

## **Barrowford and Western Parishes Committee – Planning Update - 5<sup>th</sup> June 2024**

### **24/0097/VAR: Parrock Road, Barrowford**

The condition relating to the approved plans (condition 2) required updating to reflect the amended plans and in order to keep the plans for plot 2, from the original decision notice. As such, there has been a change to the wording for condition 2 to incorporate this, as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan A007\_P\_001, Existing Site Plan A007\_P\_003A, Proposed Site Plan A007\_P\_100A, Proposed Site Plan A007\_P\_100A, Plot 1 Proposed Plans 1 of 2 A007\_P\_101, Plot 1 Proposed Plans 2 of 2 A007\_P\_102, Plot 2 Proposed Plans and Elevations A007\_P\_103, Proposed Site Sections A007\_P\_300, Plot 1 sections A007\_P\_301, General Arrangement Plan Sheet 1 of 2 1016-ASRI-XX-XX-DR-L-001 Rev 05, Softworks Drawing Sheet 1 of 2 1016-ASRI-XX-XX-DR-L-0003 Rev 01, Softworks Drawing Sheet 2 of 2 1016-ASRI-XX-XX-DR-L-0004, Boundary Plan Sheet 1 of 2 1016-ASRI-XX-XX-DR-L-006 Rev 01, Boundary Plan Sheet 2 of 2 1016-ASRI-XX-XX-DR-L-0006, Tree Protection Plan 1016-ASRI-XX-XX-DR-L-0007 Rev 01, Tree and Hedge Planting Plan 1016-ASRI-XX-XX-DR-L-2000 Rev 01, Plot 1 – Proposed Lower Ground Floor Plan A007\_L(00)01, Plot 1 - Proposed Ground Floor Plan A007\_L(00)02, Plot 1 – Proposed First Floor Plan A007\_L(00)03, Plot 1 - Proposed Elevation Plan A007\_E(00)06 Rev H, Plot 1 – Proposed Elevations A007\_E(00)07 Rev G, Arrival Entrance 1016-ASRI-XX-XX-DR-L-0015 Rev 01

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

There is no change to the recommendation which is to approve, subject to conditions.

### **24/0247/VAR Wheatley Lane Road, Barrowford**

**Barrowford Parsh Council – Object.** This Section 73 application if approved will in effect be a new application with new documentation and Grant of Permission notice. Barrowford Parish Council considers that this new application should be kept within the Conditions set out by the Planning Inspector in the appeal decision.

There does not appear to be a supporting letter with the application to make clear which plans are seeking to be replaced. This should be clear for members of the public and statutory consultees.

Approved Scheme 79 Units – Proposed variation 75  
Approved scheme 11 House types – Proposed 15

Whilst it is accepted that there is a reduction in the overall number of units on the site, of particular concern is the elevational detail including proposed materials along the Wheatley Lane frontage.

The Planning Inspector specifically referred to the materials and design detail of the properties along Wheatley Lane frontage. Barrowford PC wants to ensure that the design quality is not diluted and still complies with the assessment that the Inspector made in his decision.

The approved plans for the frontages to Church Street (Wheatley Lane Road) are abutting the conservation area which runs into the development site were considered by the Inspector to not have a detrimental affect on the setting and amenity of the Conservation Area. The house designs are of a more traditional design with stone lintels, jambs and sills with mullions to the larger windows to the front elevation and a stringing course at ground floor lintel level. The houses that show a side elevation have gables and show symmetry in the window layout which also have stone lintels, jambs and sills. The treatment of the door openings giving a column and portico effect gave a Regency aspect to the frontages the use of blue slates also completed the traditional design.

The three nearest buildings within the Conservation Area consist of Oaklands Farm a large late 18<sup>th</sup> century farmhouse built for a prosperous farmer with a more recently converted barn attached. The mid-19<sup>th</sup> century Oaklands Lodge which although modest in size has architectural features as befitting its association with Oaklands House the third is the former St Thomas School which dates from the early 19<sup>th</sup> century and has mullioned windows and period design.

The Proposed House types along Wheatley Lane resemble a generic modern house design readily available on the developers' other sites. The designs may be acceptable when not in close proximity to a Conservation Area and key ancient gateway into Barrowford. The look is a pastiche, but not quite achieving the design and material qualities of the approved housing scheme.

The removal of jambs, mullions and other architectural features, thicker framed plastic windows instead of jambs and mullions, the inclusion of lean-to style porches to some of the house design types and dormer windows clad in unspecified materials are detrimental to the setting and amenity of both the Conservation Area, the streetscape and the essential views contained in the Barrowford Neighbourhood Plan.

Barrowford Parish Council object strongly to the proposed revision to housing design types on the grounds that the proposed designs do not conform with Planning Inspectors decision, and would be detrimental to the setting and amenity of the Conservation Area.

The Parish Council would consider removing its objection if new plans which better reflected the setting and materials in both design and materials for these prominent houses highlighted in the Appeal decision.

### Relevant parts of the Appeal decision

*'Para 12': The design of the dwellings to the front of the site take into account features of nearby buildings, and include mullioned windows, stone roof coping and stone detailing. The frontage properties would follow a traditional form and proposed materials include natural stone and slate.'*

The revised house types along Wheatley Lane frontage do not have stone copings and do not have stone mullions as stone on the approved scheme. As this was something which was specifically picked up by the Inspector, it should follow through in any subsequent permissions. The Wheatley Lane frontage forms part of the Conservation Area and should be respected and enhanced as such.

*'Para 13 – The proposed materials (including artificial stone and grey roofing slates) and design of the dwellings (including those not located to the front of the site) would not be out of character with other dwellings in the locality which vary in design character and appearance.'*

It is noted that there is general materials condition (10 of 2022/0197 FUL) which should follow through on any subsequent decision.

*'No above ground works shall take place until samples of the materials and finished of the external walls, roofs, windows and doors to be used in the construction of the*

### Wall and access detail

It should be clear that there are no changes to the access and wall detail as detailed on plan reference 22-105-P64 A . There does not appear to be a plan which seeks to amend this in the latest variation plan. wall, plan number

### Window detail

Condition 20 of approval 2022/0197 states;

*20). The window openings of the dwellings hereby permitted shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.*

Will the revised house types still achieve this level of design detail?

### **LCC Highways – Revised comments in response to the amended plans:**

The site access arrangement was agreed and discharged under application 23/0333/CND. Condition 5 drawing DART engineers Ltd S278 site access works 23147-DR-C-0801-P2 agreed the site access carriageway width of 6.5m for the first 20m and then reduced to 5.5m. This is reflected on the submitted drawing.

Raised tables are included to ensure a self-enforcing 20mph speed limit is provided. The pedestrian link has been removed to the north east of the site onto the lane which serves Oaklands Coach House. This is not a recorded public right of way therefore we would raise no issue with the removal of this link.

The hedges between the driveways and along the frontage of the dwellings will need to be kept below 1m high to ensure visibility is maintained for drivers negotiating the

driveways. This will need to be conditioned.

**Conservation Consultants** – Revised comments in response to the amended plans:

The amended design now provides a more organic design, and the former uniform spacing between houses which created a more suburban appearance, is broken up by provision of terraces at varying heights, and the omission of the lean-to porches is positive in providing simple elevations as would be expected traditionally, allowing the buildings to assimilate well into their surroundings. The removal of fencing and replacement with natural stone walling, and confirmation that the walling to this elevation will be natural stone with natural slate roofs is positive, and will not cause any additional harm to the character or appearance of the CA than the original application.

The proposal, currently outlined in the submission documents, represents no increased level of harm to the Barrowford CA, and the proposal conforms with policies ENV1 and ENV2 of the Core Strategy, and guidance contained in the National Design Guide and Conservation Area Design and Development Guidance SPD.

Officer Comments

The issues raised by LCC Highways have been resolved. It has been raised that hedges adjacent to driveways should be kept to less than 1m in height. The landscaping of the development is controlled by condition 6 the submitted layout does not represent a landscaping scheme and condition 6 is not proposed to be varied. A separate discharge of conditions application has been made for condition 6 and this matter can be controlled in that determination.

The Conservation Consultants response supports the officer's assessment in the Committee Report that the amended design would not result in additional harm to the Conservation Area over the approved development.

The recommended conditions 3 (construction method statement), 4 (estate street phasing), 5 (access works), 7 & 8 (contamination) and 10 (materials) have been updated to reflect the details approved under discharge of conditions and condition 19 revised to include foul drainage as an updated drainage plan has not been included in the submitted plans.

It is recommended that the application be approved.

**Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development accords with Local Planning Policy and the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development

plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

**RECOMMENDATION: Approve**

1. The development hereby permitted shall begin not later than 3 years from 23<sup>rd</sup> February 2023.

**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: 22-105-P01, SL-01B, EL01, AW-01, SS04, ASH 1.7, BEA 1.7, BRO 1.7, CHA 1.7, CHU 1.7, EAS 1.7, GRA 1.7, HEA 1.7, HEN 1.8, MIL 1.7, OAK 1.7, SHE 1.7, WAL 1.7, WAR 1.7, WIN 1.7, WIN 1.8, WINS 1.7, SS04.

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

3. The development shall be carried out in accordance with the submitted Construction Method Statement and CMS Plan 22-105-P81, notwithstanding any indication in the Construction Method Statement unless otherwise approved in writing by the Local Planning Authority the hours of operation for construction works shall be limited to Monday to Friday 08.00 – 18:00, Saturday 09:00 – 13:00 and no working on Sundays.

**Reason:** In the interest of highway safety and residential amenity.

4. The development shall then be carried out in accordance with the submitted Estate Street Phasing and Completion Plan.

**Reason:** To ensure the phasing and completion of estate streets serving the development are completed.

5. The site access shall be constructed to base course in accordance with the approved plan No. AW-01 prior to any delivery vehicle movements being commenced.

**Reason:** In the interest of highway safety.

6. No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
  - a) indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development;
  - b) planting plans;
  - c) written specifications (including cultivation and other operations associated with plant and grass establishment);

- d)** schedules of plants noting species, plant supply sizes and proposed numbers/ densities;
- e)** boundary treatment[s];
- f)** vehicle parking layouts;
- g)** hard surfacing materials;
- h)** an implementation programme (including phasing of work where relevant);
- i)** a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** To ensure that the development is adequately landscaped so as to integrate with its surroundings and in the interest of highway safety.

7. The development shall be carried out in accordance with the submitted Ground Investigation Report.

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

8. The remediation scheme shall be carried out in accordance with the Ground Investigation Report, and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the Local Planning Authority, before the development is occupied.

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

9. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These

approved schemes shall be carried out before the development is resumed or continued.

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

10. The materials and finishes of the external walls, roofs, windows and doors used in the construction of the external surfaces of the dwellings hereby permitted shall be in accordance with the submitted document 'Condition 10 - Materials Details'.

**Reason:** To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity and the significance of the Conservation Area.

11. The following package of measures shall be implemented, through a S278 Agreement under the Highways Act 1980, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling:

a) dropped kerb/tactile paving on Wheatley Lane Road/ Church Street to connect internal footway links to wider network;  
b) Two bus stops on Wheatley Lane Road at bus stops 2500LAA07261;  
c) Kerb realignment at Hill Top/ Church Street junction to assist pedestrians;  
and d) Introduction of associated traffic regulation orders.

**Reason:** To ensure that the final details of the highway scheme/works are acceptable before first occupation in the interest of highway safety.

12. Within 3 months of the development hereby permitted commencing, engineering, drainage, street lighting and constructional details to adoptable standards (Lancashire County Council specification) of the internal estate roads shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.

**Reason:** To ensure that the estate road is acceptably constructed in the interest of highway safety.

13. No dwelling hereby permitted shall be occupied until visibility splays 2.4 metres back from the centre line of the access and extending 40m to the east side and 44m to the west side on the nearside carriageway edge in both directions have been provided at all accesses/junctions, as shown on the approved plans. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

**Reason:** To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

14. No dwelling hereby permitted shall be occupied until details of the arrangements for future management and maintenance of the estate road within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

**Reason:** To ensure provision for the management and maintenance of the estate road in the interest of highway safety.

15. The internal estate roads and pedestrian links to the eastern and western corners of the site joining Wheatley Lane Road/ Church Street shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling.

**Reason:** To ensure that the estate road and pedestrian links are constructed in the interest of highway safety.

16. No dwelling shall be occupied until the driveways and parking areas have been drained and surfaced in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority, and that area shall thereafter be kept available at all times for the parking of vehicles.

**Reason:** To ensure an adequate level of car parking provision in the interest of highway safety.

17. Prior to first occupation, each dwelling shall have access to a secure bicycle store at a ratio of 1 cycle space per bedroom. That space shall thereafter be kept available for the parking of bicycles.

**Reason:** To support sustainable transport.

18. Prior to first occupation, each dwelling shall be fitted with 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 current electric vehicles.

**Reason:** To support sustainable transport.

19. No dwelling hereby permitted shall be occupied until foul and surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Before any details are submitted to the Local Planning Authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall: • provide information about the design storm period and intensity, the method employed to delay and



control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- include a timetable for its implementation and;
- provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- 20.** The window openings of the dwellings hereby permitted shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

**Reason:** To ensure the continuation of a satisfactory appearance to the development and to protect the significance of the Conservation Area.

- 21.** The development hereby permitted shall be carried out in accordance with the recommendations of the submitted Preliminary Ecological Appraisal (dated October 2020). Prior to the occupation of the first dwelling, a scheme of ecological enhancement shall have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved scheme.

**Reason:** To ensure the ecology of the site is enhanced and protected species are not harmed by the development.

- 22.** The approved Travel Plan (dated March 2022) shall be implemented, monitored and reviewed in accordance with Travel Plan Targets which shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timing set out in the submitted Travel Plan.

**Reason:** To reduce the number of car journeys and deliver sustainable transport objectives.

- 23.** The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy (dated March 2022, reference LRD31208 Revision B, prepared by Sutcliffe). The measures shall be implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme.

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

- 24.** A CCTV survey of any culvert which crosses below the proposed highway and existing highway along the site frontage (Wheatley Lane Road/ Church Street)

shall be undertaken within 6 months of the completion of the development. Any identified defects resulting from the survey shall be rectified within 6 months of the survey.

**Reason:** In order to avoid unnecessary maintenance liability prior to adopting the highway network.