

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

**TO: WEST CRAVEN COMMITTEE**

**DATE: 5TH MARCH 2024**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning application.

## REPORT TO WEST CRAVEN AREA COMMITTEE 5<sup>TH</sup> MARCH 2024

**Application Ref:** 23/0792/FUL

**Proposal:** Full: Formation of an enclosed horticultural plot and the erection of an adjoining single storey orangery building.

**At:** Croft Gate Farm, Bracewell Lane, Bracewell

**On behalf of:** Mr Stephen Morton

**Date Registered:** 29/11/2023

**Expiry Date:** 24/01/2024

**Case Officer:** Laura Barnes

This application has been deferred from the meeting in February 2024, in order to allow the applicant to amend their plans.

### **Site Description and Proposal**

The application site relates to agricultural land and a building, adjacent to a barn set within the farmyard of Croft Gate Farm.

The proposal is for an extension to the existing agricultural building with an orangery (which has been partly converted to residential use under 13/98/0206P) and the erection of a walled garden around agricultural land.

### **Relevant Planning History**

22/0117/HHO: Full: Alterations to existing dormer window to create a larger dormer with french doors and Juliet balcony.

Approved with conditions

13/98/0206P: Extend dwelling into attached barn

Approved with conditions

### **Consultee Response**

#### **LCC Highways**

The proposal seeks the formation of an enclosed horticultural plot and erection of an orangery building.

#### **Access**

The Design and Access Statement submitted states that the proposed horticultural area would provide produce for local businesses and also create employment opportunities, both of which would lead to an intensification in use of the existing access.

The site is accessed from the A59 via a single vehicle width lane which provides access to five other properties. There is no access to public transport and so anyone going to the site would have to use a private vehicle. As no details of the site's intended operation have been

submitted the highway authority is unable to fully assess the impact it would have on the highway network, other than to say there would be an intensification.

It has also been noted that two Public Rights of Way (FP 13-10-011 and 13-10-017) pass along the lane from the A59, although no Public Footpaths pass through the development site itself.

#### Environment Officer (Trees)

The applicant has submitted an arboricultural impact assessment which has been reviewed. There is no objection in this regard. Protective fencing should be in place prior to any works commencing and in accordance with the Arboricultural Impact Assessment.

#### Yorkshire Water

Please refer to United Utilities

#### United Utilities

No comments received

### **Public Response**

The nearest neighbours have been notified by letter, without response.

### **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) 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 minimum parking standards for development.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and developments, setting out the requirements for good design and protecting residential amenity.

#### National Planning Policy Framework

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

## **Design**

The Design Principles SPD sets out some guidance relating to the conversion of barns. It sets out that it is important that farm buildings are preserved in their original form on the outside without unsympathetic additions or alterations. Changes to the roof slope, eaves line, and the addition of porches or conservatories are not usually appropriate. In this case the proposed development is to add an extension which is similar in appearance to a conservatory. It would sit behind a walled garden area which is an extension of residential curtilage into the Open Countryside upon agricultural land.

Amended plans have been received which reduce the impact of the orangery and the walled garden area. These are acceptable and the proposed development accords with Policy ENV1 of the Local Plan: Part 1 Core Strategy.

## **Residential Amenity**

The Design Principles SPD requires that proposed development does not result in an adverse impact upon neighbouring amenity.

There are no neighbouring properties on the side which the extension is proposed for a distance greater than 21m. The proposed development would not result in any unacceptable neighbouring impact.

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

## **Trees**

The applicant has provided an Arboricultural Impact Assessment due to part of the proposed stone walling being within the root protection area of a large mature tree. The Council's environment Officer (Trees) has reviewed the information submitted and recommended that the necessary protection is put in place prior to commencement of any works, in accordance with the arboricultural impact assessment. This is something which could be secured by condition in the event of an approval.

## **Highways**

The proposed development would not result in a reduction in parking provision on plot, nor would it increase the parking requirements for the property. Therefore, no objections are raised in relation to Policy 31.

## **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: Block Plan PL02 Rev B, Proposed Barn Floor Plans PL06 Rev A, Proposed Elevation Plans 1 of 2 PL07 Rev A, Proposed Elevation Plans 2 of 2 PI08 Rev A, Proposed Site Plan and Elevations PI09 Rev A, Proposed Roof Plan PI10 Rev A

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

3. All materials to be used for the proposed development hereby approved shall be as stated on the approved plans and they shall not be varied without the prior written permission of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

4. The development hereby permitted shall be carried out in strict accordance with the details of the Arboricultural Method Statement and Tree Protection Plan PR228

Reason: In order to protect the tree which is to remain on the site.

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**At:** Croft Gate Farm, Bracewell Lane, Bracewell

**On behalf of:** Mr Stephen Morton

## REPORT TO WEST CRAVEN AREA COMMITTEE 5<sup>TH</sup> MARCH 2024

**Application Ref:** 24/0009/FUL

**Proposal:** Full: Proposed access and driveway to serve existing dwelling.

**At** Land To The North West Of Letcliffe House, Manchester Road,  
Barnoldswick, Lancashire

**On behalf of:** Mr G. Griffin

**Date Registered:** 18.01.2024

**Expiry Date:** 14.03.2024

**Case Officer:** Iain Crouch

### **Site Description and Proposal**

The site is a rectangular strip of land of approx. 0.1Ha. It adjoins Letcliffe Lane at its southern end and projects into fields to the north.

Calf Hall and Gillians Conservation Area Conservation Area, and Open Countryside (i.e. not within the Settlement Boundary). Letcliffe Lane is a public footpath.

The proposal is to create a vehicular accessway from Letcliffe Lane to an area of land that received planning permission in 2018 for 'Erection of stone built holiday lodge' under 18/0170/FUL. This approval was subsequently varied in 2023 by a grant of consent for Removal of Condition 4 (Holiday purpose only) 23/0178/VAR. Note that the 23/0178/VAR Officer's Report states that the development has commenced, therefore the current application is taken as one to create an access to a site with planning permission for one dwelling 'under construction'. Planning permission was granted for the holiday lodge in 2018 utilising the access to nearby Letcliffe House as a shared driveway. The current application is to create a new and therefore individual access to the site, with the intention to create an independent access for each property.

It is proposed to surface the access with self-draining gravel and to retain existing hedging between it and the adjacent driveway currently approved for access to the site.

A Heritage Statement is submitted with the application.

### **Relevant Planning History**

23/0850/PIP – refusal of a Permission in Principle for up to three dwellings on land to the north, with the proposed access abutting and running parallel to the current application site.

23/0178/VAR - Variation of Condition: Removal of Condition 4 (Holiday purpose only) of Planning Permission 18/0170/FUL. Approved 07.06.2023.

18/0170/FUL - Erection of stone built holiday lodge (Re-Submission). Approved 26.06.2018.

17/0088/FUL - Siting of a timber holiday lodge. Refused 31.01.2018 and subsequently dismissed on Appeal.

## **Consultee Response**

### **Barnoldswick Town Council:**

Not received to date (19.02.2024)

### **Highways LCC:**

No objection subject to the following Conditions:

1. Prior to the first use of the driveway, it shall be paved and drained for the first 5m from the edge of the Letcliffe Lane and any gates shall be set back by the same distance.

Reason: To avoid loose debris being tracked onto the highway.

2. Prior to the first use of the driveway the existing wall and hedge which is sited between the existing driveway to Letcliffe House and the new driveway shall be reduced in height to below 1m for at least 2m back from the edge of the Letcliffe Lane and shall be maintained at this height for as long as the driveway is in use.

Reason: To maximise visibility for highway safety.

### **Yorkshire Water:**

Please refer to UU for its comments.

### **United Utilities:**

Not received to date (19.02.2024)

### **PBC Engineering:**

Not received to date (19.02.2024)

### **Environmental Health:**

No objection subject to the following Condition:

No machinery shall be operated nor any process carried out at the site outside the periods between the hours of 08:00 and 18:00 on weekdays and 09:00 and 13:00 on Saturdays and there shall be no machinery operated or process carried out at all on Sundays, Bank or Public Holidays.

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

### **PBC Public Rights of Way:**

Not received to date (19.02.2024).

## **Public Response**

Comments received from two persons to date (19.02.2024), points being:

Concern about how the previous application was passed if the then proposed access wasn't suitable.

Suspicion that the access may be used to gain vehicular access to a field to the north that was subject to a PiP refusal earlier this year.

A new access point would create additional highway danger on Letcliffe Lane, particularly as to be directly adjacent to an existing access.

### **Relevant Planning Policy**

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

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

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

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

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

The Development in the Open Countryside SPG requires that development in the open countryside is in proportion with the area and appropriate to its setting.

The Pendle Conservation Area Design and Development Guidance SPD.

### **Officer Comments**

#### **Principle:**

The Development in the Open Countryside SPG requires that development in the open countryside is in proportion with the area and appropriate to its setting. In this instance the proposal is for relatively minor works to land that is distinct from adjacent fields in appearance due to its linear shape. The land contained a number of small buildings until 2018-2020 (Google Earth). The point of access to Letcliffe Lane appears to have been surfaced in part in tarmac between 2018-2020 (Google Earth). The land has a despoiled appearance. Given that this piece of land is distinct from adjacent fields by its linear shape, its previous use and its juxtaposition to an existing driveway and dwellings, no significant encroachment into the countryside will occur so on balance acceptable in principle.

#### **Design and Materials**

Other than gravel surfacing between grass verges and creation of a drainage channel to prevent surface water running onto the highway, the proposal involves little prominent operational development.



## **Residential Amenity**

No detriment to residential amenity. In respect of the EH Consultee's suggestion of an 'hours of operation' Condition, this is considered unnecessary for a development of this scale.

## **Highways**

No objection provided the first 5.0m of the access is surfaced in a manner that will prevent debris being deposited on Letcliffe Lane, and that the first 2.0m of hedge separating the existing and proposed driveway is no higher than 1.0m to enable clear visibility in both directions.

## **Impact upon Conservation Area**

NPPF Para. 208. '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.'

In this instance the proposed use of the land plus small amount of operational development is considered to comprise 'less than substantial harm' to the Conservation Area. There will be no public benefit, however one could argue that use as an access is the 'optimum viable use' of the land given its location and shape. The Conservation Area boundary is drawn in a position to create a 'frame' of countryside around the southern and western sides of Barnoldswick, and the proposal does not conflict with that purpose. Very much on balance acceptable.

## **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, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

## **RECOMMENDATION: Approve**

Subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved Plans and Statements:

Drawing No. GRIF/04 Dwg01

Drawing No. GRIF/04 Dwg02

Drawing No. GRIF/04 Dwg03

3. Prior to the first use of the driveway, the initial 5.0m from the edge of the Letcliffe Lane shall be surfaced in a bound, porous material to the satisfaction of the Local Planning Authority and be so retained. No gates shall be installed within this initial 5.0m length.

Reason: To avoid loose debris being tracked onto the highway and to ensure that sufficient space is retained on the driveway to allow a vehicle to park clear of the highway whilst gates are opened.

4. Prior to the first use of the driveway, the existing wall and hedge which is sited between the existing driveway to Letcliffe House and the new driveway shall be reduced in height to below 1.0m for a minimum of 2.0m distance from the edge of the Letcliffe Lane and be so retained at this height for the lifetime of the development.

Reason: To maximise visibility at the junction of the driveways and Letcliffe Lane in the interests of highway safety.

**Application Ref:** 24/0009/FUL

**Proposal:** Full: Proposed access and driveway to serve existing dwelling.

**At** Land To The North West Of Letcliffe House, Manchester Road,  
Barnoldswick, Lancashire

**On behalf of:** Mr G. Griffin

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NPW/MP**

**Date:** 2nd February 2024