

REPORT FROM: ASSISTANT DIRECTOR, PLANNING, BUILDING CONTROL
AND REGULATORY SERVICES

TO: COLNE & DISTRICT COMMITTEE

DATE: 03RD AUGUST 2023

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE 3RD AUGUST 2023

Application Ref: 23/0177/FUL

Proposal: Full: Siting of 6 static park homes.

At: Prospect Farm Caravan Site, Lenches Road, Colne

On behalf of: Mr Culligan

Date Registered: 09.05.2023

Expiry Date: 04.07.2023

Case Officer: Yvonne Smallwood

This has been brought to Committee as 3+ objections have been received.

Site Description and Proposal

The application site is an established Caravan Park on Lenches Road, Colne, with 26 No. static caravans existing on site. The site is located within the Open Countryside.

The proposal seeks to site an additional 6 No. static caravans to the north west of the existing site, which would be for residential use. Each unit is 12m x 4.2m with eaves height of 2.9m and 4m to ridge height. Each has a lounge/kitchen, bathroom two bedrooms and a hallway.

Relevant Planning History

22/0486/FUL Full: Reconfiguration and removal of holiday restrictions to allow residential occupation – Approved with Conditions, 13.02.2023

13/93/0538P - Modify Conditions 2 and 3 of Application Ref No 13/92/0410P – Retain Residential Caravan Park to Increase Units to 15 – Refused 14.10.1993

13/92/0410P Retain Residential Caravan Park – Approved with Conditions, 28.09.1992

13/02/0031P Modify condition 2 of 13/92/0410P to increase number of caravans to 15 – Refused, 11.04.2002

13/12/0154C1 - Approval of Details Reserved by Condition: Discharge Conditions 5, 8, 10, 11 and 12 of Planning Permission 13/12/0154P. COS – Conditions Discharged Split Decision, 04.04.2014

13/12/0154P Full: Major: Alteration & reconfiguration of existing caravan park to provide 15 mobile homes & 11 holiday lets (26 units in total) with tarmacked access road, recycling point and siting of two storage containers 2m x 6m. Approved with Conditions, 13.04.2012

Consultee Response

LCC Highways –

Having reviewed the information submitted, the Highway Development Control Section does not raise an objection regarding the proposed development at the above location, subject to the following comments being noted, and conditions being applied to any formal planning approval granted.

Proposal

The proposal is for the siting of six x two bed static homes with associated car parking. This would increase the number of residential static homes from 26 to 32.

Recent site planning history

22/0486/FUL - Reconfiguration and removal of holiday restrictions to allow residential occupation. Approved.

Access

There are no changes proposed to the existing site access onto Lenches Road, nor are any considered necessary for the number of additional residential units proposed.

Sustainability

As highlighted in the highway authority's response to application 22/0486/FUL there is a concern that the site's location does not support sustainable travel with the nearest bus stops, food shop and primary school being located on West Street and Colne Town Centre, which are between 800-1000m distance. All routes have a steep gradient which is likely to be a barrier to walking and cycling.

Car & cycle parking

Taking the above comments into consideration maximum parking standards should be applied to the site. That is, two adequately sized parking car parking spaces should be provided for each residential unit. A minimum manoeuvring distance of 6m should also be provided from the rear of the parking spaces.

To support sustainable travel each unit should be provided with secure, covered storage for two cycles and have 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.

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

Conditions

1. Prior to first occupation of any approved static home two car parking spaces shall be provided and retained for the lifetime of the development.

Reason: To ensure that an adequate level of off-road parking is provided.

2. Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. 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.

3. Prior to first occupation of any approved static home secure, covered cycle storage for at

least two 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.

United Utilities –

United Utilities wish to make the following comments regarding the proposal detailed above.
DRAINAGE We request the following drainage condition is attached to any subsequent approval:
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. Pendle Borough Council Your ref: 23/0177/FUL By email Our ref: DC/23/1264 Date: 18-APR-23 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.

We request the following drainage condition is attached to any subsequent approval: 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) (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) (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

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

(v) (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.

Pendle Borough Council Your ref: 23/0177/FUL By email Our ref: DC/23/1264 Date: 18-APR-23 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.

Environmental Health

Lancashire Fire and Rescue Service

The following recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application. The conditions may affect the elevation of the building and access to them. These recommendations must be included if this application passes to another party prior to Building Regulation submission.

PROPOSED PLANNING APPLICATION CONSULTATION Application No: 23/0177/FUL ACCESS - DOCUMENT B, PART B5

It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'. Site Address: Prospect Farm Caravan Site Lenches Road Colne Lancashire , BB8 8ET The proposed Planning Application has been noted and the Fire Authority gives its advice in respect of access for fire appliances and water supplies for firefighting purposes to the site. Full string of six static park homes Sharon Aspden #N/A #N/A 20 April 2023 Market Street Town Hall Dear Planning Department If Document B, Part B5 cannot be fully complied with then, in certain circumstances, the installation of a residential sprinkler system may be used as a compensatory feature, but professional advice should be sought in such cases.

B5 WATER PROVISION Guidelines on flow requirements for firefighting (taken from the National Guidance document on the provision of water for firefighting): It should be ensured that the proposal is provided with suitable provision of Fire Fighting water. Any provisions should comply with National Guidance, details of which can be found: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-waterfor-firefighting-3rd-edition-jan-2007/>

The Local Authority Building Control / Approved Inspector and Fire Service should be consulted at the earliest opportunity where more specific advice can be offered.

The Coal Authority –

No objection:

Informative Note

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Colne Town Council

Public Response

Nearest neighbours have been notified by letter, with three responses summarised below:

- There are 4 No. units on the site that are not on the existing plan. Two at the entrance on the right, one on the hill above number 15 and a new unit on the first plot of the proposed string of six next to the unit marked 12 on the plan.
- The existing caravan park is expanding
- Water flowing from Prospect Farm to the rear of Spring Gardens Farm is muddy, not clear now – suggested that this is due to back-filling into the trench
- The existing caravans are to the edge of the public pathway to Lenches
- The timber/concrete fences are poor quality
- The occupants have added rear garden areas and a shed
- The development would result in unsightly additions to the existing eyesore
- Rubbish is dumped over and close to the border of Lenches Field/Lenches Fold
- The proposed caravans would not be screened from the lower fields and Colne Centre – suggested evergreen bushes/laurel
- Light pollution at night
- The scheme would involve the removal of trees in a small established woodland
- Infilling has already begun. Some mature trees and some trees that have been previously cut back are growing around the area and will need to be removed if the plans are to go ahead. A number of these have been occupied by birds this spring.
- Some conditions have not been met from the applicant's previous application
- Residences have to deal with power outages, blocked drains and frozen water in winter
- The park is for over 55s, some of whom still work and travel by car. Some residents use taxis and private cars and there is a steep incline. The scheme could double the traffic to the site.
- The application states that there is 24 hour management and says there is a full time gardening service. The owner goes away and leaves the site in the care of the residents and there is no full-time gardener.
- A resident is employed a few hours a day to cut grass and deliver gas bottles.
- Lighting on the site is inadequate and there is a light on a telegraph pole which is not acceptable.

Officer Comments

Policy

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 SDP3 (Housing Distribution) sets out the location of new housing in the Borough in conjunction with SDP2 and LIV1.

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 ENV4 (Promoting Sustainable Travel) seeks to promote sustainable travel as well as development impacts and accessibility and travel plans for major developments to mitigate any negative impacts.

Policy LIV1 (Housing Provision and Delivery) sets out the requirement for housing to be delivered over the plan period. This policy allows for non-allocated sites within the Settlement Boundary as well as sustainable sites outside but close to a Settlement Boundary.

Policy LIV3 (Housing Needs) encourages the support and provision of a range of residential accommodation.

Policy LIV5 (Designing Better Places to Live) requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and be built at a density appropriate to its location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

Open Countryside SPG requires that developments in the Open Countryside are in proportion with the area and appropriate to the setting.

Colne Neighbourhood Development Plan

Principle of development.

The Colne Neighbourhood Development Plan supports new housing growth within the settlement boundary. Although the proposed development would result in six additional dwellings outside the settlement boundary, Policy LIV1 does make provision for sustainable sites outside the settlement boundary. As such, the proposed development is acceptable, subject to design & amenity policies.

Design

The proposed development is for the siting of six two-bedroomed static caravans. The caravans

would be finished in Canaxel Ridgewood Cladding to match the existing caravans on site. In terms of scale, the proposed caravans measure 12m in length, 4.2m in width and 2.9m to eaves and 4m to ridge height. They would have a pitched roof, a front and side access door and windows to the front, rear and side elevation. The proposed static caravans would be sited to the north west of the site, with similar a similar pattern and separation distances to existing caravans. The front elevation of the four caravans furthest west would face east. The fifth caravan would face south and the sixth would again face east. There are trees and shrubs along the north and west of the site which would provide screening.

The Colne Neighbourhood Development Plan Policy 14 states that development in the Countryside should be in scale and consistent with the forms within the rural area.

The proposal site is an existing caravan site and the additional dwellings would match the existing static caravans.

Overall, in terms of design the proposed development would be constructed of materials which are muted in colour, matching the caravans existing on the site. The north west of the site is set far back from Lenches Road.

There would be vehicle charging points installed, which would accord with the Colne Neighbourhood Development Plan, Policy 12.

The proposed development would result in an acceptable design which accords with Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

The development would be to add additional units on an existing caravans site. It would be in a sustainable location similar to sites considered by Inspector's at appeal. There is no policy objection to the principle of development.

Impact on Amenity

The site is located within Open Countryside, with the settlement boundary circa 100m to the north west and 60m to the north of the site. The nearest residence to the site, other than those within Prospect Farm Caravan Park, is Sherwood Fold, which is located at 59m to the north east, which far exceeds the minimum distance of 21m from the nearest neighbouring dwelling. As such, the proposed development would not result in an unacceptable neighbouring amenity issue.

There are trees and shrubs to the north and west boundaries of the site, providing screening from the public footpath FP 1304189 that is located to the west of the site.

The proposed static caravans would be acceptable with regard to residential amenity and would accord with ENV2. A landscaping condition would ensure the site is suitably landscaped.

Highways

The proposal would increase the number of static caravans on the site from 26 to 32. It has been noted that the site does not support sustainable travel as the nearest bus stops, food shop and primary school are located on West Street and Colne Town Centre. Highways LCC raise no objection to the proposal. The Council concur with Highways LCC and the creation of parking spaces, along with vehicle chargers would be conditioned, were the development approved. This would accord with Saved Policy 31 Parking Standards.

Other Matters

There have been objections received from neighbours with regard to drainage: any permission granted would have to comply with surface water and foul sewer conditions.

There is a public footpath to the west, FP1304189. There are existing shrubs and trees along the boundary of the site to the west and northern boundaries providing an adequate amount of screening, given the distance of the site from residential properties outside the application site and the distance from the town centre. The additional static caravans would increase the number on site from 26 to 32.

Concerns have been raised relating to access and it has been stated that previous application on Lenches Lane have been refused due to the access. Highways LCC raise no objection to the application. The Council concur with their view, that six additional dwellings would not increase traffic levels to an unacceptable level.

The levels of lighting would be residential and subject to statutory requirements. Any existing rubbish dumped is not a matter that can be considered as part of this application.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in terms of scale and amenity, thereby complying with Local Plan policies. 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: GA 3368-PPE-001, GA 3368-LP-001B, GA 3368-PSP-001A

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

3. The external materials 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. Prior to first occupation of any approved static home two car parking spaces shall be provided and retained for the lifetime of the development.

Reason: To ensure that an adequate level of off-road parking is provided.

5. Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. 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.

6. 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
 - (vi) 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.

7. 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.

8. The development hereby approved shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
- a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed boundary treatments with supporting elevations and construction details;
 - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

Informative Note

Coal Authority

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Application Ref: 23/0177/FUL

Proposal: Full: Siting of 6 static park homes.

At: Prospect Farm Caravan Site, Lenches Road, Colne

On behalf of: Mr Culligan

COLNE AND DISTRICT COMMITTEE ON THE 03RD AUGUST 2023

Application Ref: 23/0278/HHO

Proposal: Full: Erection of a two storey side extension.

At: Barn cottage, 32 Colne Road, Trawden.

On behalf of: Mr & Mrs Hanslip.

Date Registered: 02/05/2023

Expiry Date: 27/06/2023

Case Officer: Joanne Naylor

This planning application was called in by a Councillor.

Site Description and Proposal

The application site is a two-storey L-shaped semi-detached traditional dwellinghouse with a generous garden area to the side and a detached garage within the curtilage. The site is within the Conservation Area and the Trawden Forest Neighbourhood Plan Areas of Townscape Character.

The proposal seeks to erect a two-storey side extension in front of the existing two storey side extension to form a dining-kitchen to the ground floor, a bedroom to the first floor and an ensuite to the first floor. The proposal would remove a section of the wall to allow internal alterations to the new extension and alterations to the boundary walls.

Relevant Planning History

13/00/0244P: Erect first floor extension over kitchen to rear. Approved with Conditions (28/06/2000).

13/95/0091P: Erection of front porch. Approved with Conditions (12/04/1995).

13/91/0682P: Extension to side to form kitchen. Approved with Conditions (03/02/1992).

Consultee Response

Parish/Town Council

When writing the Neighbourhood Plan, the area where 32 Colne Road is, was identified as being an area of Townscape Character, known as Hill Top and Foulds Road. There are 5 listed buildings within a 120m diameter, with this property being at the heart of this. Its front is directed to the road.

Within the Area of Townscape Character Policy, it states that the development proposals would be supported where there is no unacceptable impact on the character and appearance of the area; specifically, ii - retain areas of open space, including private yards and gardens, which are open to public view and contribute to the character and appearance of the area.

The proposal does not comply with this as it is proposed that the frontage wall will be removed, using currently, open space, which is open to public view and is therefore, changing the character.

It is noted that Policy ENV2 of the Pendle Core Strategy requires that "(development) proposals should contribute to the sense of place and make a positive contribution to the historic environment and local identity and character". The proposed almost overshadows the existing property which will detract from the historical aspect of it.

Policy 7 recommends the scale, height and form of new developments should fit unobtrusively with the existing building and the character of the street scene. The proposed will change the existing building and character of the street scene quite dramatically, removing a lot of the historic element of this area.

Parking: Bought in 2020 as a 3 bed, the property currently has 2 parking spaces and a garage. The proposed will make the property a 5 bed. Whilst the minimum parking should be 3 spaces, it is expected that four+ bed semi-detached houses should have a minimum of 4 spaces. It was identified in the TFNP (section 2.2.4) that there are serious parking problems on Colne Road. The addition of 2 extra bedroom will no doubt increase these existing issues. - Due to an addition of 2 extra bedrooms, there should be additional parking provided.

Pendle Council Design principles; General Principles

Section 4.1 (point 2) statesextensions should generally be designed to appear subordinate in scale to the original dwelling - The proposed contravenes DP 4.1(2), being almost the same size in width and length.

4.1 (10) statesAny detailing on the original house such as feature brickwork or window sills should be repeated in the design of the extension - The proposed does not comply with this, as it included floor to ceiling windows to the front, floor level windows to the first floor and double patio doors to the side.

Two Storey Side Extensions

5.2 Two storey extensions to the side of semi-detached properties should respect the balance and symmetry of such properties. They should avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist or may be proposed for adjacent properties in the future. A terracing effect is considered to be undesirable in areas of primarily detached or semi-detached houses as this leads, in the long term, to a significant reduction in openness, and alteration in the architectural style of these areas - The proposed contravenes DP5.2 as it will create a terracing effect, a reduction in openness and alteration in architectural style.

5.3.... Two storey side extensions must be set back from the front wall of the house by a minimum of 1m with a corresponding lowering of the roof line. Two storey side extensions should, in general, be less than the frontage width of the original property - The proposed contravenes DP5.3 as there is very little set back or roof line lowering, and visually the proposed looks very similar in frontage width.

Conservation Area Design and Development Guidance. General Principles - 4.4 Well intentioned but inappropriate updating and alterations will easily begin to erode the very components that make an area special - There seems to be a recent trend of people buying small unique character properties and then wanting to change them dramatically. We are keen to ensure the components that make our area special do not begin to erode.

Design - 4.55 asks that "The detailing of extensions should match the features of the main building, for example, the size, shape and style of windows and doors and their surrounds – The

proposed does not comply with this, as it included floor to ceiling windows to the front, floor level windows to the first floor and double patio doors to the side.

It is also proposed that the windows and doors would be uPVC - a contravention of the Conservation Area status.

Other Policies

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. NPPF paragraph 134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes.

Where it states within the Heritage statement that "The landscape is of special architectural and historic interest and therefore appropriate to be designated a Conservation Area. It is also under threat of gradual erosion as people, unaware of its remarkable history, undertake damaging or unsympathetic works to land, buildings, and boundaries", the Councillors disagree that the proposal submitted is a sympathetic extension to the existing building. They feel that this extension is not appropriate for the area as it contravenes many of the local planning policies. They would, therefore, hope that it is refused.

LCC Highways

The proposal would add an additional bedroom, the existing parking arrangements are not affected and there are two parking spaces in front of the existing garage. LCC Highways have raised no objection to the proposal and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity.

Cadent Gas Network

No objection to the planning application from a planning perspective, however an Informative Note is included so as to prevent damage to assets or interference with rights.

PBC Public Right of Ways

No comment.

TPO Environment Officer

No comment.

Public Response

A press notice and site notice were posted and the nearest neighbours have been notified by letter, one response received objecting relating to:

- Application site is within the conservation area and surrounded by Listed buildings.
- This area of the village has not been spoilt by inappropriate development.
- Concerned about the dangerous road next to the site.
- Concerned about the increase in cars parking on the road and the parking problems.
- concerned about the increase in traffic associated with the construction of the proposal.

Officer Comments

The main issues to consider in this application are design and heritage impact, amenity, and highways.

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SPD 1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Replacement Pendle Local Plan

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

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

The Conservation Area Design and Development Guidance SPD sets out that new development should use good quality and predominantly natural building materials, be well detailed, and respect local architectural detailing and styles. It provides specific guidance on development relating to agricultural building and their sensitive adaptation to other uses.

Trawden Forest Neighbourhood Plan

The application site is within the Trawden Forest Neighbourhood Plan area and is an adopted statutory development plan for decision making in Trawden.

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

Policy 4 (Parking) seeks to ensure the adequate provision of parking spaces.

Policy 6 (Heritage Assets) sets out that development should respect and where possible enhance the setting, character and appearance of Heritage Assets.

Policy 7 (Areas of Townscape Character) identifies areas of townscape character, the area around the application site is important and should consider the impact on long range views across the valley from the east and the impact to the historic 17th century built environment at Hill Top.

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.

Paragraph 202 of the Framework sets out that where a development proposal will 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.

Design and Heritage Impact

The application site is within the Conservation Area and also within the Trawden Forest Neighbourhood Plan Area. The application site has walls of natural stone, and stone roof slates to the pitched roof, with uPVC windows in off-white, and hardwood timber doors. The proposed materials of the two storey side extension would be stone to match the existing. For the proposed roof, the applicant has indicated that the stone roof tiles on the existing two storey side extension would be removed and placed on the front roof slope of the proposed two storey side extension, this would ensure that the proposal would match the existing design and materials when viewed from Colne Road. To the rear roof slope, it is proposed that Indian slate roof tiles would be placed on the rear roof slope of the proposed extension. Although the Conservation Area SPD states that roofing materials should normally be carried out using natural stone slate in this instance, the Indian slate would be to the rear roof slope and would not be prominent in the street scene due to the proposal being two storey, as well as there being modern dwelling houses to the rear with a more modern roof tile, the proposed Indian roof slate would likely be acceptable, as the application site is located within the Conservation Area then a condition would be required for samples of materials to be submitted in order to assess the visual appearance of the materials.

In terms of the design of the proposal, the two storey side extension would have a pitched roof, be set back from the front elevation of the dwelling house by 1m, set down from the dwellinghouse ridgeline by 0.2m and the proposed extension would be less than the width of the frontage of the original property, the proposal would be subordinate to the dwelling house. The property is semi-detached, here the proposal would not result in a terracing effect and the adjoining property is wider than the application site, the proposed two storey extension would increase the width of No. 32 which would result in a more balanced and symmetrical appearance of the semi-detached properties.

Following negotiations, amended plans were submitted which has changed the design of the proposed windows on the front elevation to one ground floor window and one first floor window that would be similar in design and scale as the existing windows on the front elevation. The existing side elevation has ground and first floor windows to the existing two storey extension, with no openings to the rest of the side elevation. The proposal would introduce new openings on this side elevation for patio doors and two windows to the first floor of the proposed side extension. Although the proposed patio doors do not reflect the windows on this dwelling, from the road the view would be that of the top of the patio doors as the dry stone wall would screen the lower parts of the patio doors. The proposed windows to the first floor would more closely reflect the design and scale of windows on the dwelling house.

The proposal seeks to change the boundary treatment to the front by dismantling the dry stone wall and erecting the dry stone wall further back from the highway, it would be rebuilt and extend from the front elevation of the proposed extension to then turn to be set back from and parallel with the highway and return along the rear of the garden. To the garden new steps would be built in front of the patio doors.

The application site is designated in Policy 7 of the Trawden Forest Neighbourhood Plan as being in an area of townscape character known as the Hill Top and Foulds Road area. The policy is clear that the benefits of any development should outweigh the harm to the contribution this area makes to the special settlement character of this area. This is aligned with the balancing exercise

detailed at paragraph 202 of the Framework, where any harm must be outweighed by public benefit. In this case, the proposal seeks to erect a two storey side extension, it would use matching materials and have a pitched roof, it would be set back from the front elevation, and be subordinate to the dwelling house. Policy 7 identifies the long range views from the east as important in terms of townscape character. The application site has an existing two storey side extension to the rear elevation which is adjacent to Foulds Road, the views from the east would be that of the existing two storey extension, the proposed two storey extension would be in front of the existing two storey extension, therefore the proposed extension would have no greater impact than already existing in terms of views from the east. From Colne Road, the proposal would be set back from the front elevation and would be the same width as the existing extension and would the height would be lower than the existing ridgeline of the original dwelling house, there would still be clear views through the garden towards the hills in the background, furthermore there are modern dwellinghouses on Foulds Road which are already impacting on views, the proposed extension would not further reduce the views through the garden to the hills beyond and that is due to the proposed extension being the same width as the existing extension and set back from the front elevation by 1m.

The proposal would result in bringing the dwellinghouse closer to the front, the amendment to the design now reflects the scale and positioning of windows on the existing dwelling house, subject to a condition for samples of materials, the materials would match the existing and the proposal would be subordinate to the dwellinghouse.

There are a number of Listed Buildings within the vicinity of the application site, No. 5 and No. 6 Hill Top are Grade II Listed and located on Colne Road on the opposite side and lower down Colne Road, from Hill Top the view would be to the front elevation at an oblique angle, as the proposed extension is to the side elevation, set back from the front elevation and circa 23m away, the proposal would not be clearly visible from Hill Top.

Bell Turret at Trawden Hall is a Grade II Listed Building and is located higher along Colne Road, the application site is opposite Bell Turret with Trawden Hall having a window facing towards the application site, here the distance between would be circa 65m and there are boundary treatments of natural stone walls and trees providing screening, the distance between the application site and the location of Bell Turret would result in the proposal not being readily visible.

Dent Howe Farmhouse is Grade II Listed and set further down Colne Road, there would be no view of the proposal from Dent Howe Farmhouse.

Paragraph 202 of the Framework sets out that where a development proposal will 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. The proposed development would be acceptable in terms of design, scale and materials and would be sympathetic to the Conservation Area, it would result in less than substantial harm. The public benefit would be that of economic activity created through the construction of the proposed development. As such the balancing exercise of paragraph 202 of the Framework would result in a neutral impact on the Conservation Area.

The proposed development would be in accordance with Policy ENV1, Policy 7 of the Trawden Forest Neighbourhood Plan, the Design Principles SPD and the Conservation Area SPD.

Residential Amenity

The Design Principles SPD advises that two storey side extensions should be designed to avoid overshadowing, loss of outlook and loss of privacy to neighbours, to not appear unduly dominant to neighbours.

The application site is a semi-detached property, the proposal seeks to erect a two storey side extension. There is an existing two storey side extension located to the rear of the property, the proposed extension would extend the existing side extension towards the front of the dwellinghouse, the proposed extension would be set back by 1m from the front elevation and would be the same width as the existing side extension, it would have lower roof height than the original dwelling house and would be subordinate. It would not result in an overbearing impact to the adjoining property.

It is proposed that one ground floor and one first floor window would be located on the proposed front elevation, these windows would face towards open fields opposite and would not result in any residential amenity impacts. To the proposed side elevation there would be a patio door to the ground floor and two windows to the first floor, the windows would face towards Trawden Hall which has one window at first floor facing towards the application site. There is sufficient distance between the application site and Trawden Hall to ensure there would be no unacceptable residential amenity impacts.

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

Highways

The proposal would increase the number of bedrooms from three to five bedrooms. Policy 31 of the Replacement Pendle Local Plan 2001-2016 states that for a dwellinghouse with 4+ bedrooms require 3 parking spaces, plans indicate that two parking spaces can be achieved within the curtilage of the site, and the garage would be retained to provide one parking space. LCC Highways have raised no objection to the proposal and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity. The proposed development would conform with Policy 31 of the Replacement Pendle Local Plan 2001-2016.

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 extension is acceptable in terms of policy, design, amenity and highway safety. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approval

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 Drawing No. 1, Site Plan Drawing No 4, Plans, Elevations & Sections As Proposed Drawing No. 3 Rev A.

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

3. No above ground works shall commence on site unless and until representative samples of all external materials to be used on the roof and walls have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials and details.

Reason: To ensure a satisfactory form of development in the interests of the visual amenity of the area and to maintain the character of the building.

Informative Note into the Decision Notice – Cadent Gas

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: 23/0278/HHO

Proposal: Full: Erection of a two storey side extension.

At: Barn cottage, 32 Colne Road, Trawden.

On behalf of: Mr & Mrs Hanslip.

REPORT TO COLNE AND DISTRICT COMMITTEE 3RD AUGUST 2023

Application Ref: 23/0323/FUL

Proposal: Full: 4 No. visitor accommodation pods and associated facilities, parking and landscape.

At: Parson Lee Farm, Wycoller Road, Trawden, BB8 8SU

On behalf of: Mr Jason Chipchase

Date Registered: 19.05.2023

Expiry Date: 14.07.2023

Case Officer: Yvonne Smallwood

This application has been brought before Committee as there have been 3+ objections received.

Site Description and Proposal

The application site was approved to change its use from agricultural to camping use in 2017. The site is adjacent to the farmhouse of Parson Lee Farm, located within Open Countryside and Trawden Forest Conservation Area. The site sits on the side of a valley with Smithy Clough running to the north, it is accessed by a single track gravel road via Wycoller. The road is an adopted highway with a traffic regulation order restricting traffic beyond the Wycoller Country Park car park to access and disabled badge holders only.

The proposal seeks full planning permission for four pods for visitor accommodation. The proposed pods would be 8.4m x 2.84m with a height of 3.55m. The pods would be dispersed within the field and there would be trees planted as a boundary treatment. Each pod would have a bathroom, therefore there would be no requirement of a separate shower/toilet block.

It is noted that a previous application for four yurt style pods was approved in 2017, Ref: 17/0444/FUL. A lawful start was not made in relation to this planning permission, consequently the start date expired.

Relevant Planning History

22/0864/VAR – Variation of Condition 2 (plan 02 and 03) of Planning Permission 17/0444/FUL – Application Returned

17/0444/FUL – Full: Change of use from agricultural land to camping use, siting of four portable camping pods and conversion of an existing outbuilding to a shower/toilet block (Re-submission) – Approved with Conditions, 30.10.2017

17/0114/FUL - Full: Change of use from agricultural to camping use, siting of four portable camping pods and erection of a shower/toilet block – Refused, 05.07.2017

Consultee Response

Highways LCC –

No objection

The proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. 2 Should the application be approved the following condition is requested.

1. Prior to first use of the development hereby permitted, the car parking, electric vehicle charging and cycle parking, manoeuvring areas and access shall be constructed in accordance with the approved 'Proposed site plan – 411-003'.

Reason: In the interests of sustainable transport.

Growth Lancashire, Environment and Conservation –

As I am required to do so, I have given the duty's imposed by s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments and I have provided a balanced judgement in my comments to the need to preserve heritage. I consider that the proposal meets the statutory test to at least 'preserve' the character and appearance of the Trawden forest Conservation Area causing no substantive harm. Furthermore, there will be no harm as a result of the proposals in respect of the NDHA. Therefore, no balancing exercise is required as per NPPF P.202. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

Environment Officer for Trees –

No objection – the tree planting scheme is acceptable.

Trawden Forest Parish Council –

The Councillors feel that the proposed structures would be highly visible from the Country Park and the neighbouring conservation area.

The drawings supplied, with this application, do not represent the idea of a 'pod'.

The long range views from public vantage points will be harmed.

There are only 4 parking spaces provided. Potentially, with the size of the proposed structures, there could be more than one vehicle visiting, per structure.

They are inappropriate in design. They would be very visible from a currently empty landscape.

There is no immediate access to amenities. This means increased car journeys through the village and country park.

Public Response

Nearest neighbours notified by letter with seven objections, summarised below:

Considerations:

- The pods conflict with the natural surroundings
- It would take many years for the trees planted to become established
- Access is very restricted on the lane – a narrow track and no passing places – vehicles reversing
- The larger pods on their bases would have greater visual impact in the CP and CA
- Parking and outside seating areas would lose more agricultural land
- Parson Lee Farm is a historical building recognised by the CP and CA
- Access is unsuitable for horse riders, walkers and cyclists and traffic
- The owner has put a large gate at the bottom of his access and soil dumped near beck side
- Concerns that the access road might be improved in the scenic valley

- The delivery of a pod damaged the Pennine Bridleway where it comes down to the farm from Lancashire Moor Road and a suggestion that a condition of reinstatement be added if planning permission is granted
- The development, if approved, would increase traffic. There are already too many visitors to Wycoller
- The previous owner of farm said he could not operate his business due to poor access along the valley from Wycoller. No visitor access for visitors into Wycoller Village, hence the car park provided by LCC.
- Visitors to Wycoller visit to get out into the countryside and enjoy unspoilt views of the natural landscape and the chalets will have a great impact on why people visit and love to enjoy Wycoller
- Suitable septic tank information is omitted from the proposal. The application site is between a brook and a beck
- Damage to bridleway due to dragging of pod to the farm; concerns that further deliveries could damage it beyond repair
- Loss of agricultural land and domestication of a rural location
- There are loads of long footpaths on those hills. There are views down Wycoller Valley and Boulsworth Hill/Boulsworth Site of Special Scientific Interest (SSSI).
- The chalets would appear suburban and the yurt style pods would be more appropriate
- The car park, bin and cycle storage in the field would have an additional impact to the field
- Buildings in the Country Park are mainly stone, not timber
- Holidaymakers would visit local attractions, increasing the traffic
- The applicant should be held to account for damage already done to the Bridleway and an explanation given of how the remaining chalets would be transported to the site, without causing additional damage
- The applicant has widened the bridleway with rough stone in readiness for the chalets to be dragged to the site
- Four parking spaces would not be adequate.
- No immediate access to amenities, which would increase traffic
- The Pennine Bridleway Trail (Bronte Way) runs along the boundary of the proposal site, which is visible from a 1km distance
- No economic benefit for the residents of Wycoller
- There is already one pod on the site which is visible from rights of way such as the top of the valley above Wycoller

Officer Comments

Policy

Policy ENV1 states that the historic environment and heritage assets of the borough (including Listed Buildings, Conservation Areas, Scheduled Monuments, non designated assets and archaeological remains), including and their settings, will be conserved and where appropriate should be enhanced. This is supported by the Conservation Area Design and Development Guidance SPD.

Proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG.

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.

Trawden Forest Neighbourhood Plan

Involve the re-use of existing buildings where possible;

- Have no significant adverse impact on the landscape, biodiversity, natural heritage, cultural heritage or local community;
- Are of an appropriate scale and design; and
- Do not result in any additional pressure on the existing infrastructure without adequate mitigation.

Visual Amenity and Heritage Impact

The proposed pods would be larger than those permitted in Planning Permission 17/0444/FUL. This scheme was approved as it did not result in unacceptable harm to the Conservation Area. The new proposals have been assessed against the baseline situation and approved application proposals and it is concluded the proposal meets the statutory test to at least 'preserve' the character and appearance of the Trawden forest Conservation Area causing no substantive harm.

Rather than a linear arrangement, as approved in 2017, the proposal would disperse the pods, creating space around each one. As the proposed pods would increase their prominence in the Conservation Area, there is landscaping proposed to provide screening; reducing the visual impact. The agent has engaged with the Environment Officer for Trees and the scheme is acceptable in this regard. The pods would be visible from public vantage points in Wycoller and Boulsworth; they are relatively small in scale and would be finished in timber materials that are sympathetic to the Open Countryside setting.

Taking into account the public benefits of improving the locally available tourist accommodation, the proposed variation would not result in unacceptable harm to the significance of Trawden Conservation Area.

Residential Amenity

The proposed Variation of Conditions would not raise any unacceptable residential amenity issues.

Highways

The proposed development would not result in a greater impact on highway safety than the previously approved scheme, Ref: 17/0444/FUL as the capacity remains the same. Highways LCC raise no objection to the proposal. Whilst it is acknowledged that access is poor – the proposal would not generate more traffic than the previously approved scheme and would therefore be acceptable in regard to highway safety.

Other Matters

To the north of the site there is an existing pod that has replaced a green static caravan. The proposed pods would match the existing.

Objections have been received stating that the proposal would conflict with its surroundings within a Country Park and Conservation Area. Growth Lancashire have been consulted on this application, and we concur with their response: the proposal meets the statutory test to at least 'preserve' the character and appearance of the Trawden forest Conservation Area causing no substantive harm.

There have been objections raised stating that the development would increase traffic and the access is poor. The variation would not increase the capacity of the site and therefore the number of vehicles accessing the site would be similar to what there would have been on permitted proposal, 17/0444/FUL. Also the parking area was previously agreed.

Drainage concerns were raised. Adequate provision for foul and surface water drainage would be covered by condition.

Further objections relating to the erection of a gate; dumped soil waste; previous damage to the bridleway; the site being located between a brook and a beck and the comment that the previous owner was unable to do business due to poor access are not part of this application and therefore cannot be reason to refuse this variation.

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 variation of condition is acceptable in all relevant regards. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The development must be begun not later than the expiration of three years from 05/10/2017.

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:

211-003 revTP00 Location Plan, 411-001 rev00 Proposed Site Plan, 412-001 revTP00 Proposed Plan and Elevations, 411-002 revTP00

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

3. All materials to be used in the elevations and roofs 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 appearance of the development

4. The camping use hereby approved shall be limited to four camping pods.

Reason: in the interest of clarity and highway safety and to preserve the character and appearance of the Conservation Area.

5. The car parking, manoeuvring area and access shown on plan No. 2 shall be surfaced in a bound, porous material and made available for use prior to the commencement of the use hereby approved. The car parking and manoeuvring areas shall thereafter be maintained free from obstruction and available for parking and manoeuvring purposes.

Reason: to ensure adequate car parking and turning provision is made and retained on the site in the interest of highway safety.

6. 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. Pendle Borough Council Your ref: 23/0177/FUL By email Our ref: DC/23/1264 Date: 18-APR-23 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.

7. The holiday accommodation hereby approved 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 the occupiers of the holiday accommodation 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 accommodation and to prevent the establishment of permanent residency.

8. Should any of the holiday accommodation pods hereby approved cease to be used, the pods must be removed from the site within 3 months of their final use.

Reason: For the avoidance of doubt and to ensure that the pods are removed if they are no longer in use.

9. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; the planting and maintenance of the approved 'Hard and Soft Landscaping Plan' (411-002) must be carried out. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason:

To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

Application Ref: 23/0323/FUL

Proposal: Full: 4 No. visitor accommodation pods and associated facilities, parking and landscape.

At: Parson Lee Farm, Wycollier Road, Trawden, BB8 8SU

On behalf of: Mr Jason Chipchase

REPORT TO COLNE AND DISTRICT COMMITTEE 3RD AUGUST 2023

Application Ref: 23/0355/FUL

Proposal: Full: Erection of 1 No. 2 bedroom dormer bungalow within the grounds of the existing dwelling house.

At: 49 Penrith Crescent, Colne

On behalf of: Mr Joe Riley

Date Registered: 30/05/2023

Expiry Date: 25/07/2023

Case Officer: Laura Barnes

The application has been brought before Committee due to the number of objections received.

Site Description and Proposal

The application site relates to land which currently forms the side garden of 49 Penrith Crescent, Colne. The dwelling at No. 49 is a large semi-detached dwelling with a detached garage. The application site is within the settlement boundary. Access is proposed from Penrith Crescent.

The proposed dwelling is to be a detached dormer bungalow dwelling, comprising two bedrooms, with an integral garage and driveway for two vehicles.

Relevant Planning History

None relevant

Consultee Response

LCC Highways

No objection, subject to conditions relating to a construction method statement, dropped crossings and 1m high boundary treatment.

Colne Town Council

Colne Town Council objects to this application due to it being over development of the site and not in keeping with the existing properties within the area.

United Utilities

Water pipelines and wastewater pipelines must not be built over. The developer is advised to contact United Utilities to establish the position of the pipelines, in order to ensure there is no requirement for an agreement.

United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning

Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

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

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

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

Water supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

Environmental Health

Recommends conditions relating to:

- Construction Method Statement
- Contaminated Land

Public Response

Nearest neighbours notified by letter, multiple letters of objection have been received raising the following issues:

- Concerns that the application would result in overdevelopment of the plot
- Detrimental effect upon surrounding area
- The current occupants of 49 Penrith Crescent have up to 7 vehicles parked in and around their property, causing parking issues for the neighbourhood
- Highways – road is too narrow
- Loss of front garden space will impact upon the street scene in a negative way
- Construction phase nuisance
- Surface water run off problems
- Design is out of character with surroundings
- Will the house be built over mains sewers?
- Existing issue with parked cars on pavements
- Loss of light & view from surrounding properties

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SDP3 (Housing Distribution) sets out the location of new housing in the Borough in conjunction with SDP2 and LIV1.

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 ENV4 (Promoting Sustainable Travel) seeks to promote sustainable travel as well as development impacts and accessibility and travel plans for major developments to mitigate any negative impacts.

Policy ENV5 (Pollution and Unstable Land) concerns the risks of air, water, noise, odour and light pollution in addition to addressing the risks arising from contaminated land.

Policy ENV7 (Water Management) concerns the risk of flooding from flood or surface water. It requires flood risk to be assessed and sustainable drainage measures to be used.

Policy LIV1 (Housing Provision and Delivery) sets out the requirement for housing to be delivered over the plan period. This policy allows for non-allocated sites within the Settlement Boundary as well as sustainable sites outside but close to a Settlement Boundary.

Policy LIV3 (Housing Needs) encourages the support and provision of a range of residential accommodation.

Policy LIV4 (Affordable Housing) sets out the targets and thresholds to contribute towards the provision of affordable housing. Where the relevant target cannot be met a financial viability assessment should be provided to allow for negotiation and adjustment accordingly.

Policy LIV5 (Designing Better Places to Live) requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and be built at a density appropriate to its location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

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.

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

Colne Neighbourhood Plan

The Colne Neighbourhood Plan is due to go to referendum on 20th July 2023. As it has reached this stage in the preparation, it should be afforded significant weight in decision making.

The most relevant policies to this application include the following:

Policy CNDP3 – Design in Colne and the Colne Design Code

The design of high quality, beautiful and sustainable buildings and places will be supported. This policy sets out that development proposals should: follow existing street patterns, use and re-use local materials, retain key features of the local vernacular, ensure building form and layout responds to the form and layout within the Urban Character Area. It also sets out that development will not be supported where it is of poor design.

Policy CNDP6 – Future Housing Growth

This policy sets out that new housing development will be supported within the settlement boundary. The policy sets out housing allocations in four areas within the Neighbourhood Plan Area.

Policy CNDP12 – Transport

This policy relates to sustainable transport modes and ensuring that there is appropriate transport infrastructure to support new development. It encourages the use of electric vehicle charging points in new dwellings.

Principle of Development

The proposed development is located within the settlement boundary, as such the proposed development is in accordance with Policy SDP2 and Policy CNDP6 of the Colne Neighbourhood Plan, subject to compliance with policies which relate to design and amenity.

Design

The application site is located within the SFA E: Southern suburban residential areas, on the Colne Design Code Settlement Focus Areas Map, within the Colne Neighbourhood Plan.

The proposed development comprises a detached dormer-bungalow dwelling with a footprint of 98 sqm, to be finished in dashed render with grey roof tiles. Internally the accommodation is to provide a lounge, kitchen / dining room, ground floor WC, utility room and garage. To the first floor, there are to be two bedrooms (one with ensuite) and a family bathroom.

The height of the ridge would be 6.3m. The boundary treatment would be timber fences with the vehicular access in tarmac, to match with the existing driveway at No. 49 Penrith Crescent.

The surrounding area is made up of bungalows and two-storey detached and semi-detached dwellings, some of which are finished in render. The proposed dwelling would complement the character of the surrounding street scene. It would relate acceptably to the adjoining properties and would not result in a development that adversely affected the street scene. Although issues relating to overdevelopment of the plot have been raised, the application site is large enough to accommodate a single detached dwelling, with a suitable garden and off road parking spaces. As such, there would not be grounds to refuse the application based upon 'over development' in this particular case.

Overall, the proposed development accords with National, Local and Neighbourhood Policy in this regard.

Residential Amenity

Any proposed dwelling should be sited so that any habitable room windows are at least 21m from neighbouring habitable room windows. To the front elevation the proposed dwelling would be opposite No. 6 Penrith Crescent. The applicant has prepared a plan which indicates that there is a separation distance of 21m between the existing front elevation windows at No. 6 and the proposed front elevation windows. As such, this relationship is acceptable.

To the side elevation lies No. 51 Penrith Crescent. The proposed dwelling is to have a ground floor window, serving the kitchen / dining area. This window is offset from the centre of the dwelling, meaning that it would not look directly into a window at No. 51. There are no side elevation windows serving habitable rooms to No. 51 Penrith Crescent. The proposed window is not the primary source of light serving this room, but rather the bi-folding doors to the rear. The proposed dwelling is a dormer-bungalow and would not have an overbearing effect upon No. 51. Overall, the proposed dwelling would not result in an unacceptable impact upon the residential amenity of No. 51.

There are no proposed windows to the opposite side elevation, which faces directly towards No. 49 Penrith Crescent. No. 49 is a two storey dwelling so there would be no unacceptable overbearing impact upon No. 49 as a result of the height of the proposed dwelling. Although there are some side elevation windows serving habitable rooms to No. 49 (dining kitchen / patio doors) there are no habitable room windows to the side elevation of the proposed dwelling. As such, there would be no unacceptable neighbouring impact upon No. 49.

There are bungalows to the rear of the proposed dwelling on Briercliffe Avenue. Nos. 31 & 32 are both bungalows. However, they are set at an angle from the proposed dwelling and are in excess of 21m away. As such, the proposed dwelling would not result in an overbearing effect upon the bungalows to the rear. In relation to the semi-detached dwellings (No. 29 and 30 Briercliffe Avenue), again these are set more than 21m from the proposed dwelling. As such, there would be no unacceptable neighbouring amenity issue with these dwellings.

Issues relating to construction phase nuisance have been raised by members of the public and environmental Health Officer. This can be addressed by a suitably worded condition.

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

Highways

The proposed development has an integral garage along with two parking spaces to the front of the dwelling. This is satisfactory based upon the number of bedrooms to the dwelling. No objection has been raised in relation to highway safety concerns. The proposed development would provide sufficient off-street parking and therefore accords with Policy 31 of the Replacement Pendle Local Plan.

LCC Highways have recommended the imposition of conditions relating to a construction method statement, dropped crossings and 1m high boundary treatment. The construction method statement is a reasonable and necessary condition, given the location on a narrow road within close proximity to a secondary school and the road also serves as a bus route. Similarly, the 1m high boundary treatment condition is necessary and reasonable in the interests of highway safety. However, the condition recommended by LCC in relation to a dropped crossing is not reasonable and necessary as this can be controlled by other legislation.

Other Matters

Issues relating to the number of vehicles owned by the applicant have been raised, this is not a material planning consideration. As such, it has not formed part of the determination of this application. Concerns regarding building over the drains have been raised. This is a matter for separate legislation, covered under Building Regulations and may require the appropriate permit from the statutory undertaker / utility provider. It is the developer's responsibility to ensure that the appropriate permits are in place for this.

Reason for Decision:

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

- 1.The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2.The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Ref: A1000, Proposed site plan distances Ref: 1006, Proposed elevations Ref: 1005, Proposed Floor Plans Ref: 1003

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

- 3.All the external materials to be used in the elevations and roof of the 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.The dwelling shall not be occupied unless and until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

The drainage scheme 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;

(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); and

(iii) A timetable for its implementation.

(iv) Details of how foul and surface water will be disposed of.

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

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

5. All windows shall be set back from the external face of the walls by a minimum of 70mm.

Reason: To ensure a satisfactory appearance to the development in the interest of visual amenity.

6. 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 including the replacement trees for those which have been removed, 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. 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.

7. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

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.

8. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A,

B, C & D of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the residential amenity.

9. Before any dwelling unit is occupied waste containers shall be provided and shall be stored to the rear of the property.

Reason: To ensure adequate provision for the storage and disposal of waste.

10. 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 delivery vehicles to/from site

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

11. The boundary treatment along Penrith Crescent shall be provided and maintained below 1m high at all times. There shall be no change to the boundary treatment without the prior written consent of the Local Planning Authority.

Reason: In the interests of highway safety

Informative:

This consent requires the construction, improvement or alteration of an access to the public highway. All newly requested vehicle crossings will be approved by Lancashire County Council through the application process. A list of approved contractors will be supplied to applicants with an approved vehicle crossing application. Approved contractors will be under agreement with Lancashire County Council to ensure the use of appropriate materials and workmanship, the safety of any walking surfaces and the protection of pipes and cables under the footway from damage. This will be under a section 171 license which your contractor will need to apply for when they are ready to carry out the works. Applications are made online :- www.lancashire.gov.uk/roadsparking-and-travel/roads/vehicle-crossings/ or customers can email – lhsvehiclecrossing@lancashire.gov.uk for a paper copy of the application form.

Application Ref: 23/0355/FUL

Proposal: Full: Erection of 1 No. 2 bedroom dormer bungalow within the grounds of the existing dwelling house.

At: 49 Penrith Crescent, Colne

On behalf of: Mr Joe Riley

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 06th July 2023