

24/0094/FUL - Land to east of Colne Road, Earby

Consultee Responses

Lead Local Flood Authority – Withdraw their objection, recommend conditions for surface water drainage strategy, construction surface water management, drainage operation and maintenance, verification report. Those conditions are included in the recommendation in the Committee Report.

Environment Agency – Withdraw their objection, recommend a condition for accordance with the submitted Flood Risk Assessment. That condition is included in the recommendation in the Committee Report.

Earby and Salterforth IDB - Should surface water be designed to enter the Boards district then Board consent will be required under the Land Drainage Act.

Public Responses

Additional comments received raising concerns that plots 1 and 2 would result in overbearing impacts to an adjacent window separated by less than 12m.

Officer Comments

Concerns have been raised in relation to the impact of plots 1 and 2 on an outbuilding in use as an ancillary living space in the adjacent garden.

The side elevation of Plot 1 would be approximately 2.8m from the boundary with the rear gardens of 4 and 6 Brookfield Way and approximately 10.8m from the outbuilding referenced above.

The Design Principles SPD advises a minimum separation distance of 12m between a principal window and a two storey elevation. A principal window is defined as a habitable room window on the main aspect to the property. This does not apply to ancillary outbuildings such as this which do not benefit from the same level of protection as habitable rooms in the main dwelling. Taking into account that it is an ancillary outbuilding the proposed development would not unacceptably impact upon residents using the outbuilding.

24/0810/FUL - Land to the west of White Leys Close, Earby

Amended plans have been received revising the layout of the plots adjacent to White Leys Close.

The amended plans remove two plots and create a landscaped buffer between the gardens of the proposed dwellings and the gardens of White Leys Close. This fully resolves the issues of loss of privacy and overbearing impacts and therefore the first reason for refusal. The long term management and maintenance of the landscaped area can be controlled by condition.

The applicant is engaging with Yorkshire Water to resolve their objection and the second reason for refusal. An extension of time to 8th May has been agreed to allow time for that, it is therefore recommended that the application is **deferred** to allow time for Yorkshire Water's objection to be resolved.