

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

**TO: BARROWFORD AND WESTERN PARISHES COMMITTEE**

**DATE: 10<sup>TH</sup> JULY 2024**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 10<sup>TH</sup> JULY 2024

**Application Ref:** 24/0247/VAR

**Proposal:** Section 73. Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 22/0197/FUL.

**At:** Land To The North East Of Saint Thomas Church, Wheatley Lane Road, Barrowford

**On behalf of:** McDermott Homes Ltd

**Date Registered:** 15/04/2024

**Expiry Date:** 15/07/2024

**Case Officer:** Alex Cameron

This application was deferred from June's Committee meeting.

## **Site Description and Proposal**

The application site is 3.24 hectare area of agricultural land within the open countryside adjacent the settlement boundary of Barrowford. St Thomas' Church and school are to the west, Wheatley Lane Road / Church Street to the south and a private access drive to dwellings and dwellings on Lupton Drive to the north and east, with open land beyond to the north west. The southern part of the site adjacent to Wheatley Lane Road / Church Street falls within Barrowford Conservation Area and there is a band of protected trees around the boundary of the site.

Planning permission has been granted on appeal for a proposed development of 79 dwellings on the land. This is an application to vary condition 2 (plans) of that planning permission to amend the layout and design of the development. The amended layout would result in a reduction in the number of dwellings to 75. The layout would remain similar to the approved development, with the same access and general layout but alterations to house types and minor changes to the internal layout.

## **Relevant Planning History**

22/0197/FUL - Full: Major: Erection of residential development of 79 dwellings and estate infrastructure, including construction of new access from Wheatley Lane Road plus ancillary open space and landscaped areas. Appeal allowed

24/0211/NMA - Non-Material Amendment: Amend the description of the development of Planning Permission 22/0197/FUL to "residential development and associated works". Approved

## **Consultee Response**

**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.

**Lead Local Flood Authority** – No objection.

**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.

**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?

## **Public Response**

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

- Heritage impact of loss of part of the wall
- Inferior landscaping scheme
- Loss of trees
- Loss of privacy
- Highway and pedestrian safety impacts
- Inadequate parking
- Increased flood risk
- Impact on local services and facilities
- Impact on wildlife and protected species
- Disruption from construction

## **Officer Comments**

### **Policy**

#### Pendle Local Plan Part 1: Core Strategy

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.

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design and meet future demands whilst enhancing and conserving our heritage assets.

Policy ENV4 requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused.

#### Barrowford Neighbourhood Development Plan (BNDP)

BNDP 01 – States that housing developments which are acceptable in principle in accordance with the LPP1 will be considered in relation to the following relevant criteria: design confirming to policies ENV2 and LIV5, protection and enhancement of the Parish's landscape settings in accordance with BNDP 08 and ENV1, protection and enhancement of designated and non-designated heritage assets in accordance with the Framework, do not have an unacceptable impact on residential amenity impacts, are sustainably located and appropriate to the surrounding context.

## **Design and Heritage Impact**

In allowing the appeal for this development the inspector stated that: “The design of 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. Boundary planting, once established, would filter views of the development.”

“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.”

The original plans submitted with this application proposed more generic house types to the frontage, and the Conservation Consultants comments were that this would lead to additional less than substantial harm to the Conservation Area. The plans have been amended to better reflect the character of the area, with stone roof copings, mullioned windows, varied roof heights and removing the lean-to porches in favour of more traditional appearing plain front elevations.

## **Residential Amenity**

Concerns have been raised regarding the revised positions of plots and resulting impacts on the privacy on adjacent dwellings. Plot 1 would be relocated closer to Oaklands Lodge and windows in the south elevation would be approximately 20m from a habitable room window in that property, however, the view would be at an angle rather than direct and would not result in an unacceptable loss of privacy. All other plots would maintain well over 21m (35m or more) from habitable room windows in surrounding properties.

## **Highways**

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.

## **Other conditions**

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 nonstatutory 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.

**Application Ref:** 24/0247/VAR

**Proposal:** Section 73. Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 22/0197/FUL.

**At:** Land To The North East Of Saint Thomas Church, Wheatley Lane Road, Barrowford

**On behalf of:** McDermott Homes Ltd

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 10<sup>TH</sup> JULY 2024

**Application Ref:** 24/0262/CEA

**Proposal:** Certificate of Lawfulness (S.192 Proposed Development): Erection of a single storey rear extension, insertion of rooflights and various changes to existing openings.

**At:** Far Banks Farm, Cross Lane, Barley

**On Behalf of:** Mr Mark Platt

**Date Registered:** 24/04/2024

**Expiry Date:** 19/06/2024

**Case Officer:** Laura Barnes

## **Site Description and Proposal**

The application site is an existing dwelling on Cross Lane. It is located within the Open Countryside and National Landscape (formerly Area of Outstanding Natural Beauty).

This proposal seeks to gain a Certificate of Lawfulness (Section 192 – Proposed Development) for various elements of development including the following:

- Single storey rear extension
- Insertion of roof lights
- Various changes to fenestration including increasing opening sizes of windows, reducing some openings, removal of windows and insertion of new windows / openings.

## **Planning History**

24/0095/HHO: Full: Replacement of an existing single-storey extension, erection of a single-storey outdoor store for plant; creation of a first floor external terrace with walkway; various minor fenestration changes and the relocation of an existing garden pod.

Withdrawn

## **Consultee Comments**

### **Barley Parish Council**

Comments Application for Certificate of Lawful Development 24/0262/CEA

The Parish Council raised several objections to the Original Planning application (24/0095/HHO) related to this property in March 2024.

A number of amendments were then submitted by the developer, seemingly in response to the Parish Council's objections, and there were Amended Plans issued. The Parish Council subsequently verbally updated the PBC Case Officer that all the Council's objections were withdrawn.

Before we could confirm this in writing we were surprised to be informed that the developer had withdrawn the amended planning application and a new application had been made for a Certificate of Lawful Development (CoLD).

From reviewing the plans associated with the CoLD it is evident that the developer has decided to, in part, go back to the original planning application design in some instances and in other retained the features of the amended plans.

Our main concern with the CoLD plans relates to the change of existing windows and the addition of new windows proposed for the property; the CoLD plans bring back the proposals in the original planning application which the PC objected to.

The PC are aware that it is possible to build, renovate and extend in an Area of Outstanding Natural Beauty using permitted development rights. However, permitted development rights are often restricted in Areas of Outstanding Natural Beauty and other designated areas and within this AONB there should still be certain restrictions in place that limit the size, scale or style of the renovations that can be carried out.

Our concerns / objections with the proposed appearance of this property are:

#### *North Elevation*

The proposed dropping of the sills on the first-floor windows to make bigger windows (in the old barn) unbalances the elevation and has a significant contrasting effect to the original character of the property. The existing 3 mullion windows are of a style and size to match other existing windows on the elevation and the property, the PC primarily suggests these should be retained. The windows in the amended plans were considered acceptable but the windows in the CoLD application are too large and so out of keeping.

#### *North & Western Elevation Windows*

There is a huge window (no dimensions) that is proposed at the corner of the building between the north and western elevation. The PC considers that these windows are of a size that does not match any existing windows and their inclusion modernises the appearance of the property.

#### *West Elevation*

Two large glazed sliding doors again change the character of the property.

It would seem these open on to the flat roof of the replaced single storey extension. The elevation shows a stone parapet detailing to the roof and our view is that the parapet, rather than a glazed balustrade as proposed in the original plans, would minimise the impact of these windows.

#### *Southern Elevation*

Our only comment is that more roof lights are being added making 7No in total

Within the AONB we aim to try and protect a dark valley and this property already has a lot of windows. Our view is the addition of so many large windows, including roof lights, will compromise the dark valley given the property is highly visible in an isolated location.

The Council supports the new owners wanting to upgrade the property both internally and externally. The Parish Council has only passed views on the proposed external changes to the

property. Our overview is that the proposal is to shift away from the 1988 barn and shippon conversion appearance and make it look more like a modern looking building. Given the prominent position of the property, standing high and isolated within the AONB, we consider any changes to the existing design should consider the unbalancing impact of so many large windows.

## **Public Comments**

As necessary

## **Officer Comments**

The consideration in determining this Lawful Development Certificate is whether the proposed developments fall within the limits of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

## **Assessment**

A planning history search confirms there is no evidence to show that permitted development rights have been removed, by condition. The use of the dwelling has not been granted as part of a change of use, permitted elsewhere within the GPDO.

Taking each element of the regulations in turn, the various parts of development will now be discussed.

### *Class A*

#### **Alteration to windows / openings**

Class A allows alterations to windows where there are existing openings. In each of the proposed enlarged openings they are in the position of an existing window. The larger openings to the first floor windows to the north elevation are indicated on the proposed plan as being fixed (non-opening) and obscurely glazed. As this is a side elevation, this is stipulated in the regulations. The larger window in the ground floor to the same (north) elevation would not be required to be obscurely glazed or fixed because they are not an upper floor. The proposed plan indicates that the openings to the roof are to be obscurely glazed and fixed, as set out in the regulations.

#### **Single storey rear extension**

The proposed extension is to the rear of the dwelling and does not project beyond the side walls. It is to measure 3m in height, with a flat roof. It is to project out from the original rear walls of the dwelling by 3.9m. The applicant's agent has provided the following statement in an attempt to prove that this is a rear extension to the property, as follows:

*“The front door is through the original barn door – this is used by himself and any visitors as the front entrance to the property. It is located directly facing the access, it is the elevation which faces the nearest highway, and is the closest door from the driveway. This is the most prominent, visible and impressive door to the property and is where visitors are drawn to when approaching the property. This door enters directly into the entrance hall with stairwell, has a doorbell and external lighting to highlight.*

*In contrast, the small door down the side of the property on the South is the rear door leading into the utility, WC and the rear of the kitchen. This door is screened from the driveway, and provides private access onto the rear garden via a narrow walkway.”*

The proposed openings to the first floor which are larger than the existing (west elevation) are to be fixed / non-opening, due to them being to the first floor this accords with the regulations. The proposed rear extension falls within the parameters of permitted development under Schedule 2, Part 1, Class A of the GPDO.

*Class C*

#### Insertion of Roof Lights

There are to be four roof lights to the north elevation roof slope and three to the south elevation roof slope. The applicant has indicated that these are to be obscurely glazed, fixed units and would not protrude more than 0.15m beyond the plain of the roof slope.

As such, the proposed roof lights conform with Schedule 2, Part 1, Class C of the GPDO.

#### **Reason for Decision**

On the balance of probability, the proposed development does accord with the limits and conditions the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore would be permitted development. This certificate should therefore be granted.

**RECOMMENDATION: Grant lawful development certificate**

**Application Ref: 24/0262/CEA**

**Proposal:** Certificate of Lawfulness (S.192 Proposed Development): Erection of a single storey rear extension, insertion of rooflights and various changes to existing openings.

**At:** Far Banks Farm, Cross Lane, Barley

**On Behalf of:** Mr Mark Platt

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 10<sup>TH</sup> JULY 2024

**Application Ref:** 24/0323/FUL

**Proposal:** Full: Conversion of existing barn and outbuilding into 5 no. dwellings.

**At:** Park Hill Barn, Gisburn Road, Barrowford

**On behalf of:** Mr Evans

**Date Registered:** 19/04/2024

**Expiry Date:** 14/06/2024

**Case Officer:** Laura Barnes

## **Site Description and Proposal**

The application site is a barn within the Higherford Conservation Area and also within the Green Belt.

The proposal is for the conversion of the historic barn to provide four dwelling and also the reconfiguring of the existing outbuilding to create a fifth dwelling.

## **Relevant Planning History**

13/00/0288P: Erect cattle shed 27.4m x 27.4m.  
Approved with conditions

13/00/0300P: Erect cattle shed No. 2 16.7m x 27.4m.  
Withdrawn

13/04/0818P: Full: Conversion of barn to form two dwellings.  
Approved with conditions

13/06/0531P: Full: Change of use from agriculture to horsiculture, alter existing building to form 9 stables and associated tack room and create a 40m x 20m menage.  
Withdrawn

13/07/0411P: Full: Form 9 livery stables, tackroom and wash area in outbuilding and construct 40m x 20m manege (Re-Submission).  
Approved with conditions

13/08/0434P: Full: Erection of agricultural livestock building.  
Withdrawn

13/08/0577P: Full: Erection of domestic garage to gable elevation.  
Approved with conditions

13/08/0590P: Full: Erection of agricultural livestock building.  
Refused

13/97/0251P: Erect a bungalow in garden  
Refused



19/0361/FUL: Full: Conversion and extension of barn to form five dwelling houses.  
Approved with conditions

21/0725/FUL: Full: Erection of agricultural livestock/machinery storage building (412 sqm).  
Refused

22/0390/FUL: Full: Erection of an agricultural livestock/machinery storage building.  
Approved with conditions

## **Consultee Response**

### **Environment Agency**

No objection

### **Barrowford Parish Council**

This is a new application to convert the barn as the previous application 19/0361/FUL has time elapsed.

The Parish Council appreciates that the granting of that application showed that the conversion of the barn site to 5 dwellings within both the Higherford Conservation Area and the Green Belt was permissible.

The barn in question has suffered additional degradation over the last 5 years due predominantly to water ingress through lack of maintenance and basic repairs. The Parish Council is keen to retain this large prominent building within the Higherford Conservation Area which covers most of the oldest buildings within Barrowford and contains the highest proportion of listed buildings many within 250m of this site.

The basic concept of demolishing some of the later extensions would reveal some of the original layout of the barn and could be seen to enhance the building. The removal of the derelict shippen would improve the current visual amenity of the site but some of the proposed features could be seen as detracting from the setting and amenity of both the conservation area and the green belt and would need to be altered to reduce the modern suburban feel of certain areas.

1) The two large bi-folding doors to the riverside elevation although alluding to as two larger barn doors in no way represent a barn door in both location and scale and are a justification to insert the bi-folding doors. This elevation of the barn is the most prominent when applied to the setting and visual amenity of this important conservation area when viewed from, the abutting PROW, Higherford Bridge and Gisburn Road. The opening need to be redesigned to be more compatible with the surrounding land/streetscape.

2) Similar comment can be applied to unit 5: The Parish appreciates that the North Elevation has needed to be reconfigured to change it from multi access, multi use to one internal use. The removal of one window and door to the north elevation and replaced with a floor to eaves glazed opening does reflect a former barn entrance. The treatment of the more prominently visible south elevation and inclusion of a large bi-folding door looks more current urban than setting and visual statement from both the footpath leading to Colne Road with the Heritage Centre as a backdrop or from Gisburn Road.

If a more sympathetic design of these openings with perhaps the opening being broken down to two openings by the insertion of a central jamb and French doors.

3) The creation of four small gardens/parking places/ bin stores to the East elevation does not quite make sense, when the four dwellings in the main barn are already provided with front gardens the additional distance from the dwelling to the additional parking/bin store /cycle store/small garden area. There is a potential for bins and cycles to be brought nearer to the pertinent properties, possibly resulting in amenity of the conservation area.

4) The proposed boundary treatments to many of the areas include wooden closed board fences. These are out of character with both the proposed development and the Conservation Area. The proposed west elevation of the main barn shows the use of a stone wall up to plot 5 boundary, with closed boards used as internal divisions. This style of boundary promotes both the status and finish of the development and its place within the Conservation Area.

The Parish Council would like the wall to continue around plot 5 and the external boundaries of the proposed 4 plots with adequately wide vehicle access openings in the East Elevation of the proposed 4 gardens/parking.

The Council would like to see local tree species used for any form of hedges or trees to increase the biodiversity to the indigenous wildlife.

5) Access to the site: In the intervening years since application 19/0361/FUL was approved traffic flows since the end of the pandemic restrictions seems to have increased but the original application had concerns from the Highway Authority and conditions regarding the ingress and egress to the development, the Parish Council expect that the LCC Highways will submit a detailed report in their own right and that there may be additional conditions to fulfil.

The Parish Council would expect to see as a minimum that the conditions and works highlighted in application 19/0361/FUL are implemented together with addressing any other LCC concerns.

The Parish Council would like to see if Section money could be applied to improve the PROW from adjacent the development to the Heritage Centre Car Park which could be upgraded to improve the setting and amenity of the Conservation area and provide a safer corridor for walkers including potential future residents of the development to reach the Memorial Park and the shopping centre of Barrowford.

## LCC Highways

### *Access*

There is an existing access on Gisburn Road A682 serving the site. Improvements to the junction of the site access and Gisburn Road are required, as previously agreed and conditioned.

The internal layout provides adequate space for a large vehicle to enter, turn and exit onto Gisburn Road in forward gear, which is considered necessary.

The site layout prevents a through route from Gisburn Road to Colne Road via the livery yard. This should be conditioned as it was for the previous approved application.

### *Parking*

Plots 1 – 4 have 4+bedrooms and will require 12 car parking spaces. Plot 5 is 2 bedroom and requires 2 car parking spaces. There are 15 spaces shown on the site layout however the southern most spaces are very tight to manoeuvre into due to a narrow aisle, below the 6m width. These should be amended to ensure that there are 15 spaces which are practical to use.

There are 5 cycle stores proposed. These should be covered and secure.

### *Conclusion*

Lancashire County Council acting as the 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, capacity or amenity in the immediate vicinity of the site.

Should the application be approved the previous highway related conditions are requested to be stated on this approval.

Conditions 10) car parking, 14) Construction traffic management, 15) scheme for the site access and off-site highway works, 16) Livery yard access to be physically closed, 17) Passing place constructed, 18) site access paved for 5m, 19) Secure cycle parking and 20) EV charging.

Following a review of the amended plans and parking layout, there is no objection.

### LCC Archaeology Unit

The barn is recorded as a non-designated heritage asset on the Lancashire Historic Environment Record, PRN36106, and is thought to date to the late 18th or early 19<sup>th</sup> century, and subject to some alteration in the later 19th century, with the development clearly shown in Figure 1 of Mr Haigh's Heritage Statement. The comment in section 3.1 of the Heritage Statement about PRN36106 being inaccurately located on the HER is not correct.

The now lapsed 2019 planning permission (18/0373/FUL) contains a condition (no. 13) that requires "a full and comprehensive photographic survey" of the buildings prior to the commencement of the development, and the HET would advise that such works are once again secured by the following condition:

Condition: No works to the application building(s), including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording as set out in 'Understanding Historic Buildings' (Historic England 2016). This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. These works shall result in the compilation and deposition of a formal report on the works undertaken and the results obtained. The development shall be carried out in accordance with the agreed details.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

### **Public Response**

The nearest neighbours have been notified by letter and a site and press notice have been displayed.

Two comments have been received from members of the public, one in support and one objecting, they can be summarised as follows:

#### Objection

- Dangerous highway conditions just by the bridge

Support

- Great improvement to the 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) 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 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.

#### *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.

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.

#### **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 153 states:

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the Framework is set out below:

*“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- (a) buildings for agriculture and forestry;*
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- (e) limited infilling in villages;*
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*

Paragraph 155 states:

*“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- (a) mineral extraction;*
- (b) engineering operations;*
- (c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- (d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- (f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.”*

### Barrowford Neighbourhood Plan

BNDP01 (New Housing in Barrowford) sets out that housing proposals are acceptable where they accord with the Local Plan, Part 1 Core Strategy.

### **Principle of Development**

Although the proposed development is outside the settlement boundary it is in a sustainable location and the proposed development would represent the optimum viable use of a heritage asset and secure its future. As such, it accords with Policy LIV1 of the Local Plan: Part 1 Core Strategy.

A previous application for the conversion of the barn into dwelling has been approved. As such, the principle of development is acceptable in this location, subject to accordance with Green Belt, design, heritage and amenity policies.

## **Green Belt**

There are some exceptions to Green Belt policy within the Framework. Paragraph 154 sets out that extensions to buildings are acceptable provided they would not result in disproportionate additions over and above the size of the original building. Paragraph 155 also states that the re-use of buildings is encouraged provided the building is of substantial construction. The applicant has provided a planning statement which sets out that there would be an overall reduction in volume, due to the demolition of the lean-to structure which is currently part of the stone barn, along with the agricultural buildings which are proposed to be demolished. Although the stone outbuilding is to increase in size from 316m<sup>3</sup> to 477m<sup>3</sup> (50% increase), this has previously been accepted as part of the conversion which was proposed which has lapsed.

The application is accompanied by a structural survey which concludes that the building is in a reasonable structural condition but there is a rear wall which bulges which may need repair work including rebuilding to stabilise it. There are also areas of the roof which will require replacement. Overall, the building is of substantial construction and is capable of conversion. A condition could be applied to ensure it is not demolished as part of the renovation.

## **Design and Heritage Impact**

The stone barn is a non-designated heritage asset, it sits within the Higherford Conservation Area. At present, it is in a poor state of repair and the conversion of this building would prolong its life, securing a more certain future.

The proposed development involves the demolition of a lean-to extension which would reveal more of the original fabric of the main barn building. Whilst there are to be ten openings inserted to the west elevation, these are not excessive in their size and are proportionate to the existing openings. They would not result in the loss of a large amount of historic fabric but would allow the conversion of the building to residential accommodation. A similar number of openings were proposed as part of the previously approved scheme. The Parish Council have requested that the large openings to this elevation be reduced, the applicant has submitted an amended plan which indicates a patio door rather than a larger four pane bi-folding door. The amended plan is more in keeping with the building, especially now that a timber roller door has been proposed to this elevation.

The building is at risk of further decay if there is no action taken to remediate and restore the original fabric. The proposal would see the re-use of a building which has the potential to fall into complete disrepair and be lost. There would be less than substantial harm to the building in order for the conversion to be completed, but this is outweighed against the benefit to the public of restoring the building so that its future is secured. In this regard the proposal accords with paragraph 208 of the Framework and Policies ENV1 & 2 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 the streetscene or neighbouring amenity.

To the front of the main barn, parking is proposed, along with the main access driveway which already provides access to the farm yard. There is a residential dwelling within 16m of the end of the barn, known as Lower Park Hill Farm. This property has three windows to the gable elevation. One provides a secondary source of light to a ground floor living room whilst the other two on the

first floor provide light to the stairwell and a secondary source of light to a bedroom. Given that these are either secondary sources of light or non-habitable rooms (in the case of the landing / stairwell) and with the separation distance of 16m along with the angle at which at buildings are orientated this would not result in an unacceptable neighbouring amenity issue.

There is a separation distance of 17m to The Old Bridge Inn, which has a gable looking towards the application site but there are no windows in the gable of the public house which would negate any potential privacy issue with unit 1. Turning next to the relationship between the stone barn and the proposed unit 5 which is to be created from an outbuilding. There are two living room windows and one bedroom window which are in the gable of the main barn which face towards unit 5. Unit 5 is to have habitable room windows 8.5m from the proposed unit 5. This is less than the recommendation in the Design Principles SPD. However, it must be acknowledged that this collection of agricultural buildings has not been designed with the usual residential privacy distances in mind, rather it is a historic cluster of buildings which were to originally be used in association with the farm operations. There are to be three windows to the rear of Unit 5, one serving a bedroom which is a secondary source of light. As such, this would not be unacceptably affected. The ground floor windows to the main stone barn are to be secondary sources of light, as such this would not result in an unacceptable residential amenity issue. The first floor bedroom window to the main stone barn could be obscurely glazed, so not to result in an unacceptable neighbouring amenity issue in relation to the bedroom window to the centre of unit 5. Although this would provide no outlook to the bedroom it would still allow natural light into the room.

In terms of the relationship between the stone barn and the dwellings to the opposite side of the river, there is a distance of 21m between these. As such, it would not result in an unacceptable impact upon residential amenity.

It would be necessary and reasonable in this case to remove permitted development rights for Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (domestic extensions) due to the potential residential impact upon the occupiers of the adjacent dwellings. This is something which can be secured by condition. Similarly with the same schedule and part of the GPDO, for Class D (porches), in the interests of neighbouring amenity.

Subject to the condition removing permitted development rights for certain classes, the proposed development is acceptable in terms of residential amenity in accordance with Policy ENV2 and the Design Principles SPD.

## **Highways**

The proposed development would result in the creation of more than four bedrooms, as such the development should provide sufficient parking. There are four parking spaces laid out within the site. There has been no objection from LCC highways in this regard.

Similarly with the access and vehicle tracking which the applicant has provided details of. This is not something which has raised an objection. There would be sufficient space within the site for vehicles to enter and leave in a forward gear as well as turn around as necessary to manoeuvre.

## **Landscaping**

The application is accompanied by a proposed site plan which indicates some planting around a communal grassed area as well as dividing each of the amenity spaces associated with the dwellings. Originally the applicant had put forward a plan indicating close boarded fencing, which would not be appropriate in this location. As such, the proposed landscaping would be more suited to the surrounding character and appearance. Subject to a detailed landscaping scheme, the proposed development is acceptable in this regard.

## Ecology

The application is accompanied by a Reasonable Avoidance & Mitigation Measures Report in relation to bats. This found no evidence of bats using the building to roost but there is evidence of foraging, associated with the river adjacent. Compensatory bat boxes (Two Greenwood Eco Habitats two crevice boxes) will be placed on site prior to work commencing and will form suitable commensurate mitigation for the purposes of licencing if necessary.

## Biodiversity Net Gain

The application is accompanied by a small site metric, as is required for minor applications of this nature since 2<sup>nd</sup> April 2024. The metric sets out that 261m<sup>2</sup> of artificial, unvegetated unsealed surface would be lost as a result of the proposed development. The applicant intends to create 261m<sup>2</sup> of neutral grassland, 54m<sup>2</sup> of species rich native hedgerow and provide some trees with a biodiversity unit value of 0.22 units. Overall, these proposals would result in a 67.45% increase in Biodiversity. As such, it more than meets the threshold for applications which are now required to provide at least 10% biodiversity uplift.

The applicant would have to enter into a s106 in order to take care of the 30 year management and maintenance arrangements which are required for the proposed intervention. This would be subject to a condition as would other applications nationally.

## Flood Risk

The application site is located within Flood Zone 1. However, parts of it may also lie within 8m of the watercourse, Pendle Water. As such, the Environment Agency have no objection to the proposals but the applicant is reminded of the need to apply for an environmental permit if this is necessary. The onus on them to ensure the correct permit is in place prior to any development commencing.

## **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 received 19/04/2024, Proposed Site Plan Evan/02-Dwg 04C,



Proposed Floor & Elevation Plan (Unit 5) Evan/02-Dwg03C, Proposed Floor & Elevation Plan Evan/02-Dwg02C.

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

3. Prior to the commencement of development samples of the materials to be used to create the additional openings and details of any rainwater disposal system to be used, shall be submitted to the Local Planning Authority for prior written approval. The development shall be carried out only using the agreed materials.

**Reason:** To ensure 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 commencement of the development hereby approved details of the necessary bat boxes recommended in the Bat Report titled Reasonable Avoidance & Mitigation Measures (March 2024), shall be submitted to and approved in writing by the Local Planning Authority. These shall be installed in accordance with the approved details prior to works commencing in order that a suitable alternative habitat has been installed before and potential disturbance works are undertaken.

**Reason:** To ensure there is a replacement habitat for the species in question prior to and construction / disturbance which will be carried out.

5. No works to the application building(s), including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording as set out in 'Understanding Historic Buildings' (Historic England 2016). This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. These works shall result in the compilation and deposition of a formal report on the works undertaken and the results obtained. The development shall be carried out in accordance with the agreed details.

**Reason:** To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

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 including the location of walls, details of their coursing, any tooled finishes, railings, copings or capping and the type of stone (including a physical sample);
  - 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. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and 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 and D of Schedule 2 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 impacts on neighbour properties.

8. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional openings shall be inserted into the gable elevation of unit 4 at any time whatsoever.

**Reason:** In the interests of neighbouring amenity.

9. No development approved by this permission shall be commenced unless and until a scheme for the disposal of foul and surface water has been submitted to and approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure as satisfactory means of drainage.

10. The first floor gable elevation window (serving the bedroom of unit 4) of the development hereby permitted shall at all times be fitted with obscure glazing to at least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

**Reason:** To ensure an adequate level of privacy to adjacent residential properties.

11. The proposed development shall not be brought into use unless and until the car parking spaces and turning areas have been constructed, surfaced and made available for use in accordance with the approved site plan. The parking spaces and turning area shall thereafter always remain unobstructed and available for parking and turning purposes.

**Reason:** In order to provide sufficient off street parking for the development in the interests of highway safety.

12. No development shall take place, unless and until a construction traffic management plan and 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) Details of working hours
- v) Routing of vehicles to/from site
- vi) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

**Reason:** In the interest of amenity and to control the construction process.

13. No part of the development hereby approved shall be commenced unless and until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The works must be completed prior to occupation of the first dwelling.

**Reason:** In the interest of traffic flow and highway safety.

14. Prior to occupation of the first dwelling, any internal access from the site to the livery yard shall be physically and permanently closed.

**Reason:** To limit the number of access points to and from the highway.

15. Before the access is first used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in bound porous materials.

**Reason:** In the interest of highway safety to prevent loose surface material from being carried on to the public highway.

16. Prior to first occupation each dwelling shall have a secure, covered cycle store for at least two cycles.

**Reason:** To ensure that the development supports sustainable transport modes.

17. Prior to first occupation each dwelling shall have an electric vehicle charging point.

**Reason:** To ensure that the development supports sustainable transport modes.

18. The development may not be begun unless—

- (i) a biodiversity gain plan has been submitted to the Planning Authority; and
- (ii) the Planning Authority has approved the plan.

Phase plan

(b) the first and each subsequent phase of development may not be begun unless—

- (i) a biodiversity gain plan for that phase has been submitted to the Planning Authority; and
- (ii) the Planning Authority has approved that plan.

19. No part of the development commence unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for monitoring of Biodiversity Net Gain over a 30 year period.

**Reason:** To ensure that the proposed development makes provision to enhance biodiversity on the site and that this can be monitored for a period no less than 30 years following completion of the development.

**Application Ref:** 24/0323/FUL

**Proposal:** Full: Conversion of existing barn and outbuilding into 5 no. dwellings.

**At:** Park Hill Barn, Gisburn Road, Barrowford

**On behalf of:** Mr Evans