

Agenda

MUNICIPAL YEAR 2016-2017



HYNDBURN

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an excellent council

Planning Committee

Wednesday, 20 July 2016 at 2.00 pm,
QE Room, Scaitcliffe House, Ormerod Street, Accrington

Membership

Chair: Councillor Bernard Dawson
Vice-Chair: Councillor Loraine Cox

Councillors Judith Addison, Mohammed Ayub, Stephen Button, Stewart Eaves,
Melissa Fisher, June Harrison, Eamonn Higgins, Abdul Khan, Kath Pratt, Paddy Short
and Paul Thompson.

AGENDA

1. Apologies for Absence, Substitutions, Declarations of Interest and Dispensations

2. Minutes of the Last Meeting (Pages 3 - 6)

To submit the minutes of the Planning Committee meeting held on the 21st June 2016 for approval as a correct record.

Recommended - That the minutes be received and approved as a correct record.

3. Town and Country Planning Act 1990- Planning Applications for Determination (Pages 7 - 14)

The attached report sets out recommended action on the following planning application:-



3A - 11/16/0188: Erection of two storey side extension
Kebb House, Blackburn Old Road, Great Harwood, BB6 7UW

Recommended - **That the application be determined as set out in the report.**

PLANNING COMMITTEE

Tuesday, 21st June 2016

Present: Councillor Bernard Dawson (in the Chair); Councillors Judith Addison, Mohammed Ayub, Stephen Button, Clare Cleary, Loraine Cox, Stuart Eaves, Melissa Fisher, Eamonn Higgins, Abdul Khan, Kath Pratt, Paddy Short and Paul Thompson.

Apologies for Absence

Apologies for absence were submitted by Councillor June Harrison.

Substitutions

Councillor Clare Cleary acted as substitute representative for Councillor June Harrison.

Declarations of Interest and Dispensations

There were no declarations of interest.

Minutes of the Last Meeting

The minutes of the last Planning Committee held on the 18th May 2016, were submitted for approval as a correct record.

Resolved - **That the Minutes be received and approved as a correct record.**

Town and Country Planning Act 1990 Planning Applications for Determination

The Chief Planning and Transportation Officer submitted a report setting out recommended action on the following planning applications.

Resolved (1) **That the following planning application be approved subject to the conditions as per the report and an additional condition in relation to guard rails on the highway which was listed in the report but not detailed as a condition:-**

11/16/0118 Change of use of no 184 Haywood Road (part of retail premises) from shop (A1) to hot food takeaway (A5) including elevational alterations and installation of flue.
182-184 Haywood Road, Accrington, BB5 5BP

1. Councillor Malcolm Pritchard spoke at the Committee in objection of the above planning application and against the Officer's recommendation to approve planning permission.

Resolved **(2) That the following planning application be approved subject to the conditions as per the report and subject to the prior completion of a Section 106 Agreement as mentioned in the report:-**

11/16/0128 Major outline: Erection of up to 34 no dwellings (all matters reserved except access)
Land to west of Rhoden Road, Oswaldtwistle

N.B. 1. The Chief Planning and Transportation Officer drew the Committee's attention to the extra supplemental information contained within the update report which was released before the meeting and related to the above planning application.

2. A letter of objection from Councillor Julie Livesey was read out to the planning committee.

3. Mr Simon Thomas spoke at the Committee in objection of the above planning application and against the Officer's recommendation to approve planning permission.

4. Ms Tammy Neal spoke at the Committee in objection of the above planning application and against the Officer's recommendation to approve planning permission.

5. Mr Nick Baseley spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to approve planning permission.

Resolved **(3) That the following planning application be refused for the reasons set out in the report:-**

11/15/0347 Demolition of existing building and erection of 42 no houses and 8 no apartments with associated access and landscaping.
Former Britannia Mill, Spring Street

1. Mr Michael Lewis spoke at the Committee in support of the above planning application and against the Officer's recommendation to refuse planning permission.

2. Mr Sam Ward spoke at the Committee in support of the above planning application and against the Officer's recommendation to refuse planning permission.

3. The Chief Planning and Transportation Officer advised Members of the Planning Committee that permission could be granted with certain conditions attached.

Resolved **(4) That the following planning application be approved subject to the conditions as per the report: and the prior completion of a Section 106 Agreement in respect of the matters mentioned in the report-**

11/16/0126

Major full: Erection of 12no dwellings
Land at Broadfield Garage, Oswaldtwistle

The Chief Planning and Transportation Officer submitted a report in the supplemental agenda and additional information contained within the update report setting out recommended action on the following planning application.

Resolved (5) That the following planning application be approved subject to the conditions as per the report and that the Chief Planning and Transportation Officer be given delegated authority on conditions 3, 4, 7, 8, 10 and 11:-

11/16/0132

Major full: Redevelopment of Whinney Hill Stand (North) following demolition of existing including floodlighting and external works.
Accrington Stanley Football Club, Livingstone Road, Accrington

1. Councillor Miles Parkinson spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to allow planning permission.
2. Mr Andy Holt spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to allow planning permission.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed.

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REPORT TO: PLANNING COMMITTEE, 20th JULY 2016, 2.00PM

REPORT BY: CHIEF PLANNING & TRANSPORTATION OFFICER

APPLICATIONS SUBMITTED UNDER THE TOWN AND

COUNTRY PLANNING ACT 1990 FOR DETERMINATION

Purpose of Report: To present planning applications for determination as set out in the report

3A	11/16/0188	Erection of two storey side extension Kebb House, Blackburn Old Road, Great Harwood, BB6 7UW
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NOTE: The policies referred to under “Relevant Policies” are set out in the Hyndburn Borough Local Plan, Hyndburn Core Strategy and National Planning Policy Framework.

A list of the above documents and background papers relating to each planning report can also be inspected at Scaitcliffe House, Accrington, upon request or via the HBC website:

<http://planning.hyndburnbc.gov.uk/WAM/searchsubmit/performOption.do?action=search&appType=Planning>

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Application Number: 11/16/0188

Full Application: Erection of two storey side extension

Address: Kebb House, Blackburn Old Road, Great Harwood, BB6 7UW

Determination by: 18th July 2016

Applicant: Mr S Haworth

Agent: Gary Hoerty Associates

The application is being presented to Planning Committee for determination because Cllr Gareth Molineux requested that the application be determined by Planning Committee.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

Application Site

Kebb House is located in the north side of Old Blackburn Road. The house comprises a large detached dwelling, located next to a similar detached dwelling, on the north east side of Great Harwood in open countryside outside the urban boundary.

Proposed Development

A two storey extension on the eastern side of the house to provide ground floor garage accommodation and first floor bedroom accommodation. The proposed extension would protrude 6.2m from the side of the property and be 8.1m deep. The roofline is at a lower level than the main house to match that of the extension that has been constructed on the western side of the property. The proposed extension is marginally longer than that on the western side of the property, reflecting the need to accommodate two cars the garage.

The proposed extension would be constructed using white rendered walls and a slate roof to match the existing property.

Consultations

Public consultation:

The neighbouring property has been consulted by letter and a site notice has been posted on site. No letters of representation have been received.

LCC Highways:

No objections subject to the layout of the development including provisions to enter and leave the highway in forward gear and the vehicular turning space being laid out and available for use before the development is brought into use. This is required in the interests of highway safety, vehicles reversing to and from the highway presenting a hazard to other road users.

National Grid:

Due to the presence of National Grid Infrastructure in the vicinity of the site the applicant and / or their contractor should contact National Grid before work commences. See informative notes.

Relevant Planning History

- 11.76.0049 Conversion of barn to dwelling, approved 17.6.1976
- 11.77.0494 Reserved matters for barn conversion, approved 15.03.1978
- 11.78.0579 Conversion of barn for residential purposes and formation of coffee shop, craft shop, car park and vehicular access. Refused 14.12.1978/
- 11.04.0145 Erection of single storey and two storey extension to rear and erection of railings to form balcony and formation of pitched roof over garage and alterations to rear roof, approved 14.05.2004
- 11/05.0423 Erection of single storey extension to side and formation of pitched roof over garage with front dormer, approved 05.08.2013
- 11.13.0388 Detached garage block with first floor ancillary accommodation, refused 06.12.2013
- 11.14.0062 Erection of single storey detached building for the garaging of vehicles with an attached workshop area, resubmission 11.13.0388. Refused, 04.04.2014, appeal dismissed 09.03.2015

Relevant Policies

Development Plan

Hyndburn Borough Local Plan Saved Policies

- Policy E.10 Development Criteria

Hyndburn Core Strategy

- Policy BD1 The Balanced Development Strategy
- Policy Env6 High Quality Design
- Policy Env7 Environmental Amenity

National Planning Policy Framework (NPPF)

- Green Belt
- Good Quality Design

Other material considerations

- Hyndburn Borough Council Car Parking and Access Standards (2010)
- Householder Design Guide (SPD) 2009

Observations

Planning permission is sought for the development of a two storey side extension. The proposed development would be located on the eastern side of the detached house and comprise a garage at ground floor with residential accommodation above. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the key issues concern the location of the site in the Green Belt, the design of the development and the potential impact of the development on neighbouring properties.

The site is located in the Green Belt. National Planning Policy Framework states that the construction of new buildings in the Green Belt as inappropriate development. However, there are a number of exceptions to this, including “*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.*”

In 2014 a planning application was submitted for a large outbuilding at the front of the house. This was refused and later dismissed at appeal on the grounds that the development was inappropriate development in the Green Belt. The Inspector was particularly concerned about the impact of the openness of the Green Belt, the development being located between the house and the road fronting the property.

The Householder Design Guide SPD states that in areas designated as Green Belt, the Council will normally allow up to a 35% increase in the in the volume of the original dwelling.

Although the proposed extension would exceed this level, the proposed design relates well to the existing building and would provide a sense of symmetry to the building. The roof reflects the design of the existing roof and is slightly lower than the main ridge, and the scale of the proposed extension does not dominate or look disproportionate to the main building. For these reasons it is considered that the proposed development is consistent with the requirements of the National Planning Policy Framework and would not have an unacceptable adverse impact on the openness of the Green Belt.

It is recognised that there are permitted development rights associated with residential dwellings and using these the applicant could further extend in the grounds of the house. This development represents the third extension to this house, and as a means of ensuring that future development is suitably controlled, it is recommended that permitted development rights are withdrawn by a suitably worded planning condition.

The proposed extension would be located at the side of the existing property. There are no windows proposed on the gable end of the house, however, there are two windows proposed at first floor level at the rear of the property. One of these windows is a stair window from which it would not be possible for a person to see out, the second is a rear bedroom window at the top of the stairs.

Kebb House is positioned forward of the neighbouring property and although the neighbouring first floor house has a conservatory at the rear, this is screened from view by a row of leylandii conifers that are within the neighbours garden. The proposed development will not overlook or have an unacceptable impact on the amenities of the neighbouring property and is therefore considered acceptable in this respect. The development complies with the requirements of Policy Env6 of the Core Strategy and the Householder Design Guide. No representations have been received from the neighbouring property.

The Highway Authority has not objected to the proposed development but has requested details of the means by which vehicles will turn on site, allowing them to enter and leave the highway in forward gear in the interests of highway safety. A condition has been recommended to secure this.

Conclusions

Kebb House is a large detached house set in large gardens. The proposed extension would represent an increase in the volume of the dwelling that is in excess of that recommended by the Council's Design Guide, however, it is considered that the proposed design would provide a more balanced appearance to the house and would not have an unacceptable impact on neighbouring amenity.

On balance, it is considered that the design of the proposed extension would not have an unacceptable adverse impact on the openness of the Green Belt in this location and it can therefore be supported.

Recommendation

That planning permission is GRANTED subject to the following conditions:

- 1) The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following documents:
 - (a) The planning application form received on 13th May 2016
 - (b) Existing and Proposed Site Plans. Location Plan Drawing No Haw/490/2030/02 dated 08.02.2016.
Existing and Proposed Site Plans. Location Plan Drawing No Haw/490/2030/01 dated 08.02.2016.

Reason: For the avoidance of doubt and to enable Hyndburn Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 & Env7 of the Hyndburn Core Strategy.

- 3) Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995(as amended) or any order revoking and re-enacting that Order with or without modification, upon of the grant of this planning permission no development shall take place within Classes A, B, C, D, E and F of Part 1 of Schedule 2 of the said Order (or any order revoking and re-enacting that Order with or without modification), unless a planning application for that development has been first submitted to and approved by the local planning authority.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy Env7 of the Hyndburn Core Strategy and the Hyndburn Householder Design Guide (SPD).

- 4) Prior to the commencement of development details of a vehicle turning area that illustrate the means by which vehicles shall enter and leave the site in forward gear shall be submitted to the Local Planning Authority for approval in writing. The approved vehicle turning area shall be made available for use before the development is brought into use. This is required in the interests of highway safety, vehicles reversing to and from the highway presenting a hazard to other road users.

Reason: In the interests of Highway Safety and to comply with Policy Env7 of the Hyndburn Core Strategy, Policy Env10 of the Hyndburn Local Plan and the National Planning Policy Framework.

Informatives

The applicant's attention is drawn to the advice of the National Grid.