



**REPORT OF:** ASSISTANT DIRECTOR PLANNING, BUILDING  
CONTROL AND REGULATORY SERVICES

**TO:** DEVELOPMENT MANAGEMENT COMMITTEE

**DATES:** 14TH NOVEMBER 2023

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning application.

# REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE 14<sup>TH</sup> NOVEMBER 2023

**Application Ref:** 23/00516/FUL

**Proposal:** Full: Erection of 1 no. dwelling with associated infrastructure (Amended scheme to approved planning permission 22/0417/FUL).

**At:** 147 Wheatley Lane Road, Barrowford

**On behalf of:** Mr & Mrs Yates

**Date Registered:** 01/08/2023

**Expiry Date:** 26/09/2023

**Case Officer:** Laura Barnes

The application has been referred to the Development Management Committee as Members were minded to refuse the application, which goes against the planning officers recommendation.

## **Site Description and Proposal**

The application site relates to land to the rear of an existing dwelling on Wheatley Lane Road. Planning permission has previously been sought for the principle of residential development in this location. This was allowed at appeal. As such, the principle of development is established. The application site is located within the settlement boundary and access is to be taken via the existing driveway to 147 Wheatley Lane Road.

The proposal is for the erection of a single dwelling in the rear garden of 147 Wheatley Lane Road, with access to be taken from the existing driveway serving the semi-detached dwelling. The access is also proposed to be used by the residential conversion of the coach house which is adjacent to the dwelling, this has permission under application reference (22/0417/FUL) to change to a three bedroom dwelling.

## **Relevant Planning History**

13/99/0163P: Widen access to road

22/0348/HHO: Full: Proposed external amendments and rear canopy.  
Approved with conditions

22/0417/FUL: Full: Conversion and extension of existing outbuilding to create a single dwelling.  
Approved with conditions

21/0479/PIP: Permission in Principle: Erection of up to two detached dwellinghouses.  
Refused

APP/E2340/W/21/3288226: Permission in Principle: Erection of up to two detached dwellinghouses.  
Appeal Allowed

## **Consultee Response**

### **Growth Lancashire**

I have read the supporting documents including the proposed and existing site plan, proposed and existing plans and elevations, Design and Access and Heritage Statement, Arboricultural Impact Assessment, Tree Survey report, boundary treatment plan and visualisation plan.

I note also the Appeal decision APP/E2340/W/21/3288226 that granted approval for permission in principle (PiP) for two dwellings to the rear of No's 145 and 147 Wheatley Lane Road. A previous planning approval also exists (22/0417/FUL) for the conversion and extension of the existing adjacent garage outbuilding to form a single dwelling. I note that this permission included the additional parking at the front of No.147 and the revised entrance.

#### *The proposal*

The proposal is for the erection of a new dwelling with associated infrastructure and parking with access via the existing side driveway off Wheatley Lane Road, which also provides access for parking to the adjacent garage/outbuilding. The proposed dwelling is a 2 storey, four bedroom house with gables to the east and west which is set back behind the frontage property in the existing garden area. The new house would be faced in red and contrasting paler brick, timber cladding with aluminium panelling and a natural, slate roof. A surface parking area for three cars would be located north east of the new dwelling.

The key heritage consideration is as follows:

1. Whether the proposed development preserves or enhances the character or appearance of the Carr Hall/Wheatley Lane Conservation Area.

#### *The site*

The application site is the garden of an early C20 semi-detached dwelling set within a characteristically large plot, set back from the roadside bounded by a stone wall. The semi-detached dwelling has an attractive Domestic Revival character. The generous garden plots are reflective of the history of the conservation area, reinforcing its special character.

The Carr Hall/Wheatley Lane Conservation Area's special interest lies in its origins as part of the Carr Hall estate and surrounding farms, which was gradually sold off in large plots for new bespoke, high status dwellings to be constructed. The appraisal notes the

overall density of development is very low (para 4.2). The application site formed a field belonging to the Carr Hall estate which is extant to the southeast on the 1848 OS map. The dwelling to the north of the site and the application site, currently the garden belonging to the house, make a positive contribution to the significance of the conservation area, enabling an understanding of its development in the late C19-early C20 from the Carr Hall estate and its subsequent development for high-status housing in generous plots. The 2010 CAA however makes no further assessment and no.147 is not marked out in the appraisal as making a special contribution.

I note there is an existing fence that divides the garden and the application site from another property behind and so the visual contribution that the garden currently makes to the special interest of the CA has been greatly reduced, as this does not readily read as being part of the garden of the house.

### *Impact*

The existing frontage dwelling to the northwest of the site and its contribution to the CA will be preserved through the scheme. The gardens will be subdivided to accommodate the proposed new dwelling.

I am mindful that the subdivision of the garden for a new house has previously been accepted in principle through the recent Appeal decision, which granted permission in principle for the plot sub-division. Given the planning history I raise no substantive objection to the loss of the garden space and largely raise no objections to the design or scale of the new house.

While the proposed property would be a considerable new 'built' addition to the conservation area it will only be partially visible from the roadside, on approach in either direction. The new house is set well back and the public views would be somewhat filtered by existing development, including the existing garage/outbuilding and frontage trees, which characterise the CA. The proposed visualisation in the submission documents illustrates this point.

The design and use of gables mimics the Coach House/garage and its set back location results in a somewhat regressive scale, which I feel is not overly prominent. In this context, I feel the principle views of the conservation area would be preserved. Whilst the development would involve the removal of some trees and hedging, along the western boundary these are set well back from the roadside and will have little or no impact on the character or appearance of the CA.

I am mindful that the intensification and upgrading of the 'domestic' drive and the need to add new hardstanding/parking areas to compensate for lost drive space has been agreed under the permission to convert and extend the garage/Coach house. Whilst I would prefer to see a different parking arrangement, given the permission in place, I raise no concerns. Notwithstanding I do however accept that the parking spaces are already partially screened by garden planting and that any visual harm can be

adequately mitigated by applying suitable conditions re materials and additional landscaping/hedging etc.

As the principle of development for a new dwelling on this site has already been agreed the principle issue/threat to the character of the conservation area, through increased plot density and sub-division, has already been accepted. Whilst I am mindful that the design of the new house is modern in concept I do not feel the qualities of the conservation area are necessarily compromised by this approach. Given the limited views and set back location of the new house I do not feel development on the site necessarily warrants a more period or traditional approach. In such circumstances, whilst the new dwelling will be noticeable, I do not find it to be unduly prominent and its design will cause no discernible harm to the character or appearance of the conservation area and therefore preserves its special interest.

I suggest that details of suitable materials are secured via suitable worded Conditions.

#### *Conclusion / recommendation*

As I am required to do so, I have given Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 considerable weight in my comments.

For the reasons outlined above, I feel the proposal will cause no discernible harm and will preserve the special interest of the Carr Hall/Wheatley Lane CA. As such the application accords with Chapter 16 of the NPPF and policies ENV1 and ENV2 of the Local Plan.

If the LPA is minded to approve the application then as indicated above, I feel that Conditions should be added requiring approval of the facing materials, landscaping, the treatment of the frontage wall and surfacing of the car parking/hardstanding areas.

#### Pendle Borough Council Environment Officer (Trees)

There are similarities with regards to the size of the development [to 145 Wheatley Lane Road] and being in close proximity to large trees. Also, there is potential for mitigating any trees lost and the applicant is indicating 3 trees to be planted, obviously this can be dealt with through a condition if the proposals are approved.

Slight concern with the large Beech tree (T1) at the front. The driveway is well within the RPA of this tree but fortunately it is existing hardstanding as well as the tree being on slightly raised ground. The driveway hardstanding would need to stay like this for the duration of the build. All the relevant points with regards to tree protection fencing are covered in the AIA.

If you are minded to approve the application please highlight the importance of the tree protective fencing being in place prior to the start of any development.

#### LCC Highways

Having reviewed the documents submitted, Lancashire County Council acting as the Local Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety or capacity in the immediate vicinity of the site, subject to the following comments being noted and conditions and informative note being applied to any formal planning approval.

#### *Proposal*

The proposal is for the erection of one detached four bed dwelling with associated off-road parking, together with an amended parking scheme to that approved under Planning Permission 22/0417/FUL for the adjacent garage/outbuilding conversion to a dwelling.

#### *Site planning history*

22/0417/FUL - Conversion and extension of existing outbuilding to create a single dwelling. Approved.

22/0348/HHO - Proposed external amendments and rear canopy. Approved.

21/0479/PIP | Permission in Principle: Erection of up to two detached dwellinghouses. Land To The Rear Of 145 And 147 Wheatley Lane Road. Access from rear of No 145. Allowed at appeal.

A pre-application enquiry was made with the highway authority for access from Wheatley Lane Road to a proposed single dwelling to the rear of No 147, with a site visit made on 5 April 2023 and a response sent on 5 June 2023.

#### *Site access*

The proposed new dwelling would access Wheatley Lane Road via the existing entrance currently serving No 147 and also to be used by the single dwelling approved by Planning Permission 22/0417/FUL.

The access is proposed to be widened internally to a minimum of 4.6m wide to allow two vehicles to pass within the access. The highway authority considers that the internal widening as shown on the Proposed Site Plan (drawing 6200-P44 submitted on 9.8.23) is acceptable. This widening must be provided prior to first occupation of the dwelling approved under 22/0417/FUL or the dwelling applied now for if planning permission is granted.

As there will be an intensification in use of the access from one to three dwellings vehicles entering and leaving the site need to be positioned so that there is adequate forward visibility to and from the site, especially given the narrowness of the access. To achieve this the redundant dropped vehicle crossing across the front of the former garage would need to be reinstated to footway (approximate length 6m) to Lancashire County Council's specification, including full height kerbs, to prevent vehicles from cutting across the front of the building. The crossing should also be extended marginally to the East of the access, possibly only one additional full length dropped kerb required with the taper kerb relocated. These works would need to be carried out under a legal

agreement (short form Section 278) with Lancashire County Council as the highway authority.

If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process and should not wait until condition discharge stage. Due to the high volume of agreement submissions currently being received by the county council this process can take at least six months to complete. No works should be undertaken within, or which affect, the highway network maintained at public expense without the necessary agreement first being in place in order to prevent legal action from being taken.

#### *Visibility splays*

No visibility splays have been submitted as part of this application. At the time of the site visit in April 2023 it was noted that the visibility splay to the left was partly over third party land. However, as this is an existing access and there would be a low level of traffic generated by two additional dwellings (garage conversion and the proposed dwelling), the internal widening of the access and improvements to the dropped crossing should mitigate the shortfall in the visibility to the left on exiting.

No collisions resulting in personal injury have been recorded within the last five years outside or in the vicinity of the existing access onto Wheatley Lane Road.

#### *Car & cycle parking*

Detached outbuilding/garage conversion

The parking layout previously approved under Planning Permission 22/0417/FUL has been amended as shown on Drawing 6200-P40 Rev A. The parking and manoeuvring areas are considered adequate and would allow vehicles to enter and leave the site in forward gear. Their provision should be controlled by condition to protect their use for the lifetime of the development.

A condition requiring the provision of cycle storage has already been applied.

#### *Proposed dwelling*

The proposed dwelling would have four bedrooms. Three car parking spaces should be provided in line with the borough council's Parking Standards. The highway authority considers that an adequate level of parking has been provided, together with sufficient internal manoeuvring space to allow vehicles to enter and leave the site in forward gear (Drawing 6200 P40 Rev A refers).

As there is no garage alternative secure, covered storage for at least two cycles should be provided, together with an electric vehicle charging point. This shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential Buildings, which states that 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.

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

#### Conditions

1. No part of the development hereby approved shall be occupied or brought into use until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. Works shall include, but not be exclusive to, the reinstatement of a section of footway approximately 6m to the West of the existing access, to an appropriate standard, including full height kerbs, and minor amendments to the dropped vehicle crossing to the East of the access. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
2. Prior to first occupation of the approved development 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.
3. Prior to first occupation the approved dwelling shall 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. Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.
4. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans have been constructed and laid out. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings and the manoeuvring areas kept free from obstructions for the lifetime of the development. 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.

#### Informative note

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (short form Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the reinstatement of a section of redundant dropped crossing (approximate length 6m) to footway to an appropriate standard, including full height kerbs, and localised widening of the existing dropped crossing to the East of the access. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk) , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

Barrowford Parish Council



Objection: The site in combination with 145 next door was granted Planning permission in Principle approved on appeal. The appeal looked at a proposed sketch layout and in the reasons for allowing the appeal the following justifications formed part of case.

Reason 9: Gives the following as one of the justifications for approval. The CA Appraisal (July 2010) describes the significance of the CA as deriving from its historic association with, and development from, the Carr Hall Estate. Furthermore, houses generally sit on large plots stemming from the sale of land from the former estate for low density, higher status housing development from the late 19th century onwards.

The host properties sit on generous plots and as such, contribute to the significance of the CA. Whilst Reason 11 gives some consideration to the type of development and its effect on the Conservation Area. However, this plan does demonstrate that the resultant four plots are capable of remaining generous. The technical details consent stage would deal with matters such as the layout, access, design, materials and landscaping. With a sympathetic design, layout and consideration of the topography of the site, it would be feasible for a high-quality scheme to be provided that would complement the character and appearance of the CA. I therefore find that the proposal would preserve the significance of the CA at this stage.

The application needs to be assessed on if is a sympathetic use of the land that would enhance or diminish the setting of the Conservation Area and the effect of the revised access to the frontages of the two prominent roadside properties at 145, 147 and the Coach House.

147 Wheatley Lane Road has already had planning permission to convert the Coach House to a separate dwelling (22/0417/FUL) creating a small garden to the rear and two parking spaces for that conversion. The submitted plan proposes that the access is between the now separate dwellings of 147 and the Coach House removing the 2 parking spaces and resitting in part of the small garden.

The Councils objections are as follows:

1. The access onto the highway although potentially suitable for a large house and a two-bedroom separate dwelling but the addition of access to another large 4-bedroom house may be problematic due to a pinch point between the garden wall and the Coach House. The site drawing submitted does not show the access to the site to its junction with Wheatley Lane. The gated arrangement and alternative provision of parking for the Coach House could be difficult to egress from due to close proximity of the entrance and boundary treatment of the proposed dwelling.
2. With the drawing not showing the junction of the egress/ingress off Wheatley Lane Road it is difficult to see if the red lined site includes the land up to where it joins Wheatley Lane. Defined curtilages were easily defined with the approved application 22/0417/FUL but become more problematic with this third use and could cause access problems in the future.
3. The Coach House is mentioned in the CA Assessment and a photograph appears on page 25 and represents an essential part of what makes the Carr Hall & Wheatley Lane

Road Conservation Area what it is. The potential for adversely affecting the character, setting and amenity of this part of the Conservation Area should not be overlooked.

4. The existing PIP permission passed as a single joint application on appeal, would leave one conclude that the Inspector probably looked at the PIP appeal in the round as a two-house development and concluded that the site is capable of holding two dwellings, but the inclusion of the Proposed Sketch Layout alludes to the fact that the access for both houses can be accommodated down the lane adjacent to 145 giving the impression that the development would have no material changes to the street scape and setting of 145, 147 and the Coach House. The Council feels that the ambiguities regarding the shared access and potential for further revisions could in the long term materially affect the setting of both the Coach House and 147.

5. The deviation from a joint PIP approval for two dwellings to two separate schemes has undermined the Inspectors comments (With a sympathetic design, layout and consideration of the topography of the site, it would be feasible for a high-quality scheme to be provided that would complement the character and appearance of the CA.) by providing two unsympathetic schemes both in design and layout with separate access on to Wheatley Lane Road with no discernible enhancement of the existing Conservation Area, The application should be refused on Impact on the character, setting and amenity of the Carr Hall & Wheatley Lane Road Conservation Area.

The Council feels that the only viable option for both this application and 23/0503/FUL would be to again look at accessing both sites from the existing unadopted lane.

Growth Lancashire – comments awaited

#### United Utilities

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.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

### **Public Response**

Nearest neighbours have been notified by letter, a site & press notice have been displayed. The following comments have been made:

#### *Objection*

- The Inspector did not have opportunity to consider the impact which five houses would have (the existing semi, the coach house conversion and the two applied for under the Permission in Principle)

- Two access points for the dwellings was not agreed under the Permission in Principle
- Intensifying the access for the existing dwelling will bring air pollution and disruption to the adjoining neighbours
- Overlooking
- Loss of light from the garden
- The Coach House will result in a loss of privacy due to overlooking
- Impact upon Conservation Area
- Loss of wildlife
- Scale is out of character
- Overbearing
- Waste water disposal would result in water running through to the property to the south (143A)

#### *Support*

- This is sustainable development
- Many neighbours houses were once a field
- Large gardens are no longer desired
- Design uses traditional materials and is in keeping with the Conservation Area

### **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 ENV1 (Protecting and Enhancing Our Natural and Historic Environments) sets out that development should make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

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

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.

##### 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.

Paragraph 202 of the Framework states that where a proposed development 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.

### **Design**

The application site is located to the rear of the existing dwelling at No. 147 Wheatley Lane Road. The existing dwelling has a terracotta coloured roof tile to the roof and a pebble dash effect to the walls at the front. The walls to the rear are smooth rendered in an off white colour, with some mock Tudor boarding to the upper floor windows which is in black and white. There is also a single storey side extension to the main dwelling which is clad in cedar boarding. The design of the proposed dwelling has some elements of the existing dwelling reflected, such as the proposed red coloured brick (which would be similar in colour to the existing terracotta roof tile), the cedar cladding to match with the timber clad extension at 147 and the dark UPVC window frames. The design of the front & rear elevations of the proposed dwelling is also taken from the main dwelling at 147, with the two gable features and chimney, as with the rear of the existing dwelling. The roof is to be constructed of natural slate, with solar panels mounted to the south east roof slope. There are to be two colour tones of brick, to create contrast and to break up the frontage, one is to be red facing brick and the other is pale facing brick. There are also sections of aluminium panel running in a band around the dwelling, separating the first and ground floors. The vast majority of the proposed materials are traditional, being brick and natural slate. The aluminium panel is not a traditional material but is not used extensively across the building and would create some contrast, as with the mock Tudor panelling to the rear elevation of the existing 17 dwelling.

In terms of the fenestration, taking each elevation in turn, the north west facing elevation is to have two feature gables either side of the entrance to the dwelling. The windows are laid out in a modern arrangement with a large amount of glazing and full height windows. Although the windows are large, the solid to void ratio is acceptable and the openings do not look out of place.

To the south west elevation there is a blank gable, there are no openings. To the north east facing elevation there are two ground floor openings in addition to a pedestrian

door which has no windows. The window are in proportion with the solid to this elevation. Whilst the South East elevation does have a large amount of glazing this is the elevation which would be least visible from public vantage points within the Conservation Area. It is noted that there would be two balconies, either side of the chimney. They will be discussed in detail in the section on residential amenity. It is also characteristic of a modern design and is attempting to demonstrate the next generation of housing styles, rather than mimic entirely what is already existing. As such, although the south east elevation is modern in design, it is not out of keeping with the Conservation Area because it takes key cues and uses the colour pallet which is prevalent in the surrounding area.

The proposed layout of the dwelling is for an open plan kitchen / living area to the ground floor, as well as an office, lounge and utility room. To the first floor there are to be four bedrooms, each with an ensuite.

Overall, the proposed development represents a design which is which is acceptable in relation to Policy ENV2 of the Local Plan: Part 1 Core Strategy.

## **Heritage**

The Council's Heritage Consultants have reviewed the proposals and have concluded that the proposed development would have no discernible harm and would preserve the special character of the Conservation Area. The proposed design and use of gables mimics the Coach House/garage and its set back location results in a somewhat regressive scale, which is not overly prominent. In this context, the principle views of the conservation area would be preserved.

As such, the proposed development is acceptable in terms of Policy ENV2 of the Local Plan: Part 1 Core Strategy. There is no requirement for a balancing exercise to be undertaken as set out in paragraph 202 because this is not a case where harm to the heritage asset has been identified.

## **Residential Amenity**

Taking each elevation in turn, the residential amenity of neighbouring dwellings and the future occupiers of the dwelling are now considered. The south west elevation does not have any openings. Although the proposed dwelling is 7.6m in height this is not unusual for a two storey dwelling and would not be out of keeping with the majority of dwellings on Wheatley Lane Road. To the North West facing elevation although there are 8 windows, there is a separation distance of 21.5m between the rear of the existing dwellings at 145 and 147 and the front of the proposed dwelling. There would be a distance of 27m between the rear elevation of the Coach House (which has permission for residential conversion) and the front elevation of the proposed dwelling.

To the north east elevation there are to be two ground floor windows and a pedestrian access door which is unglazed. The two windows are secondary windows serving the

open plan living / dining area and there is a separation distance of 21m between each of the proposed dwellings in the rear gardens of 145 and 147 Wheatley Lane Road. As such, although there are windows to the side elevation which serve habitable rooms, there is sufficient separation distance to mean this would not result in an unacceptable impact upon neighbouring amenity.

Although comments have been received that there would be a loss of light to the garden at 149 Wheatley Lane Road, a garden is not a habitable room which would afford protection under the Design Principles SPD and Policy ENV2. Moreover, the proposed dwelling is to be 7.6m in height which is not as great in height as the belt of trees currently along the boundary between 147 and 149. Therefore, the proposed dwelling would block no greater amount of light than is currently blocked by the strong tree belt.

To the south east elevation there is a large amount of glazing, particularly to the ground floor. There is a separation distance, a minimum of 21m between the rear elevation of the proposed dwelling and the dwelling at 143A. The dwelling to the rear (143A) is a bungalow with dormer windows to the loft. There is a bedroom window to the first floor gable of the bungalow which face towards a bedroom window at 143A. Given that the separation distance accords with the Design Principles SPD, there would be no unacceptable neighbouring amenity issue here.

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

## **Trees**

The application is accompanied by a Tree Survey and an Arboricultural Impact Assessment which looks at each of the trees in and around the proposed dwelling. The proposal would result in the loss of some groups of trees to the south and west boundaries as well as G1 which is closer to the boundary with 145 Wheatley Lane Road. However, there is opportunity within the site boundary to mitigate the loss of trees. The Council's Environment Officer has reviewed the proposals and is content that the appropriate protection could be put in place to safeguard the trees which are proposed to be retained. The proposal accords with policy in this regard.

## **Highways**

The Highways Authority have not objected to the proposed development. The proposed development would result in the re-organisation of the already approved car parking at the Coach House. However, this is a separate matter and the site in question is the proposed dwelling to the rear of 147. The proposed dwelling is a four bedroom dwelling and three car parking spaces are proposed. This is sufficient to meet the requirements set out in Policy 31 of the Replacement Local Plan.

In terms of the access point, this is to be taken off the existing driveway at 147 Wheatley Lane Road. Again, the Highways Authority have not objected to this

arrangement given the low number of vehicles involved in the use of this driveway. I concur with this view.

## **Drainage**

The application site is within Flood Zone 1, which is least at risk from flooding. Development in this location would not result in an increase to flood risk elsewhere. The site would need to be drained so that surface water is separate to foul water, this can be secured by condition. Comments have been raised about the foul drainage being via a septic tank and due to the natural ground levels. The drainage of the site would have to be separate for foul and surface water. The Statutory Undertaker has set this out in their response to consultation. This is something which could be secured by planning condition.

As such, the proposed development accords with Policies ENV5 and ENV7 of the Local Plan: Part 1 Core Strategy.

## **Ecology**

The applicant has been asked to prepare a preliminary ecological appraisal. An update on this will be provided to Members.

## **Other Matters**

Other matters including that the Inspector for the Permission in Principle appeal was not aware of the eventual application for the Coach House conversion are not material to the determination of this application. The principle of development in this location has been established through the appeal. The applicant has since chosen not to submit a Technical Details Consent application but rather submit a Full Planning Application for one dwelling. Again, there is nothing to prevent the applicant from choosing to do this.

Air pollution on the driveway has been raised but this is for a small scale residential development and is not in an air quality management area, such the scale of the proposed development would not warrant further information to be submitted regarding air pollution. Neither is there a policy reason to refuse this application on the basis of air pollution.

## **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 6200-E41 Rev -, Proposed Site Plan 6200-P44 Rev A and 6200-P40 Rev B, Proposed Elevation Plans 6200-P41 Rev A, Proposed Site Plan, including Coach House and 147 parking plan 6200-P44 Rev -, Boundary Treatment Plan 6200-P45

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

3. Prior to any external works commencing, samples of all the external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter times be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. Prior to commencement of works on site, a foul and surface water drainage scheme shall be 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 approved shall be carried out in strict accordance with the Preliminary Ecological Appraisal [reference to be confirmed].

Reason: In order to safeguard protected species.

7. The development hereby approved shall be carried out in strict accordance with the Arboricultural Impact Assessment dated July 2023.

Reason: in order that the trees are adequately protected during the construction phase.

8. No part of the development hereby approved shall be occupied or brought into use until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. Works shall include, but not be exclusive to, the reinstatement of a section of footway approximately 6m to the West of the existing access, to an appropriate standard, including full height kerbs, and minor amendments to the dropped vehicle crossing to the East of the access.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

9. Prior to first occupation of the approved development 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.

10. Prior to first occupation the approved dwelling shall 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.

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

11. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans have been constructed and laid out. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings and the manoeuvring areas kept free from obstructions for the lifetime of the development.

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.

#### Informative note

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (short form Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the reinstatement of a section of redundant dropped crossing (approximate length 6m) to footway to an appropriate standard, including full height kerbs, and localised widening of the existing dropped crossing to the East of the access. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk) , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.