

**Application Recommended for Approval**  
Gawthorpe Ward

**APP/2018/0446**

Full Planning application

Proposed construction of 10no. two storey terraced dwellings in two terraces (5no. dwellings with parking and access from Grove Lane and 5no. dwellings with parking and access from High Street)

LAND AT GROVE LANE & HIGH STREET PADIHAM

**Background:**

The proposal is to erect two terraces of five houses either side of Cliff Street, between Grove Lane and High Street.

*Land at Grove Lane*



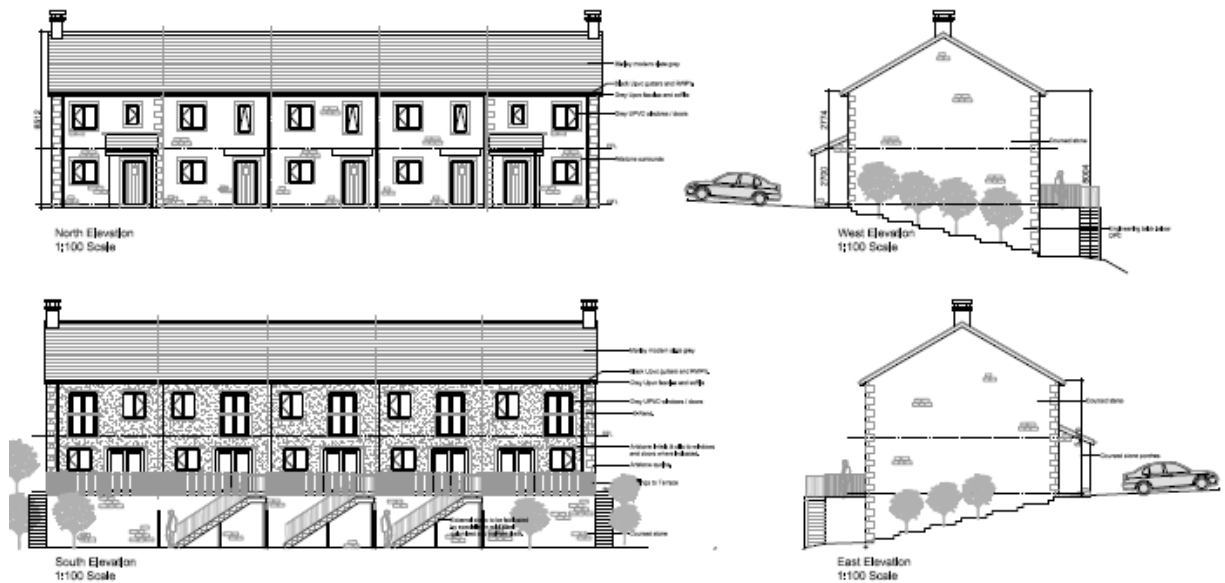
*Land at High Street*



Both pieces of land (total of 0.23ha) are similar in size and comprise and are a regular shape and become overgrown with vegetation and unused. The site is situated on a steep slope between Grove Lane on its south side and High Street to the north side. The land was historically occupied by housing but has been open land for a significant time and has naturalised. The land has also in the past been used as allotments but this use was abandoned due to the difficulties of working with the gradient of the land. The proposed scheme involves two terraced blocks to be built on the less steep parts of the hillside with plots and frontage parking onto High Street and Grove Lane:

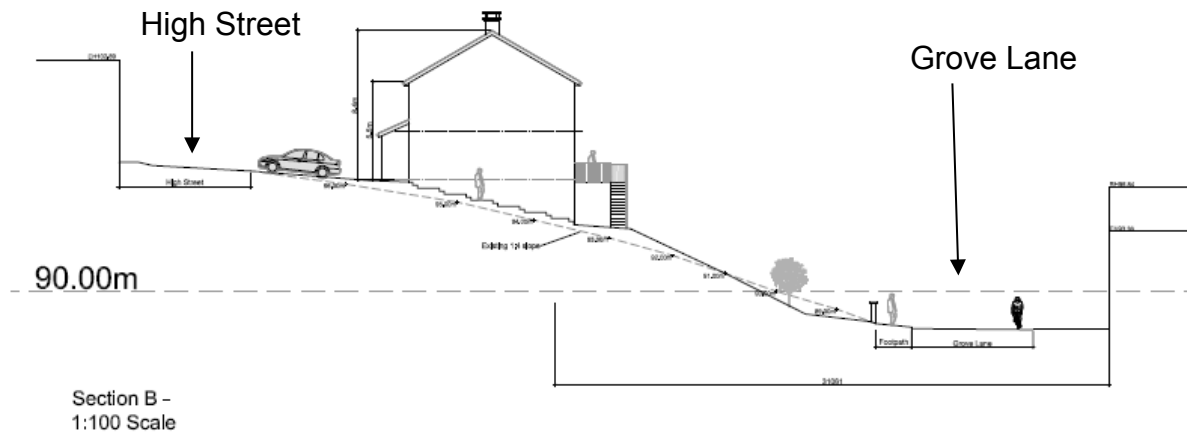


## Proposed dwellings on High Street



The proposed dwellings would be constructed in natural coursed stone to the front and sides and render to the rear elevation with slate grey coloured flat concrete tiles. Window and door surrounds and chimneys are used to reflect the character of surrounding terraces. The cross section below shows how the terrace would sit on the slope of the land with staircases to the rear to access rear gardens

## Proposed cross section



A personal gate entrance would also give access to the rear gardens fronting Grove Lane and to a small shed/bike store. The boundary would be defined by 1.4m high powder coated steel bow topped railings.

## Proposed terrace to Grove Lane

Front:

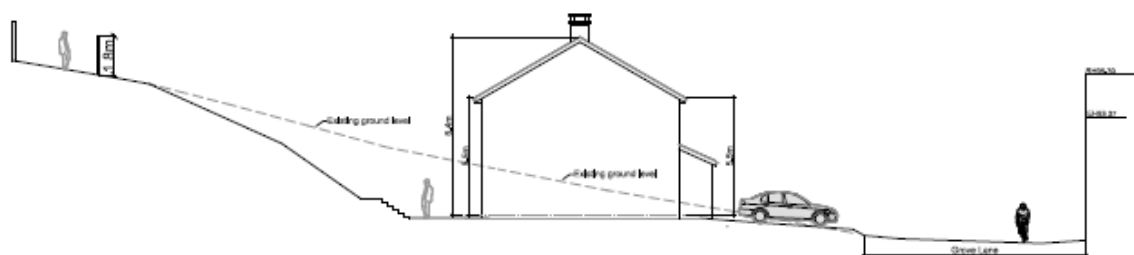


Rear:



The front and gable side facing Cliff Street would be constructed in coursed stone whilst the gable adjacent to the neighbouring property at no. 1 Grove Lane would be rendered.

### Cross section – proposed houses fronting Grove Lane



The dotted line on the cross section above indicates the existing ground level which would be excavated to provide level ground for the proposed terrace.

All dwellings would be three bedroom and have two in-curtilage parking spaces to the front.

### **Relevant Policies:**

Burnley's Local Plan (July 2018)

SP1 – Achieving sustainable transport

SP2 – Housing requirement 2012-2032  
SP4 – Development strategy  
SP5 – Development quality and sustainability  
HS4 – Housing developments  
NE1 – Biodiversity and ecological networks  
NE5 – Environmental protection  
CC4 – Development and flood risk  
IC1 – Sustainable travel  
IC3 – Car parking standards  
IC4 – Infrastructure and Planning Contributions

The National Planning Policy Framework<sup>2</sup>

**Site History:**

APP/2005/0819 - Proposed erection of three 3-storey and three 2-storey houses. Withdrawn.

APP/2008/0400 - Proposed erection of 8no. three storey dwellings and extension to public open space. Refused August 2008. [The reasons refusal stated that the site was a greenfield site and was contrary to housing related policies and that the development and would be out of keeping with its surroundings].

**Consultation Responses:**

LCC Highways

Following the submission of amended plans to improve the car park layout, LCC Highways have no objections subject to conditions relating to a Construction Management Plan and off-site works to alter the existing street lighting.

Coal Authority

Following an initial objection and the submission of further information, the Coal Authority has no objection subject to the imposition of a suitable condition to require intrusive site investigations prior to the commencement of development.

Land Contaminated Officer

Recommend a condition to require a contaminated land assessment is carried out.

Environmental Health Officer

No objections subject to conditions relating to construction work, noise and the provision of electric charging points.

Greater Manchester ecology Unit (GMEU)

No significant ecological constraints were identified by the developer's ecological consultant. Issues relating to nesting birds and Japanese Knotweed can be resolved by condition. Mitigation should be provided for the loss of semi-natural habitats. Conditions are recommended to restrict work within the bird nesting season, to control Japanese Knotweed and to require a landscape plan to include native tree, shrub and hedge planting and the provision of nest boxes.

Schools Planning Team

The proposal generates a pupil yield of 1.6 primary school places and no secondary school places. Given that there is a projected shortfall of spaces within a period of five

years, Lancashire County Council request a contribution of two primary school places (total is £31,506.62).

#### Publicity

Three letters of objection have been received from neighbouring properties. A summary of their comments is provided below:-

- Impact on highway safety from extra traffic, parking and construction vehicles
- High Street is very narrow and has a 90 degree turn onto Cliff Street
- Narrow streets are already full to capacity
- Insufficient space for parked cars on High Street
- Rear access to the Grove Lane properties would be a problem
- Inadequate access for fire engines, emergency vehicles and bin wagons
- Impact of vibrations on underground mine workings and potential subsidence
- Negative impact on local environment from loss of two green areas
- Many trees and bushes have already been removed
- Will greatly reduce the natural habitat of various wildlife
- The ecology survey has insufficient regard to the fact that there are bats which live within the area
- Planning permission has been previously refused
- Impact of noise
- Will overshadow the houses on High Street, reduce sunlight to south facing properties
- Too close to existing properties and packed in
- The new houses will appear alien and out of place adjacent to houses built in 1873
- Conflict with new family housing and the lower levels of activity/noise associated with the older people who live in this area

#### **Planning and Environmental Considerations:**

##### Principle of proposal

Policy SP4 identifies Padiham as a Key Service Centre at the second tier in the settlement hierarchy where it is expected that large scale, major and a variety of smaller sites will deliver a comprehensive range of choice of types and tenures. In addition to allocated sites, Policy SP4 states that new development will be supported within Development Boundaries where it is an appropriate type and scale and where, amongst other things, it makes efficient use of land and buildings. Other factors to take into account include the site's accessibility (by walking, cycle and public transport), its impact on residential amenity and any benefits from the appropriate re-use of existing buildings and infrastructure. The accessibility of the site within the existing urban area of Padiham and its close relationship with the existing residential area would indicate that the proposal would, in principle, comply with Policy SP4. Consideration should also be given to the impacts of the development, particularly in respect of parking and highway safety, residential amenities and the effect on the character and appearance of the local area.

##### Impact on parking and highway safety

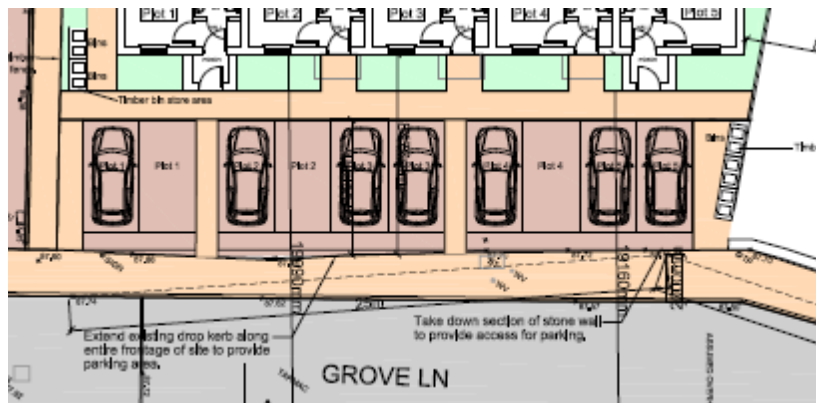
Policy IC1 seeks to promote sustainable travel by locating development where it is or can be well served by walking, cycling and public transport and ensure that development is provided with safe and convenient access. Policy IC3 sets out the car parking standards for development, requiring two car parking spaces for each 3no. bedroom dwelling.

The concerns expressed by residents relate to the increased use of the narrow streets and potential affect on parking. The original submission indicated parking spaces overlapping the adjoining footway; this has been corrected and the amended layout provides all car parking (two spaces per dwelling) within the site curtilage.

Proposed parking layout – High Street



Proposed parking layout – Grove Lane



Given that sufficient car parking has been provided to comply with Policy IC3, the proposal is unlikely to significantly affect on-street parking. A condition is necessary to ensure that this is carried out appropriately using porous and bound materials.

The proposed scheme has therefore made sufficient allowance for parking to meet the needs of the development and can be accommodated on the existing highway network. In respect of the impacts from the construction phase, it is acknowledged that this is likely to cause some short term disruption but this can be adequately mitigated by a condition to require a Construction Management Plan. No objections have been received from LCC Highways.

Impact on residential amenities

Policies HS4 and SP5 seek to protect the amenities of existing occupants and future occupiers of development. Policy SP4 also states that new development will be supported within Development Boundaries where, amongst other things, it would not have an unacceptably detrimental impact on residential amenity or other existing land users.

Policy HS4 requires appropriate outlook and privacy distances between habitable rooms; in this case, this requires a minimum distance of 20m. The interface distance between the front windows of the proposed dwellings and the front windows of existing houses on High Street is 16.2m which is less than this standard although this is greater than the general interface distances that are apparent in the surrounding area. It would still provide an adequate level of privacy due to the modest size of new window openings and would not lead to a dominating or oppressive outlook or significantly affect sunlight. Any increase in levels of general noise and activity would be modest and consistent with a primarily residential area.

The impact of the proposal on the residential amenities of residents is therefore acceptable and would not conflict with Policies HS4 or SP5.

#### Impact on visual amenities

Policy HS4 states that new housing should be high quality in its construction and design in accordance with Policy SP5 which requires development to respect locally characteristic street layouts, scale and massing, as well as have regard to landscaping and high quality materials appropriate to the site's context.

The dwellings would be prominent on a hillside position but have been designed in a form that reflects the terraced traditions of the local area. Attention has been given to the use of coursed stone to the principal elevations, chimneys, window and door surrounds. Conditions are necessary to require samples of materials and detailed design of all boundary treatment. A landscaping scheme should be required by condition.

The visual impact would be appropriate within its context and respect the local area.

#### Impact on ecology

Policy NE4 states that development should provide for the protection and integration of existing trees and hedgerows for their wildlife, landscape and/or amenity value. Policy NE1 states that all development proposals should, as appropriate to their nature and scale, seek opportunities to maintain and actively enhance biodiversity in order to provide net gains where possible. Some small trees and overgrown bushes that had no protection have already been cleared from the site. The site has no ecological designation but it is acknowledged that the site provides conditions that allow wildlife to thrive. GMEU recommend conditions to ensure that adequate protection is given to birds and to require the control of an invasive plant and a scheme for appropriate landscaping that will provide for mitigation. Subject to these conditions, the proposal would not significantly affect local biodiversity or protected species.

#### Impact on ground conditions

Policy CC5 requires appropriate assessment to identify the risks posed by unstable land. Following the submission of a further coal mining risk assessment, the Coal Authority accept that the site can be safely developed subject to conditions which require further intrusive site investigations and details to be agreed with the local planning authority. A pre-commencement condition is necessary to ensure that this is carried out.

#### Section 106 Contribution

Policy IC4 states that development will be required to provide or contribute towards the provision of the infrastructure needed to support it. Education provision is an appropriate matter to contribute to. In this case, the applicant has provided viability information which has been reviewed by the Council's Head of Property who concludes that the scheme is unlikely to be viable with the additional cost of the requested contribution. This is partly due to the abnormal costs of developing a site with mining legacies. In this situation, Lancashire County Council object to the application due to its impact on provision for primary school places in the next five years. The proposal would generate a need for up to 1.6 school places, based on the County Council's methodology which takes into account the capacity of primary schools within a three mile radius. Given however the scale of development, its sustainable location and the benefits from providing new homes close to the town centre and amenities, it is considered that these benefits would outweigh the identified harm from failure to contribute to primary school provision. It is accepted therefore that in this case there is adequate justification for not securing an education contribution.

#### Other issues

Policy NE5 states that on sites that are known to be contaminated, applicants will be expected to carry out an appropriate survey. The site has the potential to be affected by past farm uses and by local landfill sites. A condition is necessary therefore to require a desk top study and where necessary, a remediation strategy prior to the commencement of the development.

Policy CC4 seeks to ensure that development does not result in increased flooding either on the development site or elsewhere. In this case, the site falls within Flood Zone 1 where there is the least risk to flooding. Due to the minor scale of the development, no further assessment on drainage is required and no comments have been received from United Utilities. On this basis, the proposal would not significantly affect flooding.

#### Conclusion

The proposal would contribute to the supply of new housing within existing Development Boundaries at a sustainable location in the urban area of Padiham. The development is of an appropriate scale, massing and design to respect the existing distinctive street character and is adequately spaced to safeguard residential amenities. An education contribution is not being sought in this instance on viability grounds. The proposal would comply with the development plan and there are no material considerations which outweigh this finding.

**Recommendation: Approve with conditions (conditions to follow in late correspondence)**

JF