

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: NELSON COMMITTEE

DATE: 6 August 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON COMMITTEE 6th AUGUST, 2018

Application Ref: 18/0235/HHO

Proposal: Full: Erection of single-storey extension to rear.

At: 38 Fleet Street, Nelson

On Behalf of: Mr Aamir Mehmood

Date Registered: 03 April, 2018

Expiry Date: 29 May, 2018

Case Officer: Christian Barton

Referral to Committee: Deferral from June Committee

Site Description and Proposal

The application seeks to erect a single-storey extension to the rear of 38 Fleet Street, Nelson.

The dwelling is a mid-row property of traditional design. It is natural stone built under a slate roof with a white uPVC fenestration. It is surrounded by residential neighbours to all sides and has a walled yard to the rear. The scheme is to provide extended kitchen areas and a downstairs Water Closet (WC).

The site is within the settlement boundary of Nelson and is as part of the Bradley Area Action Plan.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways - Pedestrian access to the rear of the property will be maintained and there will be sufficient area with the remaining yard to store refuse bins. Therefore the above proposal raises no highway concerns and I would raise no objection to the proposal on highway safety grounds.

Nelson Town Council – No comments received.

Public Response

The nearest 7 neighbours have been notified by letter and no response has been received. The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework (NPPF) must be given full weight in the decision making process. Other material considerations may then be set against the Local Plan policies so far as they are relevant.

Officer Comments

The main considerations for this application are any potential impacts on residential amenity, the design and highway safety.

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV2 sets out general design principles, historic environment and climate change.

Other policies and guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to extension and sets out the aspects required for good design.

2. Design and Amenity

The SPD states that single-storey rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy for neighbours, or appear unduly dominant to neighbours. Such extensions are generally acceptable where they do not project in excess of 4m from the rear of the house where neighbouring main windows are immediately adjacent, as is the case here.

Amended plans have been received from the Applicant reducing the depth of the extension from 4.5m to 4m. Concerns regarding the massing the scheme and ultimately the impacts on the living environments of the immediate neighbours have now been resolved.

The proposed extension would measure 4.5m in width and 4m in depth with a mono-pitched roof totalling 3.8m in height. The extension would be to the rear of the property and would be visible from the rear highway alone. It is of an appropriate scale in relation to the size of the dwellinghouse and set down considerably from the main ridge height. It would have stone and rendered elevations, concrete roofing tiles and a white uPVC fenestration to complement the existing dwellinghouse. The scheme is therefore suitable in relation to its design along with the effects on visual amenity.

Owing to its rear projection, at 4m, the extension would not be inimical to the living environments of the immediate neighbours. The side elevations of the extension are to be blank elevations therefore the privacy of the occupants of 36 and 40 Fleet Street would not be affected by the proposal in any way.

View from the new kitchen window on the rear elevation of the extension would be confined to the boundary treatments of the site and the gable elevation of 32 Dalton Street, to the northeast. The gable elevation of number 32 has openings inserted however these sit offset from the site with a highway in-between. As such the proposal would have no effects on the privacy of occupants of number 32.

The presence of the extension here raises no adverse impacts with regard to the immediate neighbours. The proposed development is therefore acceptable in terms of residential amenity and ultimately complies with Policy ENV2 and the adopted Design Principles SPD.

3. Highways

The house is a traditionally built property and does not have any off-street parking. The scheme however would not alter the parking requirements of the site. Ample yard space would be left available following development for the storage of bins.

LCC Highways have raised no objection to the scheme and I concur with their findings. It would not generate significant numbers of vehicular movements and the development therefore raises no adverse highway safety concerns.

4. Summary

The proposal seeks to erect a single-storey extension to the rear of house. It would have no detrimental effects on the privacy or living environments of the immediate neighbours. The scheme is also suitable in relation to its design and effects on the local highway network.

The proposal is therefore acceptable for the site and complies with Policy ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) and the Design Principles Supplementary Planning Document.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is acceptable in terms of design and materials and would not unduly adversely impact on amenity. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

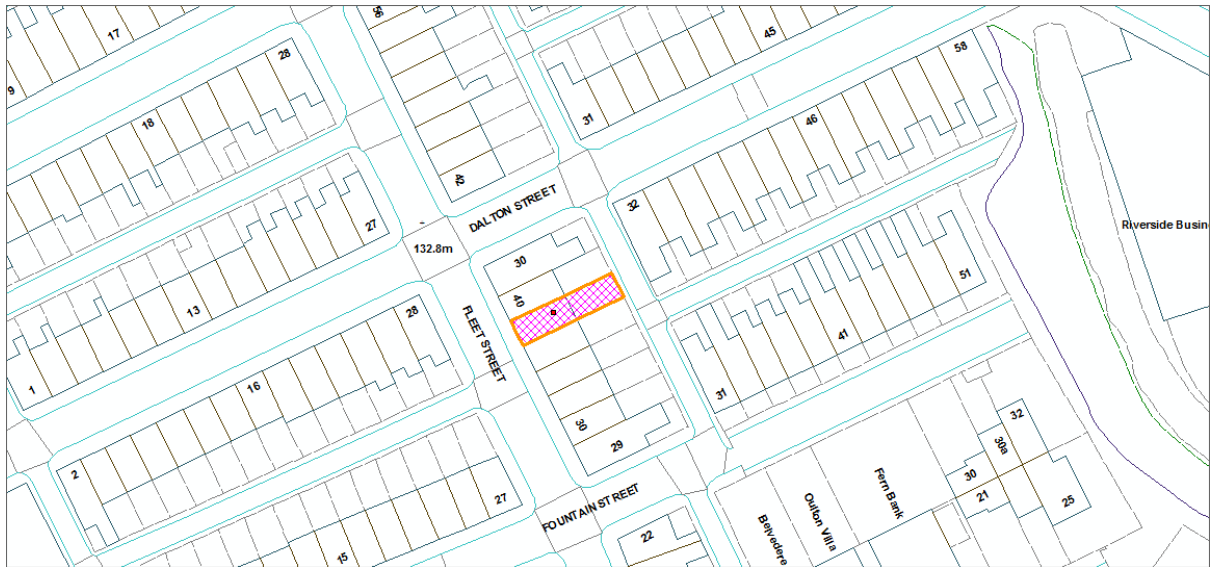
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Extension to 38 Fleet Street, Nelson (Drawing 1 – Amendment A).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of any development on site, samples of the external facing and roofing materials of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.



Application Ref: 18/0235/HHO

Proposal: Full: Erection of single-storey extension to rear.

At: 38 Fleet Street, Nelson

On Behalf of: Mr Aamir Mehmood

REPORT TO NELSON COMMITTEE 6th AUGUST, 2018

Application Ref: 18/0317/FUL

Proposal: Full: Retention of green aluminium shop front and external shutters (Part-Retrospective).

At: 14 Manchester Road, Nelson

On Behalf of: Mr Imtiaz Ahmed

Date Registered: 25 May, 2018

Expiry Date: 20 July, 2018

Case Officer: Christian Barton

Referral to Committee: Call-in by Chair

Site Description and Proposal

The application site is a retail premises, with an A1 use (optical practice), as part of the town centre of Nelson. The site is located within the Whitefield Conservation Area, adjacent to commercial units of varied uses.

This is a retrospective proposal which seeks permission for the replacement of a timber shop front. The unauthorised shop front installed is green in colour with an aluminium frame. External security shutters of the same colour have also been installed. Green cladding is proposed around the shop front.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways - With respect to this retrospective application we would not wish to raise any objection highway grounds.

PBC Conservation Section - The property is in a prominent town centre location within the Whitefield CA. The building is one of the oldest remaining in this part of Manchester Road, having a commemorative datestone of 1861 erected by the Order of Oddfellows.

The previous café shopfront was of timber, and though not original did display some moulding detail to the fascia and side pilasters, which gave some visual definition and character to the shopfront. The full height aluminium window frames in dark green, which have already been inserted, are generally acceptable, despite the loss of a stallriser. The installation of a roller shutter is once again contrary to CA SPD policy guidance, however the box is recessed and not as unsightly as at some other shops nearby.

The proposed fitting of plain metal sheeting to form the pilasters would not enhance the character and appearance of the CA at this point. Such fittings have potential to look crude and bulky, particularly if topped with a box sign, and would emphasise the flatness of the aluminium window frames. The proposal could be improved by the addition of timber pilasters with some moulding, which would better define a frame for the frontage, and continued up to fascia height, would provide a surround for the fascia sign.

The amended Elevation Plans showing timber pilasters are also unsuitable.

Lancashire Constabulary - No comments received.

Nelson Town Council - No comments received.

Public Response

Comments have been received from neighbours supporting the application on the following grounds;

- Visual improvements made to the premises
- Added security provided.

Officer Comments

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework (NPPF) must be given full weight in the decision making process. Other material considerations may then be set against the Local Plan policies so far as they are relevant.

The main considerations for this application are design and conservation area impacts, residential amenity and highways.

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a legal duty on all decision making bodies on how to consider applications in conservation areas. The law requires under section 72:

“In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:
 - CS Policy ENV1 seeks to protect and enhance the natural and historic environment and sets out the requirements for development proposals.
 - CS Policy ENV2 sets out general design principles, historic environment and climate change.

Other policies and guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to extension and sets out the aspects required for good design.
- The Conservation Area Design and Development Guidance Supplementary Planning Document (SPD) gives guidance on developments within Conservation Areas.

Paragraph 195 of the National Planning Policy Framework (NPPF) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The policy background of the scheme is principally contained with Policy ENV1 of the Pendle Local Plan requiring good design in relation to heritage assets. The adopted Conservation Area SPD provides further clarity on what is an acceptable design in relation to conservation areas and the setting of the wider area.

2. Design and Conservation Area Impact

The Conservation Area SPD advises that replacement shop fronts should be of a high standard of design, using good quality materials and relate well to the existing building. Replacement shop fronts will normally be approved only if they maintain or improve upon the quality of the commercial frontage they are to replace. Only high quality finishes and natural materials should be used.

A considerable amount of investment has been undertaken in Nelson town centre and Whitefield to ensure the area is upkept in a manner that reflects the historical significance of the conservation area. The previous shop front was an attractive painted timber frontage that displayed some moulding details to the fascia and side pilasters, which gave some visual definition and character to the building.

Although the replacement aluminium windows and doorway are constructed from sympathetic materials, the proposed green surrounds are not suitable for the age and style of neither the building nor its setting. The Agent has submitted amended elevation plans of the shop front however the plans fail to suitably address the concerns raised throughout the application process.

The amended plans show details of both aluminium and timber surrounds for the shop front however both options are unsuitable in relation to their design as part of a conservation area. Overall, the replacement shop front has resulted in the unsympathetic removal of moulded timber features and plinth that formerly contributed to the character of the street scene. The retrospective shop front is therefore unacceptable for the site.

Furthermore, the Conservation Area SPD states that the fitting of external security shutters to shopfronts will normally not be appropriate in conservation areas. Even punched or slotted shutters, like those installed, have an unacceptable impact on the character and appearance of an area. Where security is an issue, there are more visually acceptable ways of safeguarding the contents of premises such as internal grilles or toughened glass.

The green metal shutters installed on the premises cover the entire ground floor façade and are extremely prominent in the street scene when closed, owing to their design and colour. The

shutters, when closed are of detriment to the proportions and appearance of the shop front and unacceptably 'deaden' the frontage creating a fortified effect outside of business hours.

This harms the character and appearance of the conservation area. The harm to the significance of the Whitefield Conservation Area resulting from the installed roller shutters would be less than substantial but, would not be outweighed by the public benefits provided in the form of the siting of an optical practice, thus contravening Para 195 of the NPPF. These shutters are also therefore unacceptable.

3. Residential Amenity

The proposed development would not affect the massing of neither the building nor the position of its fenestration. It does not include the addition of any windows at ground or first floor level aside from the glazing of the lower most part shop front that was previously a timber plinth. Therefore, there would be no detrimental impacts on the amenity of neighbouring occupiers and the scheme is acceptable with that regard.

4. Highways

The site is as part of a traditional building and is not afforded any level of off-street parking. The development however would not alter the level of vehicular movements associated with the premises to a degree that would warrant concern.

LCC Highways have raised no objection to the scheme and I concur with their findings. The site is within a town centre location with short stay parking bays in close proximity. The development is therefore acceptable in terms of parking and highway safety.

5. Enforcement Action

The application is made in retrospect, however given the unsuitable design, it is recommended the application is refused and enforcement action is taken.

The enforcement proceedings should instruct the property owner to remove the newly installed shop front and security shutters, and reinstate the former timber shop front to the exact previous appearance.

6. Summary

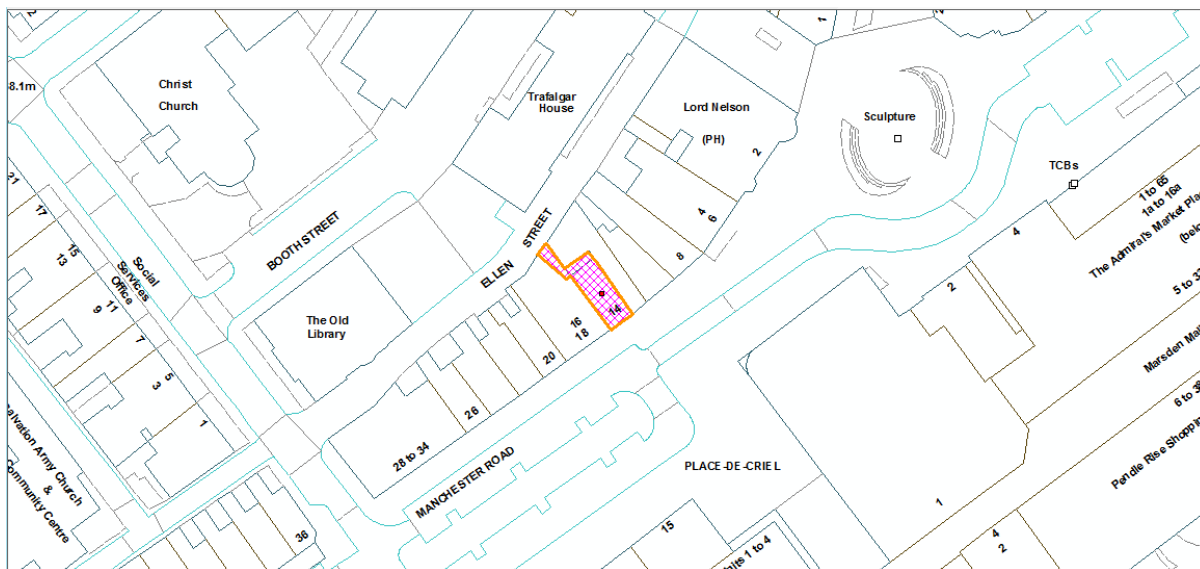
The proposal seeks to retain an unauthorised shop front and external security shutters. The development is acceptable in relation to the effects on the privacy and living environments of the immediate neighbours. The scheme is also suitable from a highway safety perspective.

The development however is unsuitable in relation to the design and the effects on the Whitefield Conservation Area. The use of modern fenestration styles and poorly designed shop surrounds would be at odds with the existing setting and appearance of the conservation area. The development has resulted in the eroding of the historical significance of the building and is unsuitable.

The development is therefore unacceptable for the site and fails to comply with Policies ENV1 and ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011-2030), the Design Principles Supplementary Planning Document, the Conservation Area Design and Development

RECOMMENDATION: Refuse

1. The replacement shop front and security shutters are inappropriate alterations to the building and result in harm to character and appearance of the Whitefield Conservation Area. Whilst the harm to the conservation area is less than substantial, the public benefits provided would not outweigh that harm and thus the development contravenes Policies ENV1 and ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011-2030), the Design Principles Supplementary Planning Document, the Conservation Area Design and Development Guidance Supplementary Planning Document and Paragraph 195 of the National Planning Policy Framework.



Application Ref: 18/0317/FUL

Proposal: Full: Retention of green aluminium shop front and external shutters (Part-Retropective).

At: 14 Manchester Road, Nelson

On Behalf of: Mr Imtiaz Ahmed

REPORT TO NELSON COMMITTEE 6th AUGUST, 2018

Application Ref: 18/0320/FUL

Proposal: Full: Retention of a canopy to yard area (Retrospective).

At: 52 Norfolk Street, Nelson

On Behalf of: Mr Mohammad Aslam

Date Registered: 09 May, 2018

Expiry Date: 04 July, 2018

Case Officer: Christian Barton

Referral to Committee: Deferral from July Committee

Site Description and Proposal

The application site is a car garage bounded by a high perimeter wall. The property sits on Norfolk Street, a road lined with buildings of varied styles and uses. The car garage is surrounded by residential properties to three sides with another car garage found to the east.

This application is made in retrospect and seeks to retain a canopy erected in the forecourt of the garage. The canopy has been constructed from metal girders with a ply wood roof. It has a height of 4.2m and covers an area of circa 5 square meters.

Relevant Planning History

13/92/0652P – Extend workshop at – Approved with Conditions – February 1992.

Consultee Response

LCC Highways – The above proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway grounds.

Canal and River Trust – No comment to make.

Lancashire Constabulary – No comments received.

Nelson Town Council – No comments received.

Public Response

Concerns have been received from neighbours relating to;

- The garage operating outside of the approved working hours
- Noise and disruption from current operations
- Dangerous manoeuvring of vehicles leaving the site

- The fact the structure is already in place
- Over development within the site
- Unsuitable design.

Officer Comments

The main considerations for this application are any potential impacts on residential amenity, the design and highway safety.

The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV2 sets out general design principles, historic environment and climate change.
- CS Policy SUP4 sets out general principles that ensure effective designing of public places.

Other policies and guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to extension and sets out the aspects required for good design.

1. Residential and Visual Amenity

The main issues here are impacts on domestic privacy, visual and aural amenity. The development is separated from the nearest residential neighbours, 93 - 97 Carr Road by 14m, these are terraced houses. The canopy has been erected in an area of previously open yard that is surrounded by a 3m perimeter wall that has an open front.

The perimeter wall screens all activity associated with the canopy and as such no impacts on residential privacy arise from the scheme. The flat roof of the canopy alone can be seen from public vantage points set against a modern, metal clad building. It would have no effects on the visual amenity of the area based on this.

It sits outside of the main garage building and houses a mechanical ramp. There is potential for the ramp to change the noise levels associated with the garage however the business is currently permitted to operate within the forecourt. Furthermore when the distances to the nearest residential properties are considered, there is no greater effect on the aural amenity of neighbours attributed to the canopy.

Concerns have been raised from neighbours relating to the garage operating outside of its approved working hours and associated disruption. The canopy supports the existing operations of the garage and does not directly relate to later working hours. A previous application at the site limited the working hours of the garage through the use of a condition however any breach of conditions relating to previous applications will be investigated separately.

2. Design and Materials

Concerns have been raised from neighbours relating to poor design along with overdevelopment within the site. The modern, grey metal clad building is set within terraced housing along with some commercial buildings; these set the main setting for the site.

The top circa 1m of the canopy can be seen above the surrounding wall. The extension is a light structure with a steel frame and a flat roof. It has no design implications nor would it adversely affect the street scene of the area based on this.

3. Highway Safety

Concerns have been raised from neighbours relating to dangerous manoeuvring of vehicles around the site. The canopy is located in a small corner of the site and it does not affect the parking arrangements or internal functionings of the business.

LCC Highways have raised no objection to the scheme and I concur with their findings. The development does not alter the manoeuvring of vehicles entering/leaving the site and as such it would not affect the highway safety of the local area.

4. Summary

The proposal seeks to retain an unauthorised canopy used to house a mechanical car ramp. The scheme would not affect the residential privacy or living environments of the immediate neighbours. The design and choice of materials are also suitable when related to the existing setting of the area as are the effects on highway safety.

The development is therefore acceptable for the site and complies with Policies ENV2 and SUP4 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is acceptable in terms of design and materials and would not unduly adversely impact on amenity. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

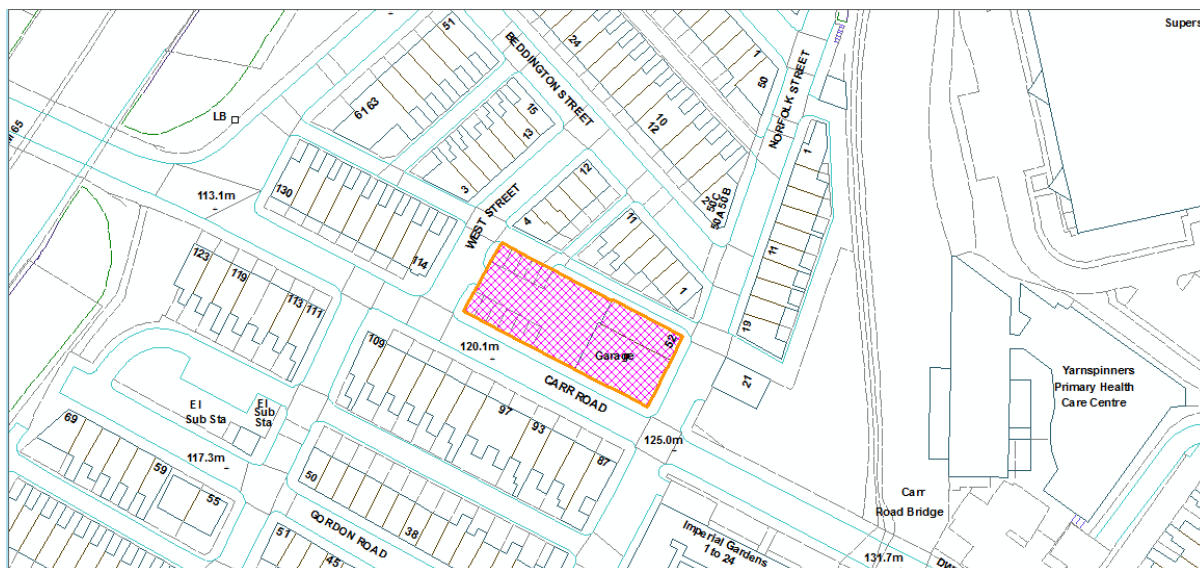
2. The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Canopy to Yard at Norfolk Street Garage (Drawing Number 1).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the

prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.



Application Ref: 18/0320/FUL

Proposal: Full: Retention of a canopy to yard area (Retrospective).

At: 52 Norfolk Street, Nelson

On Behalf of: Mr Mohammad Aslam

REPORT TO NELSON COMMITTEE 6th AUGUST, 2018

Application Ref: 18/0351/HHO

Proposal: Full: Erection of roof dormers on front and rear roofslopes.

At: 201 Barkerhouse Road, Nelson

On Behalf of: Mr Munir Hussain

Date Registered: 16 May, 2018

Expiry Date: 11 July, 2018

Case Officer: Christian Barton

Referral to Committee: Call-in by Chair

Site Description and Proposal

This application seeks to erect roof dormers on both the front and rear roofslopes of 201 Barkerhouse Road, Nelson.

The dwelling is a mid-row property of traditional design. It has painted natural stone elevations under a slate roof with a white uPVC fenestration. It is surrounded by residential properties to all sides and has a walled yard to the rear. The scheme is to provide an additional bedroom.

The site is within the settlement boundary of Nelson and has no special designations as part of the Pendle Local Plan.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways - The above proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway grounds.

Nelson Town Council - No comments received.

Public Response

The nearest 7 neighbours have been notified by letter and no response has been received.

Officer Comments

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy

Framework (NPPF) must be given full weight in the decision making process. Other material considerations may then be set against the Local Plan policies so far as they are relevant.

The main considerations for this application are the design and materials, effects on residential amenity and highways.

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV2 sets out general design principles, historic environment and climate change.

Other policies and guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to extension and sets out the aspects required for good design.

The policy background of the scheme is principally contained with Policy ENV2 of the Pendle Local Plan requiring good design in relation to neighbours. The adopted Design Principles SPD provides further clarity on what is an acceptable design in relation to neighbouring properties and the street scene.

2. Design and Materials

The Design Principles SPD states that roof dormers should be designed to ensure they are in keeping with the appearance of the dwelling. Their design should respect the balance of the property and they should not appear overly dominant as part of the roofslope. They should also be faced with materials which match the existing roof coverings of the house.

They should be set down from the main ridge of the roof by 0.2m and set in 0.5m from the sides. The front elevation of the dormer should also be set in 1m from that of the house. Dormers to the front of houses are generally unacceptable where they are not a feature of similar houses in the locality.

Both the front and rear dormers proposed would have total heights of 1.8m and widths of 4m. Given the slope of the row of houses, the flat roofs of the dormers sit flush with the ridge at the side of number 199 and drop 0.2m below the ridge adjacent to number 203. They also sit off centre within the roofslope separated by 1m from number 199 and 0.5m from number 203. Their front elevations are set in from the front/rear elevations of the house by 0.8m.

The dimensions of the proposed dormers therefore align, by majority with the guidance of the SPD however they are to be faced with grey uPVC cladding as part of a natural slate roof. There are also no front dormers present on the row (numbers 193 – 203) with the SPD advising that such features are only acceptable where at least 25% of the row has them already.

The proposal would introduce modern flat roofed dormers to both the front and rear of the house. The use of grey uPVC cladding would be unsympathetic in relation to the age and style of the house and the material would be at odds with the existing natural slate roof of the terraced row. As such the design proposed is inappropriate in relation to the existing Victorian façade of the property and will not be supported. The facing materials of the scheme and presence of a front dormer therefore fails to align with Policy ENV2 and the Design Principles SPD.

3. Residential Amenity

The Design Principles SPD states that roof dormers should be sited to avoid adverse overlook of neighbouring properties. The massing the roof dormers would not affect the living environments of the immediate neighbours in any way. The scheme would add two primary openings to the house viewing north and south towards properties on Marsden Hall Road and Barkerhouse Road.

View from the rear dormer would extend across the rear gardens of the neighbouring properties, 2 - 4 Marsden Hall Road. The neighbouring properties to the south, 238 and 240 Barkerhouse Road have separation distances from the site of 19m. A road and garden space is found in between. Both the front and rear elevations of the site currently have primary openings at first floor level serving bedrooms.

Based on this, the addition of a further bedroom window on each elevation would have negligible further effects on the privacy and enjoyment of the occupants of the adjacent properties. The presence of the extension here therefore raises no adverse impacts with regard to immediate neighbours.

4. Highways

The house is a traditionally built property and has no off-street parking. The scheme would alter the parking requirements of the site however LCC Highways have raised no objections and I concur with their findings. The development would not generate significant numbers of vehicular movements and it therefore raises no adverse highway safety concerns regarding the local highway network.

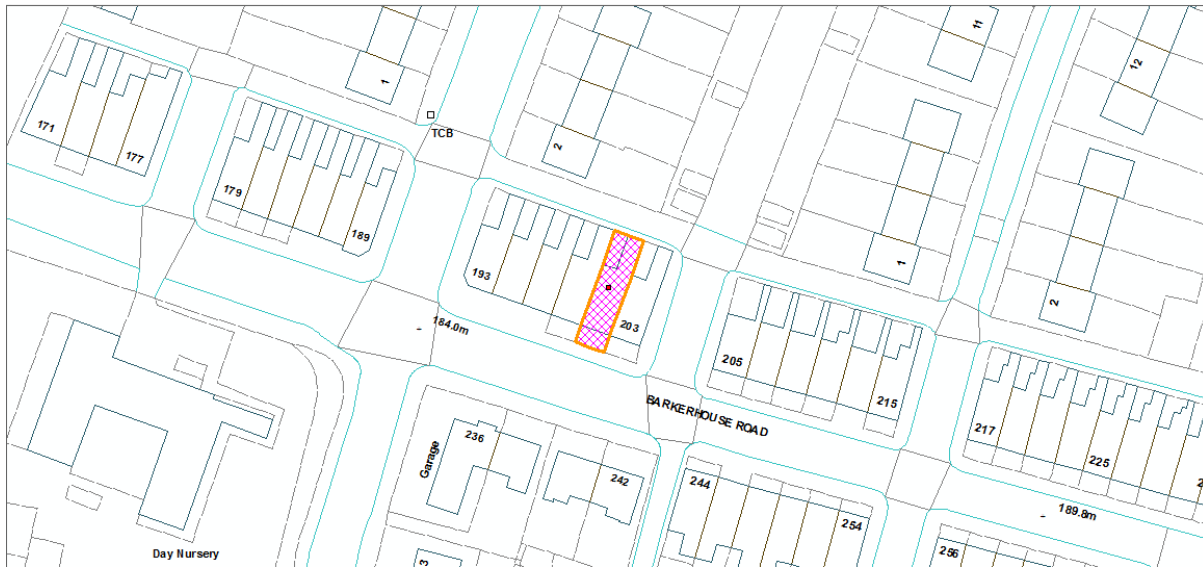
5. Summary

The proposal seeks to erect roof dormers on the front and rear roofslopes of the house. They would have no detrimental effects on the privacy or living environments of the immediate neighbours. The dormers however are to be faced with grey uPVC cladding as part of a natural slate roof. There are also no front dormers on that particular row of terraces currently.

The facing materials proposed for the build are therefore unsuitable in relation to the character and appearance of the Victorian property along with the wider street scene. The design of both dormers and siting of a front dormer is unacceptable for the site and the scheme therefore fails to comply with Policy ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) and the Design Principles Supplementary Planning Document.

RECOMMENDATION: Refuse

1. The installation of modern dormers faced with grey uPVC cladding and the siting of a dormer on the front roof slope of the property would be of detriment to Victorian façade of the house along with the character and appearance of the wider area. The proposal is therefore unsuitable for the site and fails to comply with Policy ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.



Application Ref: 18/0351/HHO

Proposal: Full: Erection of roof dormers on front and rear roof slopes.

At: 201 Barkerhouse Road, Nelson

On Behalf of: Mr Munir Hussain

REPORT TO NELSON COMMITTEE 6th AUGUST, 2018

Application Ref: 18/0378/HHO

Proposal: Full: Erection of two storey extension to rear and single storey extension to side (South), alterations to roof and insertion of two second floor windows to sides.

At: Eastfield, Scotland Road, Nelson.

On behalf of: Nasser Mahmood

Date Registered: 1 June 2018

Expiry Date: 27 July 2018

Case Officer: Kathryn Hughes

This application has been called in this Committee by a Member.

Site Description and Proposal

The application site is a large detached stone built house located within the settlement boundary of Nelson. The house sits in its own large plot off Scotland Road and opposite the recently opened petrol filling station.

It is constructed from natural stone with natural blue slate roof with mainly timber fenestration painted white although some upvc windows and doors have been introduced.

The proposal is to erect a single storey side extension and a two storey rear extension. The proposed side extension would measure 4.825m x 5.85m with a height of 4.2m (2.8m to eaves). The extension would be constructed from natural stone and render walls with natural slate roof to form a kitchen. The two storey rear extension would measure 4m x 3.8m with a height of 8.5m (6.9m to eaves). The extension would be constructed from natural stone and render walls with natural slate roof to form a dining room at ground floor and bedroom above.

Two additional white upvc windows are proposed, one in each gable at second floor level.

To the rear of the site (west) is a bowling green with housing adjacent to the south and a recently completed petrol filling station to the front (east).

This application is similar to the one approved in 2008.

Relevant Planning History

13/08/0297P – Erection of two storey rear extension and alterations to house roof – Approved 23rd July, 2008.

13/04/0814P – Change of use from residential home to single dwelling – Approved November 2004.

13/00/0546P – Attach conservatory to side – Approved November, 2000.

13/99/0143P – Erect Bungalow – Approved April, 1999.

Consultee Response

LCC Highways – No objection.

Nelson Town Council

Public Response

Nearest neighbours notified by letter without response.

Officer Comments

The main issues to consider in this application are design and materials, impact on amenity and parking.

Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy requires new development to be in scale and harmony with the surrounding area.

The Design Principles SPD contains further guidance on residential extensions.

Impact on Residential Amenity

The single storey side extension would be screened by the existing conservatory and would not have an adverse impact on the immediate neighbour (no.4) due to the existing boundary treatment and existing 5m long conservatory extension. The two storey side extension would have a ground floor window to the side facing No. 4 which again would not impact any more than existing. The first floor element would also have a side window at a distance of 13m

The second floor gable window proposed to the south side would be sited 9.4m from the existing gable of no. 4 Westfield which has an existing historic second floor window in its gable. This window therefore would need to be obscurely glazed in order to prevent any loss of privacy for both parties.

Design & Materials

The materials and design proposed are acceptable for this location.

Highways

The proposal would not result in a change to the approved parking layout, with the driveway able to accommodate over 4 vehicles which is acceptable.

Summary

The proposed changes to the approved scheme are acceptable and raise no adverse design or amenity issues. The development thereby complies with policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and guidance set out in the SPD.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in terms of scale, design and amenity, thereby complying with Local Plan policies. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

665/1, 666/2, 666/2A, 666/3, 666/4, 666/5, 666/6, 666/11, 666/12A, 666/13 and 666/14A.

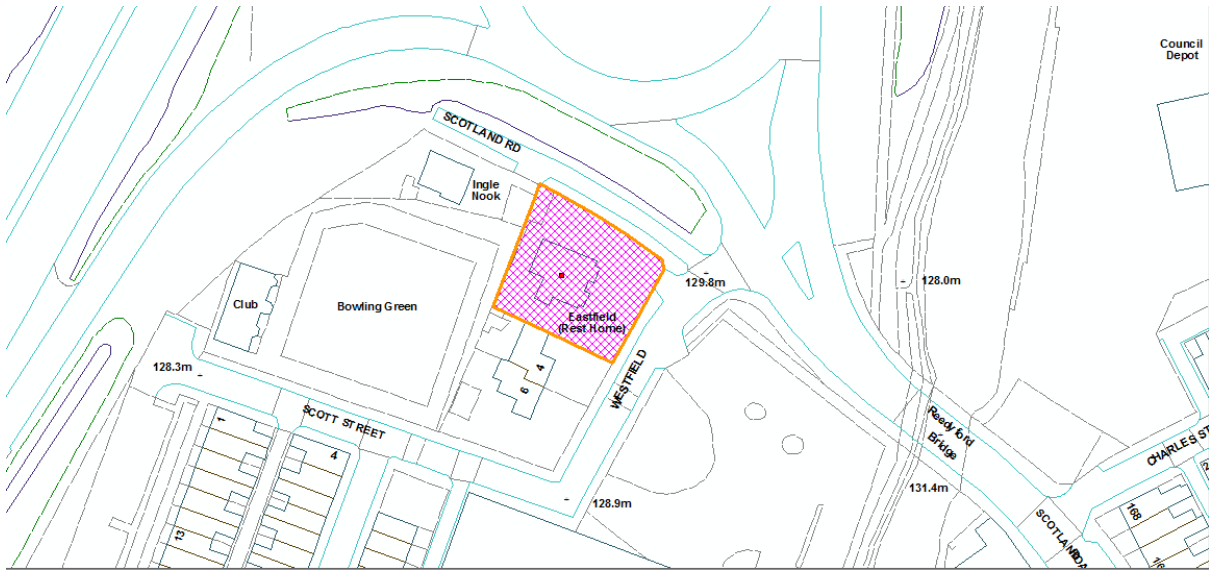
Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted, including render colour (notwithstanding any details shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. The window in the second floor the gable on the north elevation of the development hereby permitted shall at all times be glazed only with obscure glass of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority prior to its installation. Any replacement glazing shall be of an equal degree of obscurity to that which was first approved. The window shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

Reason: To protect the privacy of the occupants of the adjoining dwelling.



Application Ref: 18/0378/HHO

Proposal: Full: Erection of two storey extension to rear and single storey extension to side (South), alterations to roof and insertion of two second floor windows to sides.

At: Eastfield, Scotland Road, Nelson.

On behalf of: Nasser Mahmood

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 24th July 2018