

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

TO: WEST CRAVEN COMMITTEE

DATE: 03RD JUNE 2025

Report Author: Neil Watson
Tel. No: 01282 661706
E-mail: neil.watson@pendle.gov.uk

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE ON 03 JUNE 2025

Application Ref: 25/0032/NMA

Proposal: Non-Material Amendment: Inclusion of a 2m footpath link from adoptable highway to development boundary, replacement of 403 house types with 404 house types and the replacement of a 0.6 high post and wire plot divisional fence with a 1.8m high feather edged board timber fence of Planning Permission 24/0213/VAR.

At: Development Site At Former Brook Shed, New Road, Earby

On behalf of: Gleeson

Date Registered: 20/01/2025

Expiry Date: 17/02/2025

Case Officer: Alex Cameron

This application was deferred from the previous Committee meeting.

Site Description and Proposal

The application site is a residential development of 50 dwellings currently under construction.

This is a non-material amendment to amend the approved plans of planning permission 24/0213/VAR. The proposed amendment is the substitution of house types on plots 10, 11, 16 and 22 and the addition of a pedestrian / cycle link to the side of 33 Mostyn Avenue.

Relevant Planning History

24/0213/VAR - Variation of Condition: Regularise Condition 1 (Implementation of timescales), Vary Condition 2 (Plans), Condition 3 (Materials), Condition 4 (Materials), Condition 5 (Materials), Condition 7 (Landscaping Scheme); Compliance of Conditions: Condition 8 (Management and Maintenance), Condition 9 (Construction Method Statement), Condition 10 (Ecological Mitigation Scheme), Condition 12 (Flood Risk Assessment), Condition 13 (Maintenance Scheme), Condition 14 (Site Specific Flood Risk Assessment), Condition 15 (Sustainable Drainage Strategy), Condition 16 (Construction Surface Water Management Plan), Condition 17 (Site-Specific Operation Manual), Condition 20 (Construction of Site Access and Off-site works), Condition 21 (Full Engineering, Drainage, Street Lighting and Constructional Details of roads and footways), Condition 22 (Management and Maintenance of estate roads and footways); Removal of Conditions: Condition 19 (Flood Resilience Measure), Condition 25 (Highway boundary wall), Condition 29 (Archaeological Recording) and Condition 30 (Historic Record) of Planning Permission 22/0577/FUL. Approved

22/0577/FUL - Full: Major: Erection of 50 dwellings with associated access and landscaping, demolition of Brook Shed engine house, chimney stack, and remaining sections of north elevation of the former weaving shed, boiler house and water tan

Consultee Response

N/A

Public Response

N/A

Officer Comments

The proposed alterations to house types would result in minor changes to the design, relocating windows and doors from the rear to the side elevations, this would not result in any unacceptable loss of privacy in relation to plots 11, 16 and 22, those plot substitutions are non-material and are acceptable.

The amendment to plot 10 would result in windows facing Riverside House separated by approximately 16m, however, that property has no windows in the east elevation. The angle of view and distance to the garden and windows of other dwellings would not result in any potentially unacceptable privacy impacts. The amended plots would not result in any unacceptable loss of privacy within the site or to surrounding dwellings.

The investigation of a pedestrian and cycle link to Mostyn Avenue was required by Committee when approving this application, this was for the Council to investigate the feasibility of the works beyond the application site for the provision of a link.

Revised plans have been submitted showing a pedestrian / cycle link and revising the fencing layout to allow access to it.

This and the other amendments to the proposed fencing is acceptable and appropriate as a non-material amendment

Reason for Decision

The proposed amendments are in accordance with the Non-Material Amendment Practice Note and are acceptable as non-material amendments.

RECOMMENDATION: Approve

Application Ref: 25/0032/NMA

Proposal: Non-Material Amendment: Inclusion of a 2m footpath link from adoptable highway to development boundary, replacement of 403 house types with 404 house types and the replacement of a 0.6 high post and wire plot divisional fence with a 1.8m high feather edged board timber fence of Planning Permission 24/0213/VAR.

At: Development Site At Former Brook Shed, New Road, Earby

On behalf of: Gleeson

REPORT TO West Craven COMMITTEE ON 3rd June 2025

Application Ref: 25/0076/HHO

Proposal: Full: Replacement of existing timber windows and French doors to UPVC.

At 7 Woodlands Close, Earby, BB18 6WD

On behalf of: Ms. Caroline Midgley

Date Registered: 05.02.2025

Expiry Date: 02.04.2025

Case Officer: Negin Sadeghi

This application has been called in by a Councillor.

Site Description and Proposal

The application site is a two-storey detached house located at the end of Woodlands Close, which is within the settlement boundary and a designated conservation area. The property features stone brick walls, white timber doors and windows, and a dark pitched roof. The main access is from Woodlands Close, with a neighbouring cluster of similar houses to the west and a wooden boundary wall to the east. The property does not have off-street parking.

The proposal involves replacing the existing timber windows and French doors with UPVC units. The existing design and aperture sizes would remain unchanged, with no alteration to the stone surrounds, lintels. The proposed UPVC windows would be white grained casements with external horizontal bars (transom 60mm), double-glazed with trickle vents. The new French doors would also be white grained UPVC.

Relevant Planning History

21/0566/TCA, 19.08.2021; PRQ: T1 sycamore- Side prune to boundary

21/0797/TPO, 14.10.2021: APPCON: Mature Sycamore T1- 2-meter crown reduction (1 meter off the sides). Also, the removal of 3 lower branches as shown in pictures, 1 of which will be fracture pruned 2-3 meters from the main stem.

Sycamore T2- Crown lift to the height of the gutter on the adjacent property.

Ash T3- sympathetic 1–2-meter crown reduces away from the property.

24/0336/TCA, 21.05.2024; PCO: Works to trees within a Conservation Area.

25/0054/TPO, 28.01.2025; PCO: Medium sized ash at the side of the property to be removed to ground level (Included union)

Consultee Response

LCC Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development.

Environmental Protection

We have concerns about nuisance being caused, because of working unsuitable hours, we would therefore recommend that the informative below is used: To ensure that construction work is carried out at reasonable times. All construction work will be carried out within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours will result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter. Reason: For the amenity of the neighbouring residents

Parish/Town Council: No objection.

Public Response

Nearest neighbours have been notified, and a site and press notice have been displayed. No response has been received.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy (2011-2030):

- Policy SDP1: Presumption in favour of sustainable development
- Policy ENV1: Protection and enhancement of the natural and historic environment
- Policy ENV2: Achieving quality in design and conservation

Replacement Pendle Local Plan (Saved Policies):

- Policy 31: Parking standards (not relevant in this case)

Supplementary Planning Document (SPD): *Design Principles*

- States that traditional materials such as timber must be retained and that replacement windows in conservation areas must match the original in appearance and material.

National Planning Policy Framework (NPPF):

- Chapter 16: Conserving and enhancing the historic environment
- Paragraph 199: Great weight should be given to the conservation of designated heritage assets.

Officer Comments

This application proposes replacing existing timber windows and French doors with UPVC units, which necessitates careful consideration of materials and design to ensure compatibility with the character of the conservation area.

Design and material

The proposed replacement of timber windows and French doors with UPVC units would materially alter the appearance of this dwelling. Although the proposed design would follow the existing pattern and proportions, the change in material from traditional painted timber to modern UPVC would introduce an incongruous finish that is not in keeping with the traditional character of the host dwelling or the wider conservation area.

The Council's Design Principles SPD clearly states that in conservation areas, timber windows and doors should be retained and repaired wherever possible. Where replacement is necessary, it should be on a like-for-like basis using matching traditional materials. UPVC is not considered an

appropriate material in this context, as it lacks the detailing, profile, and surface finish of timber, and its introduction would erode the historic and architectural integrity of the building and its surroundings.

Impact on Conservation Area

7 Woodlands Close occupies a prominent position at the end of a cul-de-sac and contributes to the group character of similar stone-built properties within this part of the conservation area. The replacement of all timber fenestration with UPVC would introduce a discordant modern material that fails to preserve or enhance the historic character and appearance of the area. This would result in less than substantial harm to the designated heritage asset (the conservation area), which is not justified by any public benefit.

In line with paragraph 202 of the NPPF, any less than substantial harm must be weighed against public benefits. In this case, the benefit of replacing the windows with lower-maintenance UPVC is private rather than public, and does not outweigh the harm caused.

Residential Amenity

The proposed development wouldn't change any amenity relationships .

Highways

The proposed development has no highway concerns.

RECOMMENDATION: Refuse

The proposed replacement of traditional timber windows and French doors with white-grained UPVC alternatives would introduce an unsympathetic and non-traditional material that would be harmful to the historic character and appearance of the host dwelling and the wider conservation area. The use of UPVC in this context would fail to preserve or enhance the significance of the designated heritage asset, contrary to Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy, the Design Principles SPD, and paragraphs 199 and 202 of the National Planning Policy Framework.

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 01st May 2025