensions of 6 x 6m.
- Provide an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.
- Details of the development's construction given the site's proximity to the junction of Manchester Road, access to neighbouring properties and traffic accessing the country park, including vulnerable users. A Construction Method Statement can either be submitted or covered by condition.

United Utilities

We provide this response as guidance to the applicant when considering any future application for Technical Detail Consent. Any future response issued or communication regarding this site, will be based upon the information that is available at the time of our response and therefore, our position and advice may vary.

We strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a pre-development enquiry form, on our website: <https://www.unitedutilities.com/builders-developers/>

Drainage

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered 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.

Should the applicant receive Planning in Principle permission for this proposal, United Utilities will review the drainage element of any application for Technical Detail Consent in line with the surface water hierarchy. United Utilities will request evidence that the drainage hierarchy has been fully

investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Public Response

Nearest neighbours have been notified by letter, a site and press notice have been displayed. 1 response has been received raising the following issues:

- This applicant has objected to previous applications in the past
- Most vehicles are going slower than 30mph on this stretch of Manchester road because it is treacherous and dangerous
- There are numerous incidents and accidents at the corner of Letcliffe Lane but because the police do not attend these are not recorded
- No visibility from the site entrance
- Impact upon conservation Area
- Not on a bus route
- There is no footpath on either side of Manchester Road here
- The applicant has previously argued that the stables which would be removed as a result of the proposed development are important for equestrian and tourist purposes

One letter of support has been received noting the following:

- The proposed development will complement the existing buildings in the locality
- The stables can be relocated as the applicant has substantially more land elsewhere
- There has been built form on this site for over 50 years
- Objection is being raised by a person who has previously had an application of this nature approved

Officer Comments

This is an application for a Permission in Principle ("PiP"). This is a form of planning application that has been specifically allowed to come forward as an alternative to normal planning applications.

The scope of permission in principle is limited to location, land use and the amount of development. A decision must be made in accordance with relevant policies in the development plan but based around the three factors. There is no other specific guidance about the way a PiP should be considered other than considering it based on existing prevailing planning policies. A site that benefits from a PiP would then be subject of a further application for approval of technical details. It is regrettable that there has been no adequate guidance on what this would entail but in basic terms a Council can require any necessary details to be considered at the technical stage. The principle could not however be revisited at that stage.

Policy

Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) sets out the presumption in favour of sustainable development which runs through the plan.

Policy SDP2 (Spatial Development Principles) states that new development within settlement boundaries will be acceptable, unless it is an exception outlined in the Framework or elsewhere in the LPP1.

Policy LIV1 (Housing Provision and Delivery) sets out the housing requirement for Pendle, on allocated sites within settlements.

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) 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.

Policy ENV4 (Promoting Sustainable Travel) sets out that proposals should follow the settlement hierarchy approach in Policy SDP2 and minimise the need to travel by ensuring they are developed in appropriate locations, close to existing or proposed services. Consideration should be given to locating new housing, employment and service developments near to each other to give people the opportunity to live and work within a sustainable distance.

Replacement Pendle Local Plan

Saved Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

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.

Development in the Open Countryside SPG supplements policies of the Local Plan relating to development in the open countryside.

Principle of Development

The application site is located outside the settlement boundary, within the Open Countryside. It is located 145m from the settlement boundary of Barnoldswick. Although there is not a footpath all the way down Manchester Road heading north into Barnoldswick there is the potential of walking through the park into town. Moreover, due to the ribbon development further south along Manchester Road, there are other properties which are further away from the settlement boundary which also have no direct footpath connection to Barnoldswick along Manchester Road. The principle of development off Letcliffe Lane has been established as a sustainable location in application reference 17/0528/FUL which was also for a single dwelling.

Landscape issues affecting the Principle of Development

Policy LIV1 deals with housing provision and delivery. It states that non-allocated sites within a settlement boundary, where they are sustainable and make a positive contribution to the five year supply of housing land will be supported. As set out above, the proposed development is outside the settlement boundary within the Open Countryside. However, the proposed development is only 145m from the settlement boundary and is in a sustainable location.

Due to the sloping nature of the site, it would not result in an unacceptable landscape impact upon wider views of the settlement. As such, it accords with Policy LIV1 in this regard.

Heritage issues affecting the Principle of Development

The special character of this part of the Conservation Area stems primarily from its open rural character and the influence of the weaving industry. The application site is effectively an infill plot within ribbon development which extends to the south of Barnoldswick along Manchester Road. It would not result in a new dwelling in the middle of an open field in the Open Countryside and the context here is such that it would infill between existing residential development.

Given the residential development surrounding this application site and the context of its sloping ground towards Manchester road, the impact upon the Conservation Area would be neutral. As such it accords with Policy ENV1 of the Local Plan: Part 1 Core Strategy in this regard.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Taking into account all material considerations the proposed development is acceptable in principle. 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

INFORMATIVE

As part of a technical details application the following information should be provided:

- Plans, including location plan, site plan, access visibility splay plan, elevation and floor plans.
- Planning Statement
- Foul and Surface Water Drainage Scheme
- Ecology Survey
- Heritage Statement
- Arboricultural Impact Assessment
- Landscaping Scheme

Application Ref: 22/0697/PIP

Proposal: Permission in Principle: Erection of one dwelling and detached garage and removal of existing garages and stables.

At: Land in Field 7366, Manchester Road, Barnoldswick

On behalf of: Mr G Ellison

REPORT TO WEST CRAVEN COMMITTEE ON 3RD JANUARY 2023

Application Ref: 22/0723/HHO

Proposal: Full: Erection of a single storey side/rear extension to form home office.

At: 27 Coates Lane, Barnoldswick.

On behalf of: Mrs Battle.

Date Registered: 26/10/2022

Expiry Date: 21/12/2022

Case Officer: Joanne Naylor

Site Description and Proposal

The application site is a two storey detached dwellinghouse with an attached garage within the settlement boundary of Barnoldswick. The dwellinghouse has front and rear gardens and off-road parking, it is located within a residential area of similar properties of detached, semi-detached and bungalows.

The proposal seeks to erect a single storey side and rear extension for an office projecting from the rear elevation of the garage by 8.3m and from the rear elevation of the dwellinghouse by 6.2m. The width of the proposal tapers from 2.5m to 3.65m at the proposed rear elevation. There would be a flat roof with a roof lantern to the proposed rear elevation and would have a height of 2.45m.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways

I note that this is a home office for the use of the homeowners. There are no highway concerns and therefore no objection to this proposal on highway grounds.

Parish/Town Council – No comment.

Environment Officer Trees/Landscape - No comment

Public Response

Letters were sent to nearby properties, one response received relating to:

- There being a sycamore tree located close to the proposal and would need to be pruned or removed for the proposal to go ahead
- Concerned that the home office would be for business use and issues concerning of parking, the nature of the business

- Concerned about the proximity of the proposal to the boundary with the neighbouring property and having a detrimental impact on the neighbours personal space and wellbeing
- Concerned that the proposal would have a serious impact on natural light to the neighbour
- Concerned that the proximity of the proposal would compromise privacy to the neighbour
- Concerned that use of the proposal would result in noise and disturbance to neighbouring properties.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 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 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.

Saved Policy 31 of the Replacement Pendle Local Plan 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 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.

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

Officer Comments

The main considerations are design and materials, residential amenity and highways.

Design and Materials

The Design Principles SPD advises that extensions should be constructed in materials and style to match the existing dwelling and pitched roof elements are preferred.

The proposed materials would be artificial stone walls, with a flat roof of grey fibre-glass, windows and doors would be grey uPVC. The walls and windows and doors would match the existing dwelling house. However, the flat roof would be a different design and materials from the pitched tiled roof. The flat roof would have a roof lantern towards the rear of the proposal with the height of the proposed roof being 2.45m. The proposed extension would be to the rear of the property and would not be visible from the highway with the garage and dwellinghouse being in front of it, therefore a flat roof would be acceptable in this situation.

The proposal would have grey uPVC bi-folding doors and window to the side elevation which would face No. 25 Coates Lane. There is a circa 2m high fence to the boundary of the application site which would mitigate any overlooking to the neighbouring property, in addition, the neighbour has a generous garden to the side of the application site which would further reduce any overlooking in to the neighbours dwellinghouse.

The proposal would be acceptable in material and design and would conform with Policy ENV2 and the Design Principles SPD.

Residential Amenity

The Design Principles SPD advises that extensions must adequately protect neighbours enjoyment of home, to not overshadow or have an overbearing effect and windows to maintain a distance of 12m between principal window and a gable elevation and 21m between habitable room windows facing each other, however this distance can take account of existing interface distance between properties characteristic in the area.

The proposal would have bi-folding doors and a window to the side elevation which would face onto No. 25 Coates Lane. There is a circa 2m high boundary fence between No. 25 and No.27 and a distance of 17m from the side elevation of the proposal to the boundary fence. In addition, the dwellinghouse at No. 25 is set away from the party boundary with a generous garden between the application site and No. 25. There is sufficient distance between these properties to ensure that there would be no unacceptable impact on the neighbour at No. 25 and would not result in overlooking or overbearing effects.

There are no windows proposed to the side elevation facing No. 29, however, the proposed extension would project 8.3m from the rear elevation of the garage and project 6.2m from the rear elevation of the dwellinghouse. The length of the extension would be greater than the accepted length of 4m and therefore the impact on the neighbouring property at No. 29 needs to be considered. No.29 is set at a lower elevation than the application site, there is a circa 2m high fence to the boundary line and the proposed extension is set in by 1.5m from the party boundary. No.27 has habitable room windows to the rear of the dwellinghouse, with the kitchen having a window on the side elevation and a window on the rear elevation serving a kitchen. As the neighbour has a secondary source of light, then this would mitigate any overbearing and overshadowing effect and would not have an unacceptable impact on the neighbour. There are no windows proposed to the side elevation facing No. 29 and therefore there would be no privacy issues from the proposed development.

To the rear of the garden there is a bungalow at 1 Coates Fields which is sited on land elevated above the application site. The proposal would have a roof lantern to the flat roof. As the bungalow is at a higher land level than the application site then there would be no privacy issues caused by the roof lantern to the bungalow. In addition, there would be no windows proposed to the rear elevation, there would be very little residential amenity issues caused to the bungalow at 1 Coates Fields.

The proposal would be acceptable in residential amenity terms and would conform to Policy ENV2 and the Design Principles SPD.

Highway

The proposed development would not result in an increase in bedrooms and the number of existing parking spaces, including the garage, would be retained. LCC Highways have no objections to the proposal.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. 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

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; Proposed Elevations Drawing No. 2A; and Proposed Ground Floor and Roof Plans Drawing No. 1A.

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

3. All materials to be used in the elevations and roof 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: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

Application Ref: 22/0723/HHO

Proposal: Full: Erection of a single storey side/rear extension to form home office.

At: 27 Coates Lane, Barnoldswick.

On behalf of: Mrs Battle.

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 12th December 2022