

**Application Number**

07/2016/0284/FUL

**ITEM 7**

**Address**

Holmfirth  
43 Brindle Road  
Bamber Bridge  
PR5 6RP

**Applicant  
Agent**

Mr & Mrs Phil and Rachel Tomlinson  
Chris Weetman  
1 Reeveswood  
Eccleston  
Chorley  
PR7 5RS

**Development**

Substitution of house type for plot 5 of planning  
permission 07/2015/1692/FUL

**Officer Recommendation**

**Refusal**

Date application valid

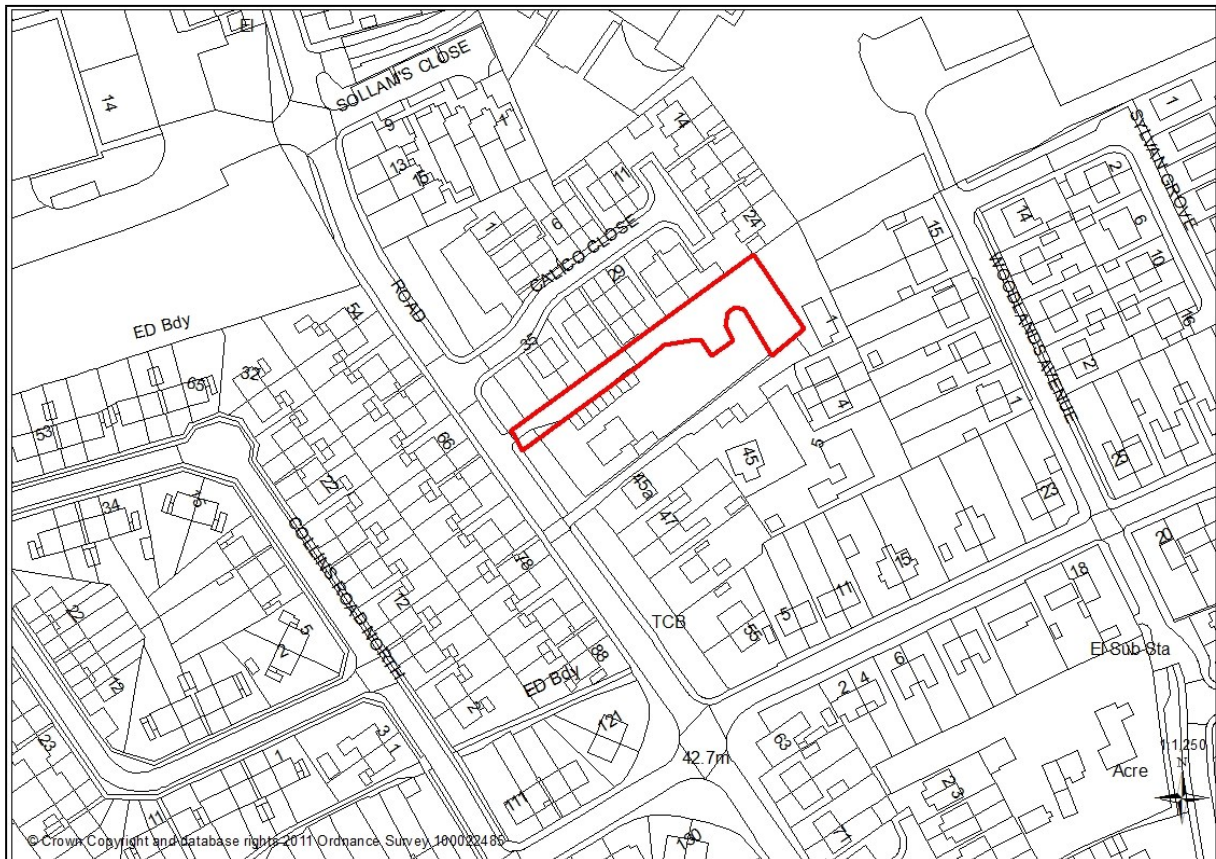
20.04.2016

Target Determination Date

15.06.2016

Extension of Time

29.07.2016



## 1. Report Summary

1.1. The size and nature of this application would normally fall for consideration under the scheme of delegation but as the planning committee determined the previous applications this application is now before you.

1.2. The plot forms part of a larger site which received planning permission in February 2016 for five residential dwellings. The application is in full and relates to the substitution of Plot 5 with a different design. An assessment has been carried out

of the proposed development upon the existing residential properties, highway impact and impact upon diversity.

- 1.3. When planning permission was previously granted it was acknowledged that the size of the houses were large in comparison to the plot sizes. In particular revisions were requested to Plot 5 to reduce the roof height and alter the design to minimize the impact on the amenities of the adjacent residential property. The scheme was considered acceptable and permission was approved.
- 1.4. The current application initially provided for a roof height of 8m, and although revised plans were submitted to reduce the height to 6.5m- concern is expressed about the design and height of the proposed dwelling.
- 1.5. The proposed dwelling by virtue of its height, design and close proximity to the boundary of the adjacent properties would result in an overbearing form of development to the detriment of the amenities of the residents.
- 1.6. The application is therefore recommended for refusal.

## **2. Site and Surrounding Area**

- 2.1. The application site relates to Plot 5 of planning permission 07/2015/1692. The plot forms part of a larger site which received planning permission in February 2016 for five residential dwellings. Immediately adjacent to the site's northern boundary is the former Lancashire County Council site which has recently been developed for housing. Along Brindle Road to the north is Walton le Dale High School with the Old Mill industrial estate opposite. However, the immediate locality is residential in nature. Access is taken from Brindle Road and the site is approximately 1km north east of Bamber Bridge train station. The highway known as Wynfield forms the southern boundary which serves a number of residential properties.
- 2.2. Plot 5 would be located on the eastern boundary and would abut the garden area of 1 Wynfield.

## **3. Planning History**

07/1980/0611	Erection of 12 Flats Approved 17/12/1980
07/1989/0870	Development of 5 detached bungalows and one detached garage Refused 22/11/1989
07/1990/0325	Erection of 3 Detached Houses Approved 04/07/1990
07/2009/0498/OUT	Outline application for the erection of 3 no. detached dwelling houses with associated access Approved 21/10/2009
07/2012/0420/REN	Renewal of planning permission 07/2009/0498, outline application for erection of 3 dwelling houses with associated access Approved 11/09/2012
07/2014/0686/OUT	Outline application for residential development following demolition of existing dwelling and garages (access only applied for) (Amended Plan).
07/2015/1692/FUL	Erection of five detached dwellings, garages with associated access following demolition of existing garages. Approved 26.02.2016.
07/2016/0279/FUL	Substitution of house types for plot 3 and 4 of planning permission Ref 07/2015/1692/FUL. Approved 16 June 2016
07/2016/0340/FUL	Substitution of house types for plot 2 of planning permission Ref 07/2015/1692/FUL. Approved 16 June 2016.

#### 4. **Proposal**

4.1. Full planning permission is sought for the substitution of house type for plot 5 of planning permission 07/2015/1692/FUL. The plans submitted provided for a three bed dwelling measuring 14.5m (wide) x 8.9m (depth) with a maximum height to the ridge of the roof of 8m. However, the applicant revised these plans which altered the design of the dwelling and reduced the height of the roof to 6.5m.

4.2. All the site boundaries would remain as existing which is predominately 2m high timber fencing.

#### 5. **Summary of Publicity**

5.1. Three site notices were posted and 34 neighbouring properties were notified, no representations have been received.

#### 6. **Summary of Consultations**

6.1 Lancashire County Council (Highways)- No objection subject to conditions controlling wheel cleaning facilities, off site highway works, and advisory notes relating to the modification of the site access, costs associated with removal of street light and telegraph pole to be met by the developer and that the road would remain private as the development is not to an adoptable standard.

6.2 United Utilities –No comments received.

6.3 Environmental Health - The development has the potential to adversely affect the adjacent residents. Conditions controlling construction management details, land contamination, and electric vehicular points are recommended.

6.4 Arboriculturist – No objections.

6.5 Ecology Services –The site has previously been identified as having low ecological value. The amended house types will not make any significant difference to the ecological impacts of the development. The original comments still stand which advised that the updated ecological survey has confirmed the findings from the ecological report submitted with the outline application in 2014. The only additional issue raised is the impact of street lighting on foraging bats. As part of best practice a condition controlling the lighting to be low level is recommended.

#### 7. **Policy Background**

##### 7.1 **National Planning Policy Framework**

The Framework is a material consideration to which weight needs to be attached. The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development to deliver amongst other things, homes. Given the sites location and land allocation it is the officer's view that the site is within a sustainable location and that the development accords with the general principles of the Framework.

Section 6: Delivering a wide choice of high quality homes  
Section 7: Requiring good design are particularly relevant.

##### 7.2 **Core Strategy Policy Considerations**

**Policy 1: Locating Growth** focuses growth and investment on brownfield sites in the main urban areas, whilst protecting the character of suburban areas.

**Policy 4: Housing Delivery** seeks to ensure that sufficient housing land is identified over the 2010-2026 period.

**Policy 5: Housing Density** seeks to secure housing densities which are in keeping with the local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area.

**Policy 6: Housing Quality** seeks to improve the quality of housing by facilitating the greater provision of accessible housing and neighbourhoods and use of higher standards of construction.

**Policy 17: Design of New Buildings** expects the design and new buildings to take account of the character and appearance of the local area and effectively mirrors criterion in Local Plan policy G17.

**Policy 22: Biodiversity and Geodiversity** aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area.

**Policy 26: Crime and Community Safety** encourages the inclusion of Secured by Design principles in new development.

**Policy 27: Sustainable Resources and New Developments** requires new development to meet Level 4 of the Code for Sustainable Homes.

**Policy 29: Water Management** encourages the adoption of Sustainable Drainage Systems.

### 7.3 South Ribble Local Plan

The application site is within the Existing Built-Up Area of Bamber Bridge where **Policy B1** in the South Ribble Local Plan 2012-2026 permits proposals for the re-use of undeveloped and unused land and buildings or for redevelopment providing that the proposals comply with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.

**Policy G13: Trees, Woodlands and Development** has a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

#### **Policy G14 Contaminated Land**

#### **Policy G16 Biodiversity and Nature Conservation**

In terms of design, **Policy G17** seeks to ensure new development does not have a detrimental impact on existing buildings or the street scene; does not prejudice highway safety, pedestrian safety or the free flow of traffic and provides the required number of off street parking space to the standards set out in **Policy F1**.

## 8. Other Material Considerations

### 8.1. Principle of development

The principle of residential development of this site has long been established with previous planning approvals dating back to 1980. The most recent permission provides for five detached dwellings. Therefore, it is considered that the principle of residential development of this site has been established.

## 8.2. Suitability of Access

Brindle Road is an unclassified road serving a predominately residential area with a speed limit of 30mph fronting the site access. There is an existing access which would serve the two dwellings. Previously LCC Highways has advised that the proposed internal highway layout is not to an adoptable standard as a service verge of at least 1.8m to the front of all dwellings would need to be added to bring it up to an adoptable standard and due to the location of Plot 1 this is not feasible. Therefore, in its current form the highway would remain private. Subject to conditions controlling the following aspects: wheel cleaning and off site highway works the development is considered acceptable.

## 8.3. Parking Arrangements

The car parking standards require a minimum of three spaces for dwellings with three or more bedrooms. The applicant has provided three spaces and County Highways has raised no objection to the scheme.

## 8.4. Relationship to Neighbours

8.4.1 An assessment of the application site and the relationship to the existing residential properties has been undertaken. The changes relate to revisions to the layout and design to meet the need of the owners.

8.4.2 Plot 5 was granted planning permission in February 2016 as part of a wider scheme. As part of that application reservations were initially raised with the applicant about the design and height of the proposed two storey dwelling and the impact on the residential amenities of no.1 Wynfield.

8.4.2 Due to the close proximity of the rear boundary with no.1 Wynfield revised plans were received which reduced the height of the dwelling from 8m to 6m and demonstrated the rear elevation had been re-designed to ensure that there were no first floor windows overlooking in to the rear garden of no.1 Wynfield. Further, the design of the rear elevation demonstrated a stepped single storey pitched roof measuring from 4.5m to 6m.

8.4.3 As part of the previous approval it was acknowledged that the plot sizes were small for the size of dwellings, however, the National Planning Policy Framework at paragraph 60 makes clear that:

Paragraph 60:

*Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*

On balance therefore the development was considered fit for purpose and the plans were approved.

8.4.4 Initially, the submitted plans of this current application sought to revise the design to provide for an increase in height of the approved roof from 6m to 8m. The proposal would provide for a three bed dwelling measuring 14.5m (wide) x 8.9m (depth) with a maximum height to the ridge of the roof of 8m. The increase of 2m from the approved height of 6m to 8m was considered unacceptable due to the impact in terms of massing on no.1 Wynfield.

8.4.5 The applicant submitted different roof heights at 7m, 6.5m and 6m and sun path diagrams to demonstrate the impact of the different designs and roof heights on no.1 Wynfield. The applicant confirmed that they required the Council to assess the scheme associated with an increase in roof height to 6.5m. The scheme at 6.5m provided more roof space to enable an improved layout for the three bedrooms to be located at first floor level. Whereas at 6m the 3 bedrooms are smaller due to the reduced roof height.

8.4.6 The approved plan demonstrated a stepped approach to the design of the roof whereby for approximately 5.5m of the length of the rear elevation, the height would be to a maximum of 4.5 m whilst the final 8 m of the rear elevation would be 6m in height. There were no windows at first floor on the side elevation that abutted the housing on Calico Crescent. The plans under assessment, provide for the whole rear elevation measuring 14.9m to be 6.5m in height and includes a window at first floor level on the side elevation with Calico Crescent.

8.4.7 Whilst it is acknowledged that the revision is only an increased height of half a metre it is considered that the harm caused by the increased height at 6.5 m for the total length of the rear elevation approximately 1m away from the boundary would unduly impact upon the amenities of the neighbouring properties.

8.4.8 It is considered that this design and height of the proposed dwelling would cause harm to the residential amenities of neighbouring residents by virtue of the scale and massing of the dwelling, resulting in an overbearing development, which would cause overshadowing to the rear garden of no. 1 Wynfield and be visually intrusive when viewed from the same property.

8.4.9 The recent housing located on Calico Crescent are mixed properties including houses and flats. There is a small area of amenity space associated with plots 23 and 25 which abuts the boundary with the proposed dwelling. The proposed dwelling would be located approximately 1m from this boundary and would include a window at first floor level. It is considered that this window would cause harm by virtue of overlooking in to the amenity space of plots 23 and 25.

## **8.5 Impact on Character of Area**

The area is predominantly residential in nature with a mix of styles. Sheltered accommodation lies to the north of the site beyond the most recently constructed affordable housing known as Calico Close. There is also a high school and industrial estate within the locality and as such there is no overriding character to the area. Plot 5 would be sited to the rear of the site with a separation distance of 70m from the access with Brindle Road and therefore would not be widely visible when viewed in the street scene of Brindle Road.

## **8.6 Design and Appearance (Materials).**

The applicant has advised that the walls of the property would be constructed of facing brick with concrete tiles to the roof. Other details include reconstituted stone cills and heads to the openings on the front elevation. There is very little detail in terms of the design, height and type of fencing to the front of the property but such aspects could be controlled by condition. These details are considered acceptable.

## **8.7 Ecology**

The applicant submitted a revised Ecological Survey as part of planning permission ref 2015/1692. Ecology Services has advised that the updated report confirms the findings of the survey submitted with a previous outline application in 2014. Due to the presence of bats within the area any scheme for street lighting should as part of good

practice designed to be of low impact. As the application does not include street lighting this aspect would be considered with any future application for street lighting.

Since the previous Ecological Report in 2014, the site has largely been cleared. However, the following aspects; invasive species and nesting birds, can be controlled by the imposition of conditions or informative notes. Therefore, the proposal meets the aims of Policy G16 Biodiversity and nature conservation.

### **8.8 Drainage and Ground Levels**

United Utilities has previously commented that, in accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on separate systems with foul water draining to the public sewer and surface water draining in the most sustainable way. To reduce the volume of surface water draining from the site UU also promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas. With regard to this application such aspects could be controlled by condition and the proposal meets the aims of Policy 29 Water Management of the Core Strategy.

### **8.9 Other matters**

#### **Community Infrastructure Levy (CIL)**

The applicant has submitted a self-build exemption form and as such CIL would not be liable.

## **9. CONCLUSION**

9.1 When planning permission was previously granted it was acknowledged that the size of the houses were large in comparison to the plot sizes. In particular revisions were requested to Plot 5 to reduce the roof height and alter the design to minimize the impact on the amenities of the adjacent residential property. The scheme was considered acceptable and permission was approved.

9.2 Initially, the current application provided for a roof height of 8m, and although revised plans were submitted to reduce the height to 6.5m- concern is expressed about the design and height of the dwelling. Concern is raised with regard to the introduction of the first floor window on the side elevation. The proposed dwelling by virtue of its height, design and close proximity to the boundary of the adjacent property would result in an overbearing form of development to the detriment of the amenities of the residents.

9.3 Therefore the application is recommended for refusal.

#### **9.4 Reason for Refusal**

9.4.1 The height, design and close proximity of the rear elevation of the proposed dwelling would present an overbearing and visually intrusive element which would fail to protect the residential amenities of no 1 Wynfield, Bamber Bridge.

9.4.2 The position of the first floor window and close proximity of the side elevation of the proposed dwelling would lead to overlooking and a loss of privacy which would be detrimental to the amenities of the residents of Plot 23 and 25 Calico Crescent.

9.4.3 As such, the proposal would be contrary to strategic policy G17 of the adopted Core Strategy (2010) and policy G17 of the adopted South Ribble Local Plan (2015). These policies seek to ensure development does not cause harm to neighbouring property by leading to overshadowing or have an overbearing effect.

## 10. **RECOMMENDATION:**

10.1 Refusal.

## 11. **REASONS FOR REFUSAL:**

1. The height, design and close proximity of the rear elevation of the proposed dwelling would present an overbearing and visually intrusive element which would fail to protect the residential amenities of no 1 Wynfield, Bamber Bridge.

As such, the proposal would be contrary to strategic policy G17 of the adopted Core Strategy (2010) and policy G17 of the adopted South Ribble Local Plan (2015). These policies seek to ensure development does not cause harm to neighbouring property by leading to overshadowing or have an overbearing effect.

2. The position of the windows of the proposed dwelling at first floor level would lead to overlooking and a loss of privacy which would be detrimental to the amenities of the residents of Plots 23 and 25 Calico Crescent as defined by the approved plan Drawing No. 001Rev C of planning permission Ref: 2013/0903/FUL.

As such, the proposal would be contrary to strategic policy G17 of the adopted Core Strategy (2010) and policy G17 of the adopted South Ribble Local Plan (2015). These policies seek to ensure development does not cause harm to neighbouring property by leading to overshadowing or have an overbearing effect.

## 12. **RELEVANT POLICY**

### **NPPF National Planning Policy Framework**

- 1 Locating Growth (Core Strategy Policy)**
- 4 Housing Delivery (Core Strategy Policy)**
- 5 Housing Density (Core Strategy Policy)**
- 6 Housing Quality (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 26 Crime and Community Safety (Core Strategy Policy)**
- 27 Sustainable Resources and New Developments (Core Strategy Policy)**
- 28 Water Management (Core Strategy Policy)**

- POLB1 Existing Built-Up Areas**
- POLG13 Trees, Woodlands and Development**
- POLG14 Unstable or Contaminated Land**
- POLG16 Biodiversity and Nature Conservation**
- POLG17 Design Criteria for New Development**
- POLF1 Car Parking**

### **Note:**

the rear elevation has been designed to ensure that there are no first floor windows overlooking in to the garden area of 1 Wynfield. However, to provide for family accommodation the en-suite and family bathroom on this rear elevation would incorporate two velux roof lights.